



## ORO VALLEY MINOR LAND DIVISION GUIDE





# **ORO VALLEY MINOR LAND DIVISION PROCESS GUIDE**

**This process guide contains the process narrative, submittal checklist, and plan content for the Minor Land Division process. This application will be reviewed by the Town staff with final approval by the Planning and Zoning Administrator.**

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## 1.0 MINOR LAND DIVISION SUBMITTAL PACKAGE

### 1.1 PROCESS NARRATIVE

#### **Introduction:**

A Minor Land Division is a land division, other than subdivisions as defined in Chapter 31 of the Oro Valley Zoning Code. The review is intended to:

- Protect and promote the public health, safety, convenience, and welfare.
- Advise whether or not a proposed division of land complies with Town regulations.
- Assure that newly created lots are of sufficient size to meet the requirements of the applicable zoning classification.
- Assure that all lots resulting from a minor land division will have adequate public street access.
- Assure adequate easements are available for utility services.
- Assure adequate access is available for emergency vehicles.

#### **Zoning Code Chapter 31 definitions:**

##### Minor land division

- *Shall mean any division of improved or unimproved land for the purpose of financing sale or lease, whether immediate or future, into one or more lots. A minor land division shall not include any division of land defined as a "subdivision."*

##### Subdivision

- *Shall mean improved or unimproved land or lands divided for the purpose of financing sale or lease, whether immediate or future, into four (4) or more lots, tracts or parcels of land or, if a new street is involved, any such property which is divided into two (2) or more lots, tracts or parcels of land or any such property, the boundaries of which have been fixed by recorded plat which is divided into more than two (2) parts.*

The Community Development & Public Works (CDPW) Department is here to assist you with your Minor Land Division application. Throughout the process, you will be working closely with the Town staff to ensure the efficient processing of your application for development.

#### **Process Overview:**

The Minor Land Division process requires a general application (Section 1.2) and formal submittal. The formal submittal is reviewed administratively after which the Planning and Zoning Administrator will issue a final decision (Section 1.3).

To better understand the approval process for the Town's Minor Land Division applications, please refer to the table on the next page.

## Table of Authority

Submittal Type	Staff Authority	Planning and Zoning Administrator
Minor Land Division	Review	Final Decision

### Minor Land Division – Process Description

#### **Step 1 – Pre-application Conference**

It is strongly recommended that applicants attend a pre-application meeting with the Development Review Committee (DRC) for a preliminary review of their proposed minor land division to discuss the required process and broad issues related to the proposal. The DRC is comprised of Town staff responsible for reviewing and commenting on an application.

To initiate a pre-application meeting, applicants must submit a written request and preliminary drawings 10 working days prior to the expected meeting date. (Applicants should refer to the “Pre-application Conference Process Guide” for additional details). The Development Review Committee will send a review letter identifying any broad concerns with the application and the project’s development process within 3 working days following the meeting.

#### **Step 2 – Formal Submittal**

Applicants may submit a formal Minor Land Division package that includes those requirements listed on the Minor Land Division Submittal Checklist (Section 1.3).

To ensure timely review, applicants should review all applicable provisions of the Zoning Code.

#### **Step 3 – Staff Review**

After receiving a complete application, staff will review the Minor Land Division in accordance with the applicable provisions of the Zoning Code, engineering standards and other areas of review authority. A review letter will be sent to the applicant within 15 working days of the submission. The plans may need to be revised and re-submitted for additional reviews to address any remaining comments on the application. When all review comments have been addressed, the application will be forwarded to the Planning and Zoning Administrator for final decision.

#### **Step 4- Recordation**

Upon administrative approval, the applicant must send the approval letter, legal descriptions and accompanying exhibits to Pima County Recording for recordation. A PDF copy of the recorded document should be submitted to Town staff.





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**1.2 GENERAL APPLICATION FORM**

Office Use Only  
OV Case #: \_\_\_\_\_

**Application Type:**

☐ Minor Land Division

**Subject Property Information:**

Address: \_\_\_\_\_ Parcel/Tax Code: \_\_\_\_\_

Subdivision / Commercial Center Name: \_\_\_\_\_

Book / Page or Sequence Number: \_\_\_\_\_ Lot Number(s) \_\_\_\_\_

Legal Description: \_\_\_\_\_

Section/Township/Range: \_\_\_\_\_ Area of Property: \_\_\_\_\_

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**Applicant Information:**

\* If more than one, attach list

Applicant \*:

Name: \_\_\_\_\_ Firm: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Property Owner(s) if different from Applicant \*:

Name: \_\_\_\_\_ Firm: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Consultant: \_\_\_\_\_ (Discipline)

Name: \_\_\_\_\_ Firm: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

**Project Description/Narrative:**

I hereby certify that I have read and examined this application and know the same to be true and correct. I am the owner of the property or the Owner's authorized representative, and if not the owner, I have obtained the owner's permission to perform stated work. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The approval of this application does not presume to give authority to violate or cancel the provisions of any other federal, state or local law for which this project may be subject to.

**Notice:** It is the applicant/owner's responsibility to ensure all private rules and regulations (such as Covenants, Conditions & Restrictions (CC&R's)) of the subdivision and/or commercial center are adhered to. Contact your Home Owners Association or property management to determine applicable requirements.

It is also the applicant's responsibility to coordinate with all outside agencies to secure their acceptance or clearance. Failure to do so may delay issuance of permits. See attached list of agencies.

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Applicant's Signature

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Print Name

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Date

**Important Note: All submittals received after 4:00 p.m. will be processed the next day**

**Submittals will be rejected if:**

- There are missing items on the checklist unless otherwise approved by Planning and Zoning Administrator or Town Engineer.
- Re-submittals cannot be accepted without a transmittal and a response to staff's comments.

### 1.3 MINOR LAND DIVISION - SUBMITTAL CHECKLIST

**All applications for Minor Land Division must include the following materials to be accepted for processing:**

- ☐ Fees
  - ☐ A completed General Application Form
  - ☐ Site Plan of Minor Land Division– Size 24" x 36" (signed and sealed by a Registered Land Surveyor) **(5 copies)**
  - ☐ All required items included in the Minor Land Division Content List (Section 2.0) **(5 copies)**
  - ☐ Legal descriptions of the new lot lines – Size 8 ½" X 11" (signed and sealed by a Registered Land Surveyor) **(5 copies)**
  - ☐ Boundary closure calculations **(1 copy)**
  - ☐ Lot closure calculations **(1 copy)**
  - ☐ Letter from the parcel owners approving the change **(1 Copy)**
  - ☐ Conveyance deeds, with grantors and grantees. This applies whether or not ownership of the lots remains the same or the same party owns both lots. Deeds can be purchased from the Pima County Recorder's office, Title companies or Legal offices. **(2 copies)**
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## 1.4 MINOR LAND DIVISION APPLICATION PROCESS FLOW CHART

MLD Process	Time*	Purpose
<b>Pre-application Conference</b>	1 Week	<ul style="list-style-type: none"> <li>An opportunity to meet with members of the staff Development Review Committee to discuss process, consistency with adopted plans and zoning requirements</li> </ul>
<b>Formal Submittal</b>	Applicant Driven	<ul style="list-style-type: none"> <li>Submittal of plans in accordance with Code requirements</li> <li>Applicant to address any comments or concerns identified during the pre-application conference.</li> </ul>
<b>Staff Review</b>	2 Weeks	<ul style="list-style-type: none"> <li>Staff distributes copies to all internal agencies for review</li> <li>Staff code compliance letter is provided within 20 working days of a complete submittal</li> </ul>
<b>Revised Submittal</b>	Applicant Driven	<ul style="list-style-type: none"> <li>Applicant to address staff review comments relative to code compliance</li> <li>Additional revised submittals may be necessary if code issues are not adequately addressed</li> </ul>
<b>Staff Approval</b>	1-2 Weeks	<ul style="list-style-type: none"> <li>Staff will approve once code compliant.</li> </ul>
<b>Recordation</b>	Applicant Driven	<ul style="list-style-type: none"> <li>Applicant is responsible for recording approved plan with Pima County Recorder's Office.</li> <li>A PDF of the recorded document must be submitted to Town staff.</li> </ul>

**Total Town Processing Time 5-8 weeks**

\* Typical time frames – actual time frames may vary and are dependent upon timely applicant submittals.



## 1.5 FEE SCHEDULE (REVISED MAY 18, 2011)

As specified in the OVZCR, all fees must be paid in full prior to acceptance of an application. Fees identified after submittal are due as determined by the Planning and Zoning Administrator (Public Works Director for rights-of-way fees). All fees must be paid prior to the issuance of permits.

Charges for partial review of any project will be based on the stage of review and staff time already dedicated to the project. The Planning and Zoning Administrator may refund up to 80% of the fee. The Planning and Zoning Administrator may waive fees if an undue hardship has been created by the Town. All other fee waiver requests must be approved by the Town Council. Fees will not be applied to applications or events initiated or sponsored by the Planning and Zoning Commission or Town Council.

GIS fees are charged per development project. For example, GIS fees charged for a Minor Land Division would be credited toward the GIS fees specified for a related development plan and/or plat.

Whenever independent consultant review is provided for in the OVZCR (Golf Course Overlay, Communications facilities, Riparian analysis etc.), the applicant must reimburse the Town for all consultant fees incurred.

Fees related to a Minor Land Division:

Minor Land Division	\$515
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**See the Development Services fee schedule for a complete list of fees.**



## 2.0 MINOR LAND DIVISION CONTENT

### 2.1 PLAN FORMAT

All Documents or Sheets
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1. The Minor Land Division must be drawn to a scale of one inch equals forty feet (1"= 40' or 20') on sheets measuring 24" x 36". Scale to be the same for all sheets. Different sheet size or scale must be pre-approved by the Town Engineer and Planning Manager.
2. Copies of the larger plans reduced to 8 ½" x 11" size
3. Include the name of the project in the lower right hand corner below the Title Block.
4. All lettering and dimensions must be the equivalent of twelve (0.12") point font or greater in size.
5. In the lower right corner of each sheet, provide an enclosed Title Block which includes:
  - A. "Minor Land Division"
  - B. Brief legal description, i.e. "Portion of Section\_\_\_\_, T \_\_\_\_S, R\_\_\_\_E, G&SRB&M, Town of Oro Valley, Pima County, Arizona
  - C. Scale
  - D. Contour interval if applicable
  - E. Date (revised plans must show date of revision)
  - F. Town of Oro Valley case number
  - G. Sheet \_\_\_\_ of \_\_\_\_ (total pages)
6. Each sheet must bear the seal, signature, and registration expiration of the registered professional who prepared the plan in the lower right hand corner near the title block.
7. Show north arrow and bar scale in the upper right corner of each page that include the site layout. Every effort must be made to have north oriented toward the top of the sheet. Some slight rotation may be made to accommodate long narrow parcels, convenient match lines, etc., but in no case will the north arrow point downward without pre-approval.
8. If the Minor Land Division consists of more than one (1) sheet, a small index drawing of the site showing the area represented on each sheet must be placed on the right side of each sheet.

Cover Sheet
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1. A legend which depicts and describes all symbols used in the document.
2. "Sequence \_\_\_\_\_" must be included in the top right and lower right margin for recording.
3. A small project location map must be drawn in the upper right hand corner with north oriented to the top of the sheet. The map must cover approximately one (1) square mile, be drawn at a scale of 3" = 1 mile, and provide the following information:
  - A. The subject property identified and centered within a one square mile area
  - B. Any adjacent conditions (i.e. subdivisions, non-residential development, un-subdivided land, schools, existing zoning, major streets, rivers, railroads, National Forests, Nations, reservations, and city, town or other jurisdictional limits.)
  - C. The section, township and range of the subject development
  - D. Labeled section corners
  - E. A north arrow and scale
4. List the following on the cover sheet:
  - A. The name, mailing and email addresses, and phone number of:
  - B. The primary property owner of the site
  - C. The registrant(s), and other person(s), firm(s), or organization(s) that prepared the development package documents must be provided.
  - D. The Arizona registrant responsible for preparing the Final Site Plan must seal all drawings and documents in accordance with Arizona Board of Technical Registration guidelines.
  - E. A list of pertinent reference documents that were used as a basis for the survey
  - F. The following General Note:

"The surveyor's statement that the survey was performed either by the surveyor or under the surveyor's direct supervision."

## 2.2 PLAN CONTENT

1. If the proposed minor land division does not constitute a subdivision, as defined in Chapter 31 of the Zoning Code, the Site Plan must depict the following minimum information:
  - A. Lots resulting from the minor land division
    - i. Ensuring lots conform to the minimum lot size requirements for the zoning classification of the property.
  - B. Adequate access to public street(s) is available from all new lot(s)
  - C. The location of any existing building on any lot resulting from the proposed land division, ensuring existing buildings comply with setbacks for the applicable zone.
  - D. The provision of, and access to, public utilities.
  - E. Access for emergency vehicles can be accommodated.
2. The proposed minor land division drawing must include all of the following at a minimum:
  - A. A basis of direction or bearings
  - B. The surveyor's Arizona RLS stamp, with signature and date
  - C. A north arrow.
  - D. The scale of the drawing.
  - E. When setting a monument is impractical, the recorded results-of-survey drawing shall detail the reason for not setting the monument and show bearings and distances to the nearest corner, witness corner(s) or reference marker(s).
3. The following criteria shall be provided when the surveyor includes any of the following as part of the results-of-survey drawing(s):
  - A. Horizontal and/or vertical control data, when used, shall be noted in detail. Where vertical data is referenced, the surveyor shall also include information about the controlling benchmark(s) and its (their) elevation(s).
  - B. Curve data shall be stated, as a minimum, in terms of radius, central angle, and length of curve. Curve data must be shown for the line(s) affected.
  - C. All non-tangent curve data shown must have sufficient additional information to allow them to be verified through mathematical analysis.
4. Included with the required legal description, the surveyor must provide a written property description of the surveyed tract of land that provides information to properly located the property and distinctly set it apart from all other property.



### **3.0 MINOR LAND DIVISION RECORDING PROCESS**

#### **3.1 MINOR LAND DIVISION RECORDING PROCESS**

**Step 1**-Upon administrative approval, the applicant must send the approval letter, legal descriptions and accompanying exhibits to Pima County Recording for recordation.

**Step 2**- Upon recordation, the applicant should submit a PDF of recorded document to Town staff.

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