

PART I

SECTION 3 SPECIAL PROJECTS AND DEVELOPMENTS

A. Development Agreement Requirements

Consistent with the City's Comprehensive plan and to ensure that all developments which increase the demand for public facilities in the City will be served in accordance with the levels of service which are established in the capital improvements element of the comprehensive plan and the City's Municipal Mobility Plan, a Development Agreement may be required by the City for an authorized development.

Such Development Agreement shall mean any agreement, covenant or declaration of restrictions conforming to the Florida Local Government Development Agreement Act, Sections 163.3220-163.3243 of the Florida Statutes, accepted or entered into by the City.

The specific requirements of the Development Agreement by the City may be addressed as part of the Design Review or Historic Preservation Board recorded Final Order for the Development and/or as a result of the preliminary plan reviews or the approved mitigation plan as described in Section 122-8(d) of the City Code for the proposed development.

The Development Agreement shall be a legal document prepared by the developer, reviewed by the City's Planning, Building, Public Works, Parks, Parking and Fire Departments and approved by the City Attorney's office.

Depending on the impact to the public facilities, the Development Agreement may be approved administratively by the City Manager or his designee or by the City Commission.

Within 14 days of executing the development agreement, it shall be recorded with the clerk of the Miami-Dade county circuit court. A copy of the recorded development agreement shall be submitted to the State Land Planning agency within 14 days after the agreement is recorded. A development agreement shall not be effective until it is properly recorded in the public records of the County and until 30 days after having been received by the State Land Planning agency. The burdens of the development agreement shall be binding upon, and the benefits of the agreement shall inure to, all successors in interest to the parties to the agreement.

Requirements of the development agreement:

The development agreement shall include, but not limited to the following:

- (a) A legal description of the land subject to the agreement, and the names of its legal and equitable owners;
- (b) The duration of the agreement;
- (c) The development uses permitted and planned, including population/unit densities, intended uses with a breakdown of areas for the different uses;
- (d) A description of public facilities with a description of the required improvements that will service the development, including who shall provide such facilities; the date any new facilities, if needed, will be constructed; and a schedule to assure public facilities are available concurrent with the impacts of the development;
- (e) The funding or contribution towards such funds by the developer for the construction of the facilities;
- (f) A description of any reservation or dedication of land for public purposes or easements;

(g) A description of all local development permits approved or needed to be approved for the development of the land (such as environmental, DEP, FDOT etc.);

(h) A finding that the development permitted or proposed is consistent with the local government's comprehensive plan and land development regulations and/or a description of the required improvements by such development to meet this plan ;

(i) A description of the conditions, terms, restrictions, or other requirements determined by the City to be in the welfare of the public (such as street end improvements, etc.); and

(j) A statement indicating that the failure of the agreement to address a particular permit, condition, term, or restriction shall not relieve the developer of the necessity of complying with the law governing said permitting requirements, conditions, term, or restriction.

(k) A schedule or phases of the development in stages so that the public facilities and services needed for each stage or phase will be available in accordance with the City's criteria.

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B. Permit, Submittals and Completion Certificates

Permits are required for all construction activities performed within the public rights of way prior to start of all proposed installations; modifications; relocations; and repairs to include roadways, underground utility infrastructure, aerial / sub aqueous crossings ensuring that all work is performed in accordance with all applicable federal, state, county, local municipal agencies standard requirements prior to start of project.

Submittal of local and state agency applications for water-waste water (Department of Health-HRS), storm water (DERM-SFWMD), street lighting / furniture (CMBPWM), traffic concurrency (CMBPWM) must be stamped approved by the respective agency prior to issuance of the right of way permit.

Completion certificates shall be certified signed and sealed by a licensed laboratory and or licensed Florida Registered Engineer documenting test results by identifying the person that witness all field related test results to include density / proctor, bacteriological, water main / fire line service connections pressure / leak test results, sanitary sewer lateral pressure test, storm water injection well intake capacity, street lighting photometric grid with foot candle calculations shall be submitted in signed and sealed hard copy and certified digital CD format for final acceptance and approval by the City Engineer.

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C. Project Closure, Records and Documents

Project Closure requires final inspections of all roadway / infrastructure improvements within the City of Miami Beach rights-of-way by the Public Works Department Field Inspector that shall confirm that all design criteria is achieved, approved material used during construction is acceptable including meeting the City's standard restoration specification.

Prior to final acceptance, 2 copies of as built drawings certified by a Florida Registered Engineer as the "engineer of record" shall be provided to the City for approval, acceptance and certification. A copy in CD digital AutoCAD format together with a signed and sealed Mylar certified as-built plan 22"x 34" shall be reviewed and accepted by the City Engineer.

Record documents such as water main pressure / leak testing results, bacteriological sampling, and concrete batch tickets shall be certified by a licensed testing laboratory prior to review and final acceptance by the City Engineer.

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D. Building Permit Plans Review Submittal CHECK-LIST

**PUBLIC WORKS DEPARTMENT
BUILDING PERMIT PLANS REVIEW SUBMITTAL CHECK-LIST**

Project

Name: _____

Location: _____

Date of

Plans: _____

Initial below that the following items are included:	Check Mark	<u>The applicant shall confirm that the list of items below are included in the permit application submittal:</u> (Please check and initial those items that are included in this Permit Application Submittal.)
_____ 1.		Submittal of a Signed & Sealed Property & Topographic Survey (including the complete width of adjacent Right-of-Way, waterways, and/or 25 ft into adjacent properties) for the site. Survey is to be less than one (1) year old since the date the survey was last signed.
_____ 2.		Submittal of signed and sealed drainage calculations and supporting documents (including modeling) showing that a 25-year 3-day storm event is treated ON-SITE.
_____ 3.		Submittal of a signed and sealed drainage calculations and supporting documents (including modeling) for impacts to the Public RIGHT-OF-WAY storm water drainage facilities from a 10-year 1-day storm within the Right-of-Way & flow from contributing areas.
_____ 4.		Submittal of geotechnical or well-drillers report if exfiltration or wells are proposed for the site or adjacent Public Right-of-Way
_____ 5.		Submittal of an estimate of Potable Water Demands, Required Fire Flows (based on calculations) and Sanitary Sewer flows (including methodology and peak flows). Along with a tentative schedule of when these utilities will be needed to serve the site. Submittal fire flow test conducted by City of Miami Beach Fire Department on the adjacent water main network.
_____ 6.		Submittal of a Plan showing all adjacent existing Public Potable Water, Storm Water and Sanitary Sewer Mains and Facilities to the site.
_____ 7.		Submittal of a Detailed Traffic Impact Study for the site and impacts to the surrounding road network. (For Multifamily and Commercial Developments.)
_____ 8.		Submittal of a complete signed and sealed civil engineering plans for any proposed ONSITE potable water, sanitary sewer, storm sewer or pavements needed to improve the site.
_____ 9.		Submittal of a detailed signed and sealed plan for proposed RIGHT-OF-WAY improvements including, sidewalks, driveways, potable water, sanitary sewer, storm water drainage, waterways, roadway pavements, pavement marking & signage, lighting, landscaping & irrigation.
_____ 10.		Submittal of a copy of the DERM "Biological Opinion" for any permit applications involving seawall or dock work within private or public properties.
_____ 11.		Submittal of required legal documents, including proposed easements, developer agreements, etc.

_____ 12.	Compliance with ALL Public Works Department requirements listed in the projects - Design Review Board Order and/or Historic Preservation Board Order, before a Building Permit is Issued.
_____ 13.	Submittal of proof of water/sewer service impact fee payment, certified by MDWASD (Miami-Dade Water and Sewer Department).

Initialed By Applicant: _____

Date: _____

Reviewed By PW: _____

Date: _____