



**Pima County Development Services-Planning Division
Minor Lands Division Application**

Applications for Minor Land Division Reviews are made at the office of the Planning Division-Development Services Department, 201 N. Stone Avenue, 2nd Floor.

The following information is **REQUIRED**:
Please print (no pencil) or type

Property Owner: _____ Phone: _____ Fax: _____

Owner's Mailing Address: _____ City: _____ Zip: _____

Authorized Representative: _____ Phone: _____ Fax: _____

Rep's Mailing Address: _____ City: _____ Zip: _____

Owner or Representative's Email Address: _____

Property Address: _____ City: _____ Zip: _____
If no address, write "unknown"

Tax Code: _____ Zoning: _____

Total Number of New Lots Being Created: 2 3 4 5 (For example: If 5 lots are being created from 1 lot, circle 5)
(circle one)

Check one: The Minor Lands Division Acknowledgement Form is _____ or is not _____ requested.

Submit this form with all the required attachments

CERTIFICATION: Owner hereby certifies that information contained in this application and accompanying plans and documents is true and correct. The owner hereby acknowledges that a land division application that does not comply with one or more of the items listed in Section 18.70.060A may still have a land division permit issued if the applicant signs and records an acknowledgement that no building or use permit will be issued until the lot, parcel, or fractional interest meets the minimum zoning requirements, has legal access, physical access, and has reserved the necessary utility easements.

Signature _____ Date _____
(Owner or Authorized Representative)

RESPONSE TIME: Staff response time to an application is based on staff's workload. Applications are reviewed in the order they are received.

*******For official use only*******

Permit Number: _____ Date Received: _____ By: _____

PIMA COUNTY MINOR LAND DIVISIONS
PROCEDURES & POLICIES FOR RESIDENTIAL LAND DIVISIONS

January 2013

Why is it important to review land divisions?

The purpose of this ordinance is to protect the public health, safety, and welfare by providing for the review of residential land divisions to determine if the resulting lots, parcels, or fractional interests provide for the minimum applicable zoning requirements, have legal and physical access to the lots, parcels, or fractional interests being created, and have the proper utility easements set aside on each lot, parcel, or fractional interest created.

When is a Minor Lands Division Application required?

A Land Division permit is required when one parcel of land with a residential or rural zoning designation is being divided into five or fewer lots, parcels, or fractional interests, which result in the creation of lots, parcels, or fractional interests, any of which are ten acres or smaller in size. If a property is divided on or before September 14, 2005, a Minor Lands Division application is not necessary, however, any division of land that is regulated by this ordinance, and is recorded on or after September 15, 2005, must comply with the ordinance by completing this application.

What is exempt from a review?

- The creation or realignment of a public right-of-way by a public agency;
- The creation or realignment of a conservation easement, public easement, private easement, or any other easement as recognized by Pima County;
- The creation or realignment of a special assessment district;
- The sale, lease, transfer or development of space within an apartment, industrial or commercial building;
- Compliance with a court order to divide the land;
- Cemetery lots;
- Subdivisions created under the authority of A.R.S. Titles 11 and 32, and Chapter 18.69 of the Pima County Zoning Code;
- The division of land within a commercial or industrial zoning district;
- The division of land within the Transitional (TR) and Multiple Use (MU) zoning district, if used solely for nonresidential purposes;
- The division of land for sale, lease, or exchange between adjacent property owners, if the sale, lease or exchange does not create additional lots, parcels or fractional interests of sufficient size and configuration that would require a building or use permit under the Pima County Zoning Code.

What is the process?

Upon submittal of an application, Development Services will have five (5) working days to complete an Administrative Completeness Review. If deficiencies are found, Development Services will issue a *Notice of Deficiencies* and the application and Administrative Review time frame will be suspended until all requested information is received. When application is deemed Administratively Complete, an additional 30 working days will be allowed for a Substantive Review. A *Request for Additional Information* may be issued. Upon such a request, the application will be put on hold until additional information is provided by applicant or owner. Upon completion of the Minor Lands Division Substantive Review, an approval, approval with conditions or denial will be provided. If denied, a supplemental request for information may be made by mutual agreement and the review time frame extended per A.R.S. § 11-1605 (H). Any application that was found Administratively Complete, but not reviewed within the thirty (30) day Substantive Review time frame, shall be deemed approved. The review of a Minor Lands Division application, or issuance of a Minor Lands Division permit, shall not substitute for the requirements for an affidavit of disclosure found in Arizona Revised Statute Section 33-422.

Once a Minor Lands Division Permit has been reviewed the applicant must then continue the process by filing the necessary paperwork with the County Recorder's Office for recordation.

AN APPLICATION SHALL INCLUDE THE FOLLOWING:

Amended July 2015

A. Minor Land Division Application

- ❑ **Completed Minor Lands Division Application Form.**
- ❑ **Assessor's map & Property Inquiry printout (APIQ)** showing **current ownership** of subject parcel(s). **DEEDS WILL NOT BE ACCEPTED.** If the applicant is not shown as the owner of the subject parcel(s) a letter of authorization matching the APIQ must accompany the application. For example, if the APIQ indicates ownership in a numbered trust than a signature from the Trust Officer is required along with the disclosure of the beneficiaries of the trust. If the APIQ indicates ownership to be in an LLC, LP, corporation or company, a signature from an officer with his/her title is required along with the disclosure of the officers of the entity. The Development Services Letter of Authorization form is attached.
- ❑ **Application Fee.** \$191 for each lot, parcel, or fractional interest being created. (minimum fee \$382)
- ❑ **One (1) copy of a survey (or Alta Survey) sealed by a registered surveyor.**
 - **In order to be approved for a Minor Lands Permit, the survey must include the following information** (an ALTA Survey may be submitted but is not required):
 1. Property boundary lines including total lot area, lot depth and lot width of each lot, parcel, or fractional interest being created;
 2. The locations of existing structures (including the distance from all property lines and other structures);
 3. The location of the legal and physical access to each lot, parcel, or fractional interest being created including docket and page or sequence numbers for all said easements; **record proposed easements** as a "Deed of Easement" to include grantors and grantees.
 4. The location of all utility easements for each lot, parcel, or fractional interest being created. Proposed utility easements must also be recorded as a "Deed of Easement";
 5. Numerically identify (1-5) each lot, parcel, or fractional interest being created,
 6. Surveyor to also provide a PDF image of survey map.
- ❑ New lot legal descriptions stamped with registered surveyors seal.
- ❑ **A statement from a registered land surveyor or professional engineer** stating that *"the resulting lot, parcel, or fractional interests being created have physical access that is located within the boundaries of the legal access as identified in the sealed survey"*.
- ❑ **A preliminary title report** demonstrating that there is legal access to each lot, parcel, or fractional interest being created.
- ❑ **If with Hillside Development Zone (HDZ), provide average cross slope calculation for each lot, parcel, or fractional interest being created.**

*The applicant may use existing information that is readily available, including information from FEMA, the US Geological Survey (USGS), or Pima County (www.pimaxpress.com) to meet the requirements of this paragraph.
*An independent study is not required to demonstrate HDZ requirements, floodplain boundaries, or the average cross slope.

OR request Acknowledgement Form

B. Minor Lands Division Acknowledgement Form

- ❑ **Completed Minor Lands Division Application Form.**
- ❑ **Letter of Authorization** – see criteria above under **Assessor Map and APIQ.**
- ❑ **Application Fee.** \$191 for each lot, parcel, or fractional interest being created. (Minimum fee \$382)

A Minor Lands Division Acknowledgement Form will be issued to the property owner that must be recorded with the Pima County Recorder's Office. Property owner acknowledges that no building or use permit will be issued until the lot, parcel, or fractional interest meets the minimum zoning requirements, has legal and physical access from a public right-of-way, and has reserved the necessary utility easements. (Proof of recordation must be submitted).



PIMA COUNTY
DEVELOPMENT SERVICES DEPARTMENT
201 N. Stone Avenue, 2nd Floor
Tucson, AZ 85702-1207

Carla Blackwell
Director

Phone: (520) 724-9000

LETTER OF AUTHORIZATION

As required by Arizona Revised Statutes I hereby certify that I am the owner of the property referenced below and the party whose name is listed below is authorized to apply for a Rezoning/ Variance/ Minor Land Division – Lot Split/ Modification of Setback Requirement (circle one).

Property Address and/or Tax Code (Where permit is being applied for)

/

Authorized Agent PRINT/SIGNATURE

Date

AUTHORIZED BY:

Property Owner(s) (Please Print)

Date

Property Owner(s) (Signature)

Date

Arizona Revised Statutes § 11-1604 (Prohibited acts by county and employees; enforcement; notice) provides:

A. A county shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule, ordinance or delegation agreement. A general grant of authority does not constitute a basis for imposing a licensing requirement or condition unless the authority specifically authorizes the requirement or condition.

B. Unless specifically authorized, a county shall avoid duplication of other laws that do not enhance regulatory clarity and shall avoid dual permitting to the maximum extent practicable.

C. This section does not prohibit county flexibility to issue licenses or adopt ordinances or codes.

D. A county shall not request or initiate discussions with a person about waiving that person's rights.

E. This section may be enforced in a private civil action and relief may be awarded against a county. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against a county for a violation of this section.

F. A county employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the county's adopted personnel policy.

G. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.