

CONEJOS COUNTY LAND USE OFFICE

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Land Use Contact: _____

Conejos County Land Use Code - Article 10-Division 10.7-Subdivision Exemptions ◆ Boundary Line Adjustments ◆ Lot Consolidations ◆ Lot Line Revisions/Re-plats

Subdivision Exemptions. The State of Colorado allows certain activities to be exempt from procedures and standards of the Subdivision Regulations: Division of Land; Boundary Line Adjustment; Lot Line Revision; Re-plat and Lot Consolidation. The term subdivision does not apply to any division of land that creates parcels of land where each parcel is 35 acres or more in size. Please reference Conejos County Land Use Code (CCLUC) Article 10.

A Minor Subdivision allows creation of 3 to 6 lots from one (Article 10 - Division 10.3.)

A Major Subdivision allows creation of 7 or more lots from one (Article 10 - Division 10.4)

DIVISION OF LAND: A division, which creates from one lot a total of two lots.

BOUNDARY LINE ADJUSTMENT/LOT LINE REVISION: The adjustment of boundary lines between contiguous legal lots that do not result in any additional lots. Adjustments create no additional lots. All lots must conform to CCLUC Zoning Regulations and nonconforming lots must not increase its degree of non-conforming issues.

LOT CONSOLIDATION: Any combination of contiguous parcels of land into one larger parcel. If the resulting parcel is less than 35 acres in land area on one interest in said land shall be allowed. If the resulting parcel is greater than 35 acres in land area, such land area, divided by the number of interests in the resulting parcel, must result in 35 acres or more per interest. Easements and rights-of-way shall not be considered interests.

Restrictions - No lot that is part of an approved Minor or Major subdivision plat filed in the records of the County Clerk & Recorder shall be re-divided through an exemption process. Lots platted in a Minor or Major subdivision may only be re-subdivided by utilizing the applicable Minor or Major subdivision process.

Any parcel which has been divided through an exemption process in the previous 10-year period beginning with the adoption of this code (06/02/05), excluding parcels in commercial or industrial districts, will not be eligible for re-subdivision through this process.

Certain divisions require no review - Land to be conveyed to the County, State, or Federal governments, municipalities or special districts for public purposes such as but not limited to: the creation or expansion of public rights of way, public parking sites, public parks, or the creation of public access easements - in no event shall it result in the creation of buildable lots.

WHAT PROCESS DO I FOLLOW?

1. Pre-application conference: The applicant (owner or designated representative) and the Land Use Administrator shall meet to get understanding of the applicable review procedures. The applicant must provide a site plan showing details of the location, parcel size and basic concept of the proposed land use.

2. Application Submittal: The applicant shall submit a completed application form provided by the Land Use Office. The following documents are required with the application:

- Legal Description of Property - a recorded deed and the County Assessors Printout sheet.
- Certification of Taxes Due/Paid - a receipt or printout from the County Treasurers Office. All taxes must be paid when the application is submitted.
- Vicinity Map - an aerial photo locating the section in the County in which the parcel is located.
- Site Plan - A complete site plan that best conveys the conceptual aspects of the plan for effective public presentation.
- Any other documents required by the Land Use Administrator.

☐ Fees - A non-refundable application fee of \$350.00 must be paid at the time of filing the application. **All fees are payable to the Conejos County Treasurer.** (Notary & recording fees are separate fees paid by the applicant.)

3. Exemption Map/Survey Plat Per the Land Use Code - Section 3.210 & Section 10.7(B)(3) a survey plat shall be prepared by a registered/licensed professional land surveyor. Once you hire a surveyor please notify the Land Use Office so we may provide them with a copy of the application and the plat requirements. When the survey is complete the Land Use Office will require a Photo Mylar (24"x36") and one copy that will be returned to the applicant.

4. Review & Recording Process

- ▶ The Land Use Administrator shall review the application and will conduct a site visit to verify compliance with the Standards for Approval. (See Standards for Approval - below)
- ▶ The County Surveyor will review the survey plat to ensure that all survey requirements have been met.
- ▶ The Board of County Commissioners will review the application and survey and if approved a resolution will be provided.
- ▶ Recordation -The signed survey plat & resolution shall be recorded with the County Clerk & Recorder. The applicant is responsible for recording these documents.

THE PROCESS IS NOT COMPLETE. In order to complete the process, the property must be transferred. You must prepare and record the new legal descriptions of the divided property by way of a deed. Please seek the assistance of an Attorney or a Title Company. The County Assessor will not change the legal description until you convey the property.

WHAT ARE THE STANDARDS OF APPROVAL FOR SUBDIVISION EXEMPTIONS?

- The proposal must be consistent with the intent of the zone district the exemption is located within and with the policies and goals of the Comprehensive Plan.
- The proposal will not create a lot less than the minimum lot size allowable in the zone district - one (1) acre.
- The proposed division shall not be part of a parcel, which has been divided through an exemption process in the previous ten years beginning with the adoption date of this code (06/02/05). Not applicable in a Commercial or Industrial Zone Districts.
- The lots shall be served by water and wastewater systems that comply with the CCLU Code Article 13.
- Proposed parcel boundaries and development should be suitably located and sized with respect to the physical characteristics of the land and the character of the neighborhood.
- The location and size of lots shall minimize adverse impacts on streams, areas subject to flooding, drainage, geologic hazards, lakes, high ground water areas, topography, vegetative cover, climatology, and other environmental features. If there are issues with any of these topics, the Land Use Administrator may opt to use the review process for a Minor Subdivision.
- An access is, or can be made, available that provides for safe ingress and egress to a public road. Refer to Article 14.
- A County issued address is required for any new residential or commercial lot created. Refer to Article 14.

WHAT ELSE SHOULD I KNOW?

Land Use Permits are required for any change in land use unless expressly exempt. For example:

- ▶ Land Use Construction Permits are required for all new construction, additions, accessory structures and remodels and repairs unless expressly exempt.
- ▶ Special Use & Administrative Permits are required for certain uses and activities in each zone district. See Article 4 and Article 5 of the Conejos County Land Use Code for more information.