

Lot Line or Terminology Adjustments



Facts to Know

RELATED FACTS TO KNOW:

Adams County Recording Requirements, Annexation, Common Wall Subdivision, Development Plan (PUD Development Permit), Fees, Helpful Contact Information, Neighborhood Meeting, Park and School Fees, PUD (Planned Unit Development), Pre-Application Meeting, Right-of-Way Vacation, Severed Mineral Rights, Sketch Plat, Subdivision, and Zone Change.

INTRODUCTION:

A lot line or terminology adjustment is the process that is used to change property lines or reconfigure the shapes of existing parcels. In every instance, the lot line or terminology adjustment process will yield the same number of parcels that exist prior to the lot line or terminology adjustment. The traditional subdivision procedure is the process by which property is divided or consolidated to legally create more or fewer lots, tracts, or parcels than what existed prior to the subdivision. Terminology adjustments refer to the process for retitling lots from platted tracts to prepare for development. No additional parcels are created through a terminology change.

GENERAL TIMEFRAME:

- ☐ In order to maximize the efficient processing of an application, **it is in the applicant's best interest to ensure that a complete and thorough application has been submitted** and that any subsequent submittals adequately address all comments that were provided.
- ☐ A lot line or terminology adjustment will be reviewed concurrently with any other development review application(s) that are required.
- ☐ No building permit may be submitted for review until all development review applications have been approved.
- ☐ The length of time to process a lot line or terminology adjustment varies depending on the complexity of the request, the size of the request, whether or not the lot line or terminology adjustment is part of other requests, if a new public improvement agreement will be required, or if there are unique circumstances. However, lot line or terminology adjustments generally may be processed within the following timeframes:
 - ➔ Lot Line or Terminology Adjustments: Processing is relative quick, because under normal circumstances, the process does not require any public hearings or notifications; therefore, a timeline of **8 to 12 weeks** is anticipated.

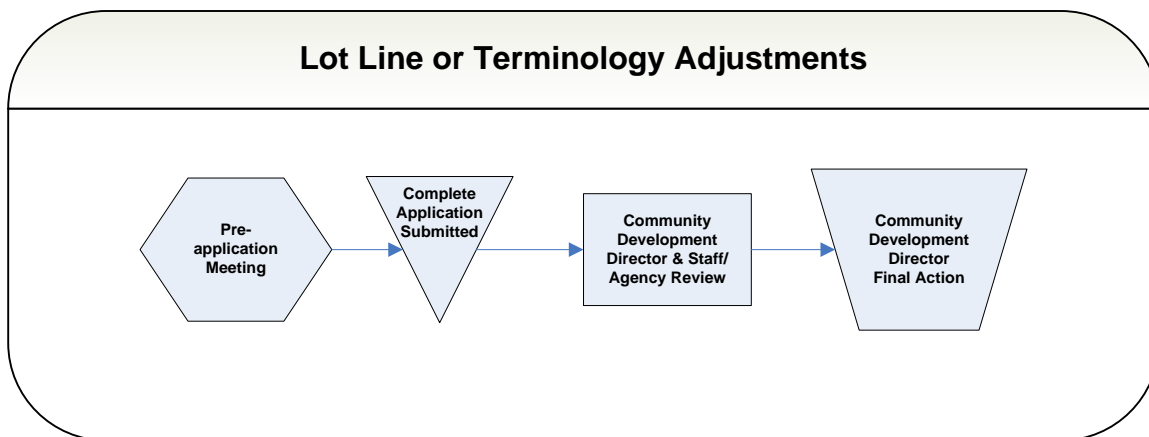
GENERAL NOTES:

- ☐ Prior to submitting a lot line or terminology adjustment for review, a pre-application meeting with staff should be scheduled to discuss the application and any additional requirements.

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- ☐ Occasionally, the city may require a neighborhood meeting when it appears that an application may impact the surrounding area.
- ☐ The city is authorized to impose any condition(s) on a lot line or terminology adjustment approval that are necessary in order to carry out the general purpose and intent of the Land Development Code (LDC) or Comprehensive Plan.
- ☐ The city may revoke any approved lot line or terminology adjustment if the applicant for such application fails to comply with any of the conditions that were imposed by the city in conjunction with the approval.
- ☐ If the approved lot line or terminology adjustment (signed and notarized Mylars delivered to the city with the necessary fees) is not executed by the applicant within 60 days of the approval date, the plat shall be null and void and automatically lapse.
- ☐ An approval shall only authorize the development described in the approved application.

LOT LINE OR TERMINOLOGY ADJUSTMENTS REVIEW FLOWCHART:



REVIEW PROCESS:

- ☐ A request for a lot line or terminology adjustment usually is initiated by the property owner or a qualified representative through the pre-application process.
- ☐ The applicant hires (or has hired prior to the pre-application meeting) a licensed land surveyor or engineer to prepare a lot line or terminology adjustment plat according to state and local requirements.
- ☐ A complete application is submitted for city review.
 - ➔ At the time of submittal, staff will determine if the application is complete (**incomplete applications will not be accepted and will be returned without review**).
 - ➔ The city will refer the application to various departments within the city and to outside organizations for review and comment.

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- ➔ After a review period of approximately three weeks, the case is discussed at the internal Development Review Team (DRT) meeting. After the DRT meeting, the applicant will receive a comment letter that identifies necessary revisions and questions that need to be answered.
- ➔ The applicant will address the comments and resubmit the application to the city for an additional review cycle of approximately two weeks. This process will continue until all comments are resolved (which may involve multiple review cycles) and the application is ready for the administrative approval process.
- ☐ Once an application is ready for the approval process, the applicant may provide signed and notarized Mylars to the city for recording.

LOT LINE OR TERMINOLOGY ADJUSTMENTS APPROVAL CRITERIA:

1. The adjustment does not increase the number of lots or parcels or create new lots or parcels;
2. The adjustment does not affect a recorded easement without the prior approval of the easement holder;
3. Street locations will not be changed;
4. The adjustment will not create any nonconformities, or increase the degree of nonconformity of any existing structure or use; and
5. The adjustment complies with all other applicable city standards.

SUBMITTAL REQUIREMENTS:

- ☐ One copy of the development review application and the non-refundable review fee.
- ☐ One copy of the general warranty deed, with a complete legal description, for the subject property.
- ☐ Fifteen (15) copies of illustrations or the current plat highlighting the existing configuration to change/update.
- ☐ Fifteen (15) paper copies (18" x 24") of the proposed lot line or terminology adjustment plat.
- ☐ Fifteen (15) paper copies of the current site plan for the affected lot(s).
- ☐ If required, 15 paper copies of a development plan and all other required documents.
- ☐ Two copies of the previously negotiated Public Improvement Agreement. (If not negotiated prior to the initial submittal, this will be provided to the applicant at the time of the first comment letter. This document is negotiated through the Public Works Department).
- ☐ One paper copy of the oversized plans on 11" x 17" paper.
- ☐ One electronic copy of all documents in .pdf format on a CD-ROM or thumb drive.

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- ❑ City staff may require additional information or technical studies such as drainage studies, construction plans, address plats, development agreements, or traffic studies.

The subsequent sheets contain the review checklist and a template that staff will use to review all submitted lot line or terminology adjustment plat applications.

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LOT LINE OR TERMINOLOGY ADJUSTMENTS (PLAT) CHECKLIST

EACH SHEET SHALL INCORPORATE THE FOLLOWING:

No.	Item	Yes	No	Comment(s)	(P/E)
1	18" x 24" sheet with ½" border on the top, bottom and right with a 2" border on the left.	<input type="checkbox"/>	<input type="checkbox"/>		P
2	The precise name of the subdivision, township, section, range, city, county, state, and sheet number.	<input type="checkbox"/>	<input type="checkbox"/>		P/E
3	A suitable scale (written and graphic).	<input type="checkbox"/>	<input type="checkbox"/>		P/E
4	A north arrow.	<input type="checkbox"/>	<input type="checkbox"/>		P

SHEET #1:

No.	Item	Yes	No	Comment(s)	(P/E)
5	A vicinity map with a scale of at least 1" equals 1,000' with all roadways identified.	<input type="checkbox"/>	<input type="checkbox"/>		P
6	The total land area in square feet and acres.	<input type="checkbox"/>	<input type="checkbox"/>		P/E
7	<p>A dedication to be worded as follows:</p> <p>LEGAL DESCRIPTION AND DEDICATION:</p> <p>Know all men by these presents that _____ being the (owner, mortgagee, lien holder) of that part of the (described quarter-section, section, township, range, city, county, state), being more particularly described as follows; to wit; Beginning at (complete legal description); containing (to the nearest one-hundredth) acres more or less; have be these presents laid out, platted and subdivided the same into lots and blocks as shown on this plat under the name and style of (name of subdivision) and do hereby grant to the City of Commerce City, County of Adams, State of Colorado, for the use of the public, the streets and other public ways and lands hereon shown, for public utility, cable TV, and detention pond areas, floodway and floodplain limits, drainage and other public purposes as determined by the City of Commerce City.</p> <p>Executed this ____ day of _____, AD 20____</p> <p>_____</p> <p>Owner(s) Signature and Printed Name</p> <p>_____</p> <p>Mortgagee or Lien Holder(s) Signature and Printed Name</p> <p>_____</p>	<input type="checkbox"/>	<input type="checkbox"/>	*If there is no dedication to the city, only the legal description is required.	P/E

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LOT LINE OR TERMINOLOGY ADJUSTMENTS (PLAT) CHECKLIST

SHEET 1 (continued):

No.	Item	Yes	No	Comment(s)	(P/E)
8	<p>The signature on the dedication shall be notarized and worded as follows:</p> <p>State of _____}</p> <p>County of _____}ss</p> <p>City of _____}</p> <p>The forgoing dedication was acknowledged before me this _____ day of _____, AD 20____ by (Seal).</p> <p>My commission expires _____</p> <p>Notary Public _____</p>	<input type="checkbox"/>	<input type="checkbox"/>		P
9	<p>The following language should be included in the notes if there is a detention/retention pond:</p> <p>A. The storm water detention area shown hereon shall be constructed and maintained by the owner and the subsequent owners, heirs, successors and assigns. In the event that said construction and maintenance is not performed by said owner, the City of Commerce City shall have the right to enter such area and perform the necessary work, the cost of which, said owner, heirs, successors, and assigns agrees to pay upon billing.</p> <p>B. No building or structure will be constructed in the detention area and no changes or alterations affecting the hydraulic characteristics of the detention area will be made without the approval of the City.</p>	<input type="checkbox"/>	<input type="checkbox"/>		E

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SHEET 1 (continued):

No.	Item	Yes	No	Comment(s)	(P/E)
10	<p>Land surveyor's certificate shall be worded as follows:</p> <p>Surveyor's Certificate:</p> <p>I, _____ a registered land surveyor, registered in the State of Colorado do hereby certify that there are no roads, pipelines, irrigation ditches, or other easements in evidence or known by me to exist on or across the herein before described property except as shown on this plat. I further certify that I have performed the survey shown hereon, or such survey was prepared under my direct responsibility and supervision, that this plat accurately represents said survey, and that all monuments exist as shown herein.</p> <p>_____</p> <p>Signature and Printed name</p> <p>LS No. _____ (seal and date) _____</p> <p>Address _____</p>	<input type="checkbox"/>	<input type="checkbox"/>		P/E
11	<p>Administratively approved lot line or terminology adjustments signatures to be worded as follows:</p> <p>CITY STAFF CERTIFICATE:</p> <p>Approved by the City Engineer of the City of Commerce City this _____ day of _____,</p> <p>AD 20 _____</p> <p>_____</p> <p>City Engineer</p> <p>Approved by the Director, Department of Community Development of the City of Commerce City this _____ day of _____, AD 20 _____</p> <p>_____</p> <p>Director, Department of Community Development</p>	<input type="checkbox"/>	<input type="checkbox"/>	*For administratively approved subdivisions	P

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SHEET 1 (continued):

No.	Item	Yes	No	Comment(s)	(P/E)
12	<p>Public hearing approved subdivision signatures to be worded as follows: CITY COUNCIL CERTIFICATE:</p> <p>Approval by City of Commerce City, City Council this _____ day of _____ AD 20_____</p> <p>Attest:</p> <p>_____ City Clerk Mayor</p>	<input type="checkbox"/>	<input type="checkbox"/>	*Not applicable for lot line or terminology adjustments.	P
13	<p>Certificate of the Clerk and Recorder shall be worded as follows:</p> <p>ADAMS COUNTY CLERK AND RECORDER'S CERTIFICATE:</p> <p>This plat was filed for record in the office of Adams County Clerk and Recorder, in the State of Colorado, at ____:____M on the _____ day of _____, AD 20_____</p> <p>_____ County Clerk and Recorder</p> <p>By: Deputy</p>	<input type="checkbox"/>	<input type="checkbox"/>		P
14	<p>In the lower right hand corner of the cover sheet, the following shall appear:</p> <p>Reception No. _____</p>	<input type="checkbox"/>	<input type="checkbox"/>		P/E
15	<p>The following language shall appear on all subdivisions:</p> <p>NOTICE IS HEREBY GIVEN:</p> <p>A. Any construction across an existing subdivision lot line or terminology is in violation of the subdivision regulation of the City, except as herein authorized.</p> <p>B. Any division of an existing lot, or conveyance of part of an existing subdivision lot, is in violation of this article unless (1) approved by the City of Commerce City; or (2) is excepted from the definition of "subdivision" as provided by the subdivision regulations.</p>	<input type="checkbox"/>	<input type="checkbox"/>		P/E

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SHEET 1 (continued):

No.	Item	Yes	No	Comment(s)	(P/E)
16	<p>If the lot line or terminology adjustment plat application is submitted as part of a PUD Permit or divides land previously approved with a PUD designation, the following language shall appear on the subdivision:</p> <p>This subdivision is part of the (PUD name), PUD # (from Adams County) or Reception # (from Adams County)."</p>	<input type="checkbox"/>	<input type="checkbox"/>		P/E

SHEET(S) 2+

No.	Item	Yes	No	Comment(s)	(P/E)
1	All lots and blocks numbered in connecting order.	<input type="checkbox"/>	<input type="checkbox"/>		P/E
2	All dimensions necessary to establish boundaries in the field.	<input type="checkbox"/>	<input type="checkbox"/>		E
3	Location and width dimensions of all recorded and apparent easements and rights-of-ways.	<input type="checkbox"/>	<input type="checkbox"/>		E
4	The names of abutting subdivisions or "unplatted" noted.	<input type="checkbox"/>	<input type="checkbox"/>		E
5	All public areas identified.	<input type="checkbox"/>	<input type="checkbox"/>		E
6	All boundary, lot and easement lines shall have lengths to 100 th of a foot. Surveyor to provide error of closure check (within 1:20,000)	<input type="checkbox"/>	<input type="checkbox"/>		E
7	Right-of-way dedication, utility, transportation and drainage easements shown as required.	<input type="checkbox"/>	<input type="checkbox"/>		E
8	All section, range, and township lines which are within plat boundary or border the property within 100' are shown.	<input type="checkbox"/>	<input type="checkbox"/>		E
9	All curve data shown in chart form on the face of the plat.	<input type="checkbox"/>	<input type="checkbox"/>		E
10	Radii, internal angles, points of curvature and lengths of all arcs shown.	<input type="checkbox"/>	<input type="checkbox"/>		E
11	Ingress/egress drive locations shown.	<input type="checkbox"/>	<input type="checkbox"/>		E
12	Storm water detention area with volume stated and drainage easements shown.	<input type="checkbox"/>	<input type="checkbox"/>		E
13	Proof of legal nonconforming parcels.	<input type="checkbox"/>	<input type="checkbox"/>		P
14	The plat is consistent with the deed.	<input type="checkbox"/>	<input type="checkbox"/>		E
15	The floodplain information is verified.	<input type="checkbox"/>	<input type="checkbox"/>		P/E
16	<p>Basis of bearings statement and labeled line on plat.</p> <p>State the basis of bearing and label on the drawing. Bearings shall be based on Commerce City Control Diagram or Colorado State Plane Central Zone.</p>	<input type="checkbox"/>	<input type="checkbox"/>		E

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SHEET 1 (*continued*):

No.	Item	Yes	No	Comment(s)	(P/E)
17	Benchmark: Location of the subdivision as part of some larger subdivision or tract of land, and by reference to permanent survey monuments with a tie to a section or quarter section corner. Description of all monuments both found and set.	<input type="checkbox"/>	<input type="checkbox"/>		E

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For large mixed-use or residential subdivisions, the following chart(s) must appear on the first page:

Technical Data:

LAND USE	NUMBER OF LOTS/PARCELS	ACRES	PERCENT OF THE PROJECT (ACRES)
Land Use – (Residential, Commercial, Industrial)			
Public Open Space/Floodplain			
Right-of-Way			
HOA owned & maintained open space			
Gross Acres:			

Tract Use Summary Table:

TRACT	USE	OWNER	MAINTAINED BY	AREA (ACRES)	AREA (SQ. FT.)
A					
B					
C					
Etc.					

Owner/Maintained by legend:

CCC = City of Commerce City

HOA = Home Owners Association

POA = Property Owners Association

Owner = Property Owner