

Guide to Minor Developments

INTRODUCTION

The Douglas County Department of Community Development (DCD) is committed to providing open, transparent application processes to the public. This Guide is provided to assist anyone interested in the procedures and expectations involved in the minor development process. The information in this packet is a summary of Articles 6 and 6A of the Douglas County Subdivision Resolution (DCSR).

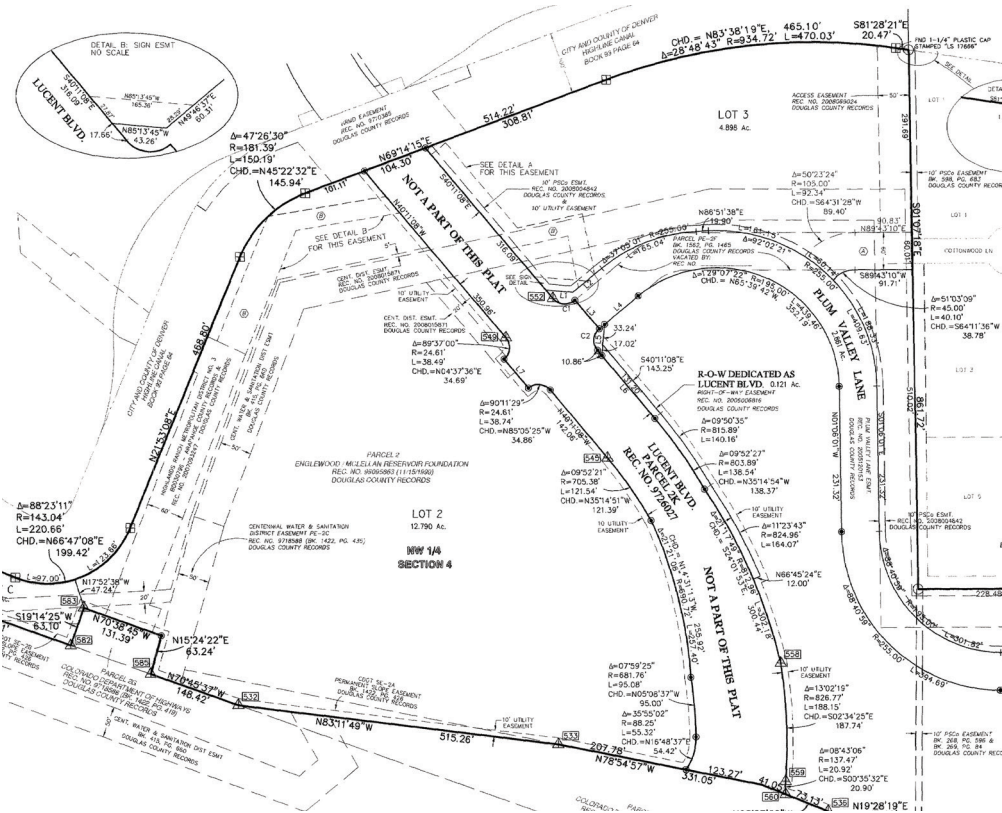
WHAT IS A MINOR DEVELOPMENT?

The minor development process includes the review of lot layout, access, adequate water and sanitation, availability of utilities, and other subdivision platting considerations to encourage compatibility and connection with the larger environment. The minor development process ensures that newly created lots are in conformance with the Douglas County Comprehensive Master Plan, Douglas County Zoning Resolution (DCZR), Douglas County Subdivision Resolution (DCSR), and Douglas County Public Works Engineering Regulatory Manuals. The minor development is a streamlined process for use in the creation of a small number of lots. If it is determined that the applicant is using the minor development process to avoid the subdivision process, such as the submittal of multiple adjoining minor developments, the applicant will be required to comply with the County's sketch plan, preliminary plan and final plat processes.

WHEN IS A MINOR DEVELOPMENT NECESSARY?

The minor development process is for anyone proposing to subdivide land into four or fewer single-family residential lots. The Director of Community Development has the authority to permit creation of up to ten lots based on considerations such as design, size, availability of public facilities and services, and access to the transportation network.

The minor development process may also be used to create non-residential and multi-family lots at the discretion of the Director, based on a determination that the minor development process provides adequate public notice of the proposed subdivision.



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Steps 1-3 of the Minor Development Process

Presubmittal Review

STEP 1

COUNTY STAFF'S GOAL FOR COMPLETION: 7-10 DAYS

The presubmittal review is the initial review of a proposal to identify potentially significant issues and submittal requirements. While Planning Services staff strives to identify critical issues at presubmittal, additional issues may be identified during the formal application review and referral process.

Presubmittal reviews are held weekly and proposals are evaluated by Planning Services, Public Works Engineering and Building staff. The applicant may schedule a meeting to request a presubmittal review by calling 303-660-7460.

Written comments from the presubmittal review team are typically provided to the applicant within a few days of the presubmittal meeting. Presubmittal comments are valid for one year from the date of the presubmittal meeting.

Submittal

STEP 2

COUNTY STAFF'S GOAL FOR COMPLETION: 2 DAYS

Following the presubmittal review, the applicant may submit a formal application to Planning Services. A planning technician reviews the application submittal to ensure that all required items have been included. Once all materials are provided, a planner is assigned to the project.

Submittal Checklist (summarized from Section 606 of the DCSR)

- Presubmittal review
- Completed Land Use Application form
- Project narrative
 - Total land area, number of lots, overall density, total open space
- Water supply summary sheet
- Application fee
- Copy of a title policy or commitment
- Notarized letter from the landowner authorizing a representative to process the application, if applicable
- Stamped envelopes addressed to abutting landowners for courtesies notices
- Minor Development exhibit (see examples on pages 6 and 7)
- Development Reports, as required
 - Phase III Drainage Report
 - Final road construction plans
 - Printed copy of the closure calculations
 - Traffic Impact Analysis
 - Sound study for proposed residential lots abutting a state, federal, or major arterial roadway
 - Evidence of sanitation service
 - Evidence of utility provision
 - Evidence of adequate water supply in accordance with Section 18A of the DCZR
 - Site exhibit showing:
 - Floodplain, waterways, detention areas, wetlands, and other similar site features
 - Potential hazard areas including geologic hazards and expansive soils
 - Topography at 10' intervals, shaded slope areas (15-25% in one pattern and 25% or greater in another pattern)

Pre-Referral Review

STEP 3

COUNTY STAFF'S GOAL FOR COMPLETION: 15 DAYS

Planning Services and Public Works Engineering staff perform a completeness review to identify any additional exhibits and reports that may be required and comments on any obvious conflicts with Douglas County's Roadway Design & Construction Standards Manual, Storm Drainage Design & Technical Criteria Manual, and Grading Erosion & Sediment Control Manual.

The planner reviews the submittal to ensure compliance with Douglas County's Comprehensive Master Plan, DCSR, and DCZR. If applicable, the planner reviews the Minor Development in accordance with any Planned Development (PD) requirements and verifies that PD commitments are satisfactorily addressed.

When reviewing the minor development plat in accordance with the DCSR requirements, planning staff utilize the following criteria:

(continued on the next page)

Step 3-4 of the Minor Development Process

Pre-Referral Review *continued*

Minor Development Final Plat Exhibit (summarized from Section 607 of the DCSR)

- Prepared by or under the supervision of a registered professional land surveyor licensed in the State of Colorado
- Mylar drawing using only permanent black ink that will adhere to drafting films (only final version must be on mylar)
- Sheet size of 24" x 36" with a 1" minimum margin on all sides for each sheet
- Drafted at a scale that best conveys the subdivision (1"=50', 1"=100', or 1"=200')
- Title at the top of the sheet must include:
 - Name of the proposed subdivision
 - A general legal description including the section, township, range, 6th Prime Meridian, and Douglas County, CO
 - Total acreage, number of lots and tracts
 - Planning Services file number
- Include the following in a block in the lower right-hand corner:
 - Preparation date and date of revisions, if applicable
 - North arrow
 - Written and graphic scale
 - Names and addresses of the applicant, developer, engineer or surveyor
 - Sheet number and total number of sheets
- Vicinity map of the area to be subdivided and surrounding area within a 1-mile radius
- Written legal description of the subdivision limits and boundaries
- Identify the locations of all abutting subdivided parcels, unplatted parcels and public lands
- Display ties to section corners and to the State grid
- Identify and label all lots, tracts and appropriate building envelopes, if requested by staff, with the appropriate dimensions including the acreage within each lot to the nearest 0.01 of an acre
- Indicate all road names, and provide dimensions for the width of all rights-of-way
- Describe the purpose, widths and locations of all easements and abutting easements
- Accurately locate 100-year floodplain and other water or drainageways
- Provide certifications on the title sheet in accordance with Article 8 of the DCSR including: Surveyor, Dedication Statement, Clerk and Recorder, Board of County Commissioners, Title Verification, Planning Commission, and, if needed, an Acceptance Certificate
- Include the Centennial Airport Review Area note on applicable minor developments
- Include plat notes explaining information pertinent to the ownership and purpose of tracts, reference the subdivision improvements agreement and conservation easements, maintenance responsibility for private roads, easements and tracts

Design Elements to be addressed (summarized from Section 404 of the DCSR)

- Lots are of an appropriate size and configuration for the site and can meet zone district standards
- Geologic hazards of other hazardous conditions are mitigated or avoided
- Conflicts between proposed and surrounding uses are minimized through lot and tract layout, setbacks, landscaping, or other buffering techniques
- Streets and stormwater facilities are laid out and designed to meet County Engineering standards
- Elements of the site's natural terrain, drainageways, riparian areas, and vegetation are preserved or integrated into the subdivision design
- Archeological and historical resources of special significance are protected
- Opportunities for safe and convenient vehicular, pedestrian, and other connections within the subdivision and to adjacent areas are provided
- Specific recommendations of other required development reports or technical studies are implemented into the subdivision design

Applicant Revision

APPLICANT'S AVERAGE: 18 DAYS

The applicant reviews the pre-referral letter provided by staff and updates the minor development exhibit and additional materials, as necessary. It is the applicant's responsibility to provide any additional exhibits, plans, studies or fees necessary requested by staff in order to proceed with the referral. The applicant prepares referral packets in accordance with staff's written instructions. A prompt resubmittal addressing all staff comments will help achieve a speedy process.

STEP
3
continued

STEP
4

Steps 5-8 of the Minor Development Process

Referral Period and Courtesy Notification

STEP 5

REGULATORY REFERRAL PERIOD: 28 DAYS

The planner verifies the contents of the applicant's referral packets, inserts a Referral Response Request form to solicit comments, and distributes the packets to necessary referral agencies. The referral period provides an opportunity for various agencies and stakeholders to comment on the application. Referral agencies have 28 days to comment unless the applicant grants, in writing, an extension of up to 30 days. The applicant must pay any referral agency fees, if charged.

Through the referral process, the Parks, Trails and Building Grounds, and the School District identify any land dedication requirements as stated in Article 10 of the DCSR. If cash-in-lieu of land dedication is proposed, the applicant will need to prepare an appraisal to be used for the determination of cash-in-lieu amounts.

The planner forwards referral comments to the applicant as they are received so the applicant can immediately begin addressing comments directly with the referral agencies. The planner assists in facilitating meetings and discussions between the applicant and referral agencies, if necessary. Additional referral periods may be required depending on the extent of design changes resulting from comments produced through the initial referral period.

Concurrent with the distribution of referral packets, the planner prepares and mails courtesy notices to abutting landowner(s) that state the application is in process.

The applicant notifies any mineral rights holders of the proposed minor development and prepares a Certificate of Compliance acknowledging that notification has occurred. This Certificate must be received before the Planning Commission hearing.

Post Referral Review

STEP 6

COUNTY STAFF'S GOAL FOR COMPLETION: 7 DAYS

The planner ensures all referral responses have been forwarded to the applicant. Following the referral period, the planner provides a post-referral letter to the applicant summarizing any outstanding comments from Planning Services and referral agencies that the applicant must address. The applicant is encouraged to meet with the planner and referral agencies to discuss any comments or questions.

Applicant Revision

STEP 7

APPLICANT'S AVERAGE: 31 DAYS

The applicant reviews the post-referral letter provided by staff and revises all necessary exhibits, plans, and studies accordingly. The applicant addresses the comments of all regulatory referral agencies by identifying, in writing, the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide a written response to comments from all advisory referral agencies. It may be necessary for the applicant to meet with the planner and referral agencies in order to address all comments.

The applicant submits a signed Subdivision Improvements Agreement (SIA) to Public Works Engineering, if applicable, to secure the cost of improvements associated with the minor development. If an appraisal is required for determination of cash-in-lieu amounts, it must be provided now. A prompt resubmittal addressing all comments may reduce the process by several weeks.

Staff Review

STEP 8

COUNTY STAFF'S GOAL FOR COMPLETION: 10 DAYS

The planner ensures all outstanding comments have been adequately addressed in the applicant's resubmittal. If any comments have not been addressed, the planner provides the applicant with a letter stating the deficiencies. It may be necessary for the applicant to resubmit in order to satisfactorily address the review comments. If necessary, the planner will facilitate a meeting between the applicant and referral agencies to resolve outstanding comments.

Once the application is finalized, the planner schedules the project for Planning Commission and Board of County Commissioners' Hearings. The applicant must meet all public notice requirements listed in Section 609 of the DCSR. At each hearing the following approval standards are used to evaluate the project:

(continued on the next page)

Steps 8-10 of the Minor Development Process

Staff Review *continued*

Approval Standards (summarized from Section 603 of the DCSR)

- Conforms with the goals, objectives, and policies of the Douglas County Comprehensive Master Plan
- Conforms with the design elements established in Section 604 of the DCSR
- Demonstrate a sufficient water supply in terms of quantity, quality and dependability for the type of subdivision proposed, as determined in accordance with the standards in the Water Supply - Overlay District of the DCZR (Section 18A)
- Provisions have been made for a public sewage disposal system, and if other methods of sewage disposal are proposed, adequate evidence that such system must comply with state, and local laws and regulations
- Topographical conditions presenting hazards or requiring special precautions have been identified, and the proposed uses of these areas are compatible with such conditions
- Adequate drainage improvements have been provided
- Adequate transportation improvements have been provided
- Significant cultural, archaeological, natural and historical resources, and unique landforms are protected
- The extraction of any known commercial mining deposit will not impede this development
- Services, including fire and police protection, recreation facilities, utility service facilities, streets, and open space, are available to serve the proposed subdivision

STEP

8

continued

Public Hearings

APPLICANT'S AVERAGE: 28-40 DAYS (DEPENDS ON HEARING SCHEDULE)

Planning Commission Hearings are generally held the second and fourth Monday of every month at 7 p.m. in the Commissioners' Hearing Room. The Board of County Commissioners generally hears land use proposals bi-weekly on Tuesdays at 2:30 p.m. Staff will identify upcoming hearing dates and relay them to the applicant. The planner creates a staff report in preparation for the hearings, a copy of which is mailed to the applicant.

In preparation for the hearing, the applicant must provide proper public notice, published and posted, of the item in accordance with Section 609 of the DCSR 14 days prior to the hearing date.

At the hearing, the planner will present general project information. The applicant should be prepared to present pertinent information and address questions about the proposed development. Common question topics include layout, water supply, referral agency comments, traffic, and how the application meets the approval standards.

STEP

9

Recordation

APPLICANT'S AVERAGE: 20 DAYS

Within 60 days of approval of the minor development final plat, unless otherwise stated, the applicant submits the approved final plat ready for recordation. Failure to submit all required documentation within 60 days will void the minor development final plat approval resulting in the applicant having to resubmit the minor development final plat, along with all required fees and documentation. Extensions to this 60-day time frame may be granted by the Director or Board.

The final plat, printed on mylar, must include all notarized signatures except for the Board Chair and other County departments.

Along with the final plat, the applicant must also submit the following:

- Mapping and recordation fees
- A current title insurance policy or commitment, no more than two weeks old
- A warranty deed, or cash-in-lieu, for county land dedication for parks or schools
- A Certificate of Taxes Paid for the land area of the final plat indicating no overdue taxes
- Any other items identified by the Board of County Commissioners through its conditions of plat approval

COUNTY STAFF'S GOAL FOR COMPLETION: 15 DAYS

(FROM RECEIPT OF SIGNED MINOR DEVELOPMENT PLAT)

Within 30 days of receipt of the final plat and supporting documentation, the planner obtains signatures of the Director and Board, as required, and records the minor development final plat.

STEP

10

Dedication Statement

DEDICATION STATEMENT
The undersigned, being all the owners, mortgagees, beneficiaries of deeds of trust and holders of other interests of the land described herein, have laid out, subdivided and plotted said lands into lots, blocks, streets and easements as shown hereon under the authority of the laws of the State of Colorado, and the said lots, blocks, streets and easements shown hereon are hereby dedicated for public utilities and cable communications systems and other purposes as shown hereon. The entities responsible for providing the services for which the easements are established are hereby granted maintenance and replacement of utility lines and related facilities. The dedication of the easements and replacement of utility lines and related facilities is for the benefit of the public use and purposes.

OWNER
Justin Lana

STATE OF COLORADO) SS
COUNTY OF DOUGLAS)
Acknowledged before me this 29 day of April, 2008.

Witness my hand and Official seal this 29 day of April, 2008.
My Commission Expires 03/26/2012

MORTGAGEE Washington Mutual Bank
By: DAVID E. ANCHER
Title: Financial Center Manager

STATE OF COLORADO) SS
COUNTY OF DOUGLAS)
Acknowledged before me this 25 day of April, 2008.
By Washington Mutual Bank

Witness my hand and Official seal this 25 day of April, 2008.
My Commission Expires 09/04/2009

NOTARY PUBLIC

SURVEYOR'S CERTIFICATE
I, the undersigned, Registered Professional Land Surveyor in the State of Colorado, do hereby certify that this plat truly and correctly represents the results of a survey made during January, 2008, by me or under my direct supervision and that all monuments exist as shown hereon that mathematical closure errors are less than one-hundredth (1/100) of the length of the longest side of the polygon surveyed and that all adjacent lots of land and all applicable provisions of the Douglas County Subdivision Resolution.

I filed the above on this 25 day of April, 2008.

David E. Ancher, A Colorado Professional
Land Surveyor, Number 6933

PLANNING COMMISSION
The minor development final plat (File No. SB06-075) was reviewed by the Planning Commission on 04/28/2008.

Justin Lana
Planning Director on behalf of the Planning Commission

CLERK AND RECORDER'S CERTIFICATE
STATE OF COLORADO) SS
COUNTY OF DOUGLAS)
I hereby certify that this plat was filed in my office on this 29 day of April, 2008, A.B. at 4:05 p.m., and was recorded at Reception Number 2008032824.

OWNER/APPLICANT
Justin Lana
1550 Cherry Creek South Drive
Boulder, CO 80246

LANA SUBDIVISION FINAL PLAT	
BY: <u>JUSTIN LANA</u>	PLAT NO. <u>2</u>
DATE: _____	SHEET NO. <u>04-0196</u>

Sheet Number

Sheet size is 24" x 36"

LANA SUBDIVISION
A PART OF THE NE1/4 OF SECTION 19
AND THE NW1/4 OF SECTION 20, T8S, R65W, 6th P.M.,
DOUGLAS COUNTY, COLORADO
40.19 ACRES 4 RESIDENTIAL LOTS
SB06-075

Legal Description

A tract of land situated in the Northwest 1/4 of Section 20, Township 8 South, Range 65 West of the 6th Principal Meridian, Douglas County, Colorado, to wit: the West 1/4 corner of Section 20 bears S 89°53'47" W a distance of 923.01 feet; the East 1/4 corner of Section 20 bears S 89°53'47" W a distance of 439.26 feet; said curve has a radius of 144.00 feet and a central angle of 40°29'26". The above information, along with any other information required to locate the land described herein, is hereby given as follows:
1. The East line of the tract is 237.27 feet long, bearing S 89°53'47" W a distance of 237.27 feet.
2. The North line of the tract is 439.26 feet long, bearing S 89°53'47" W a distance of 439.26 feet.
3. The West line of the tract is 923.01 feet long, bearing N 89°53'47" W a distance of 923.01 feet.
4. The South line of the tract is 237.27 feet long, bearing N 89°53'47" W a distance of 237.27 feet.
Containing 40.19 acres, more or less.
Attest: My hand and Official seal of Douglas County, Colorado, this 29 day of April, 2008.
Justin Lana, County Clerk
105 Wilcox Street, Castle Rock, CO 80104

Title Verification

TITLE VERIFICATION
We, the undersigned, do hereby certify that we have examined the title of all land platted hereon and that title to such land is in the dedicatrix free and clear of all liens, taxes, and encumbrances, except as follows:
Date: _____ at _____ Title: _____
STATE OF COLORADO) SS
COUNTY OF DOUGLAS)
Acknowledged before me this 29 day of April, 2008.
By Justin Lana at _____
Witness my hand and Official seal this 29 day of April, 2008.
My Commission Expires 04/27/2011
Notary Public

Board Certificate

BOARD OF COUNTY COMMISSIONERS
This plat was approved for filing by the Board of County Commissioners of Douglas County, CO, on the 27 day of December, 2007, subject to any conditions specified hereon. The dedications of Berlingueta Court, Tracts A and B, and the utility easements are excepted.

All expenses incurred with respect to improvements for all utility services, potholes, grading, landscaping, curbs, gutters, sidewalks, road lighting, road signs, flood protection devices, and all other improvements required for the public use of the property shall be the responsibility of the subdivider and not Douglas County.

This acceptance does not guarantee that the soil conditions, subsurface geology, groundwater conditions or flooding conditions of any of them hereon are such that a building permit, well permit or sewage disposal permit will be issued.

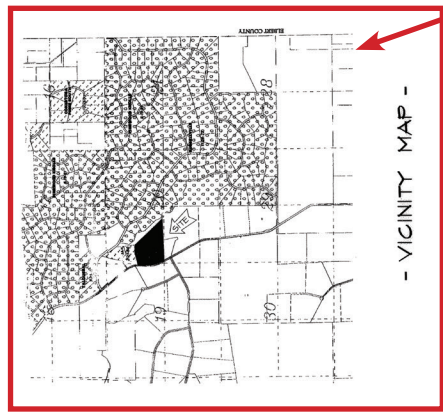
Chair, Board of County Commissioners

Surveyor's Certificate

PLAT NOTES

- The areas outside the building envelopes on this 1-4 shall be considered "no-build areas" that prohibit the building of any principal or accessory structures.
- Tracts A and B shall be owned and maintained by Douglas County for right of way purposes.
- Tract B shall be owned and maintained by Douglas County for right of way purposes.
- Tract B shall be required to replace post-pumping depletions from a non-tributary aquifer with a well in the amount of the depletion to the aquifer. The replacement of the upper Devonian aquifer wells occurs.
- Access to Lot 1 shall be exclusively from Berlingueta Court, and maintained by Douglas County.
- Berlingueta Court is a public road that shall be owned by Douglas County.
- Dawson, Denver, Arapahoe, and Larimer-Fox Hills aquifers are delineated through the Douglas County water conservation program.
- This plat shall be recorded by the Office of the State Engineer/Division of Water Resources.
- Let the Douglas County zoning resolution, as amended.
- Floodplain Overlay District.

Title Block



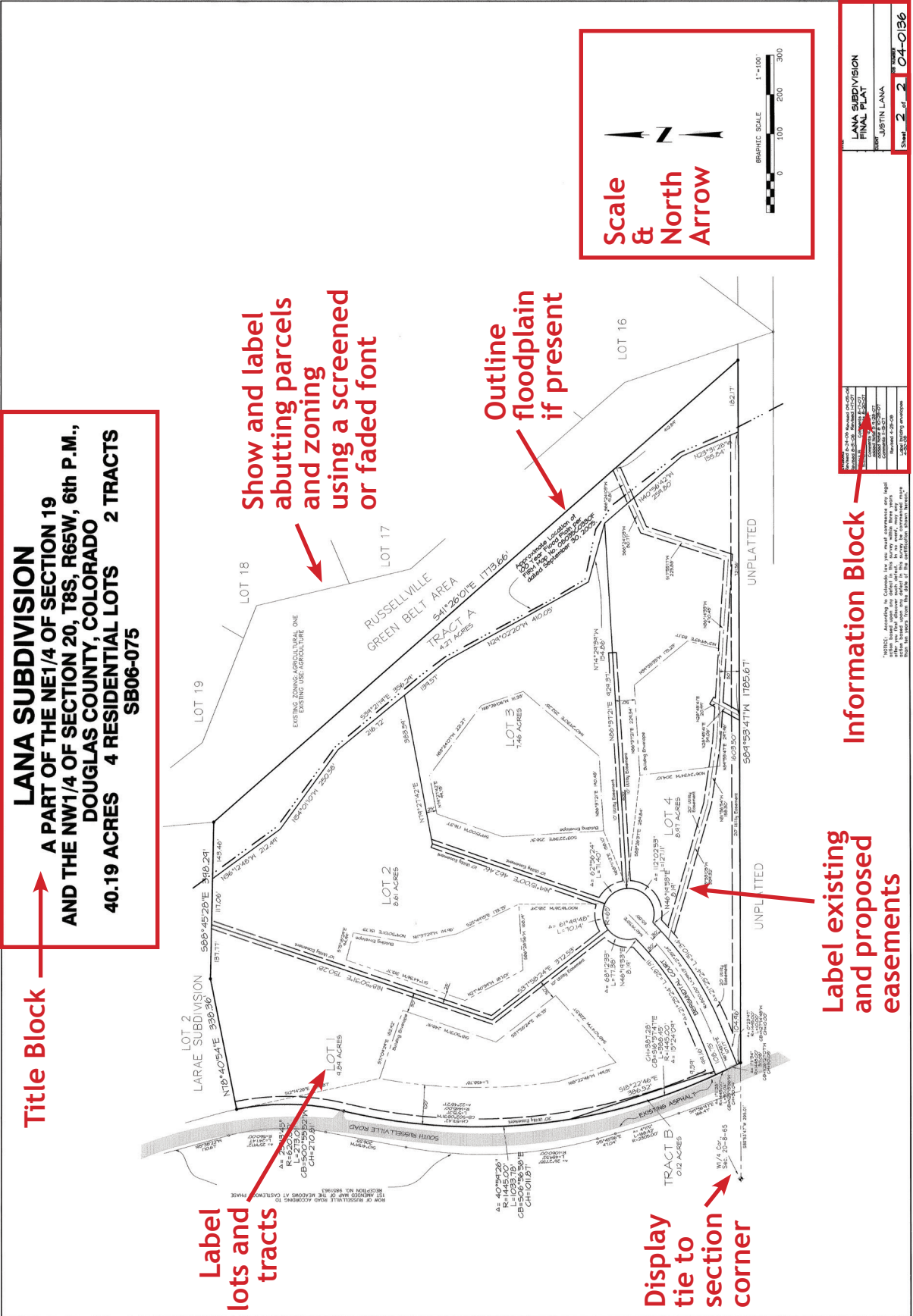
Vicinity Map

SUMMARY TABLE	
LOT 1	9.89 AC
LOT 2	8.61 AC
LOT 3	7.46 AC
LOT 4	8.97 AC
TRACT A	4.27 AC
TRACT B	0.12 AC
RIGHT OF WAY	0.87 AC
TOTAL	40.19 AC

Include a summary table for lots, tracts and rights-of-way

Include plat notes explaining information pertinent to the ownership of tracts and easements

Sample Minor Development Exhibit



Additional Information and Fees

MINOR DEVELOPMENT FEES

Minor Development Fee*	\$2,600
Assessor Mapping Fee*	\$100 + \$10 per lot affected (Electronic CAD files may be provided to the Douglas County Assessor in lieu of mapping fee)
Recordation Fees** • 24" x 36" • State Fee	\$10 per page + State Fee \$1 per document
Document Retrieval Fee**	\$1 for 1st page \$.75 per additional page

* Make checks payable to Douglas County

** Make checks payable to Douglas County Clerk & Recorder
Depending on the project, additional fees may apply

Douglas County Government
Department of Community Development
 Planning Services
 100 Third Street, 2nd Floor
 Castle Rock, CO 80104
 Ph: 303-660-7460
 Fax: 303-379-4198
 Email: planning@douglas.co.us
 Web: www.douglas.co.us; search for Planning Services