



PLANNING BOARD

REVIEW PROCESS AND APPLICATION INSTRUCTIONS FOR CONDITIONAL USE OF STRUCTURES >50,000 SQUARE FEET

- I. **CONDITIONAL USE** - A use that would not be generally appropriate without restriction throughout a particular zoning district, but would be appropriate if controlled as to number, area, location or relation to the neighborhood. All structures in excess of 50,000 square feet are required to be reviewed and approved by the Planning Board before being reviewed by any of the other Development Boards.

- II. **PROCEDURE.** It is **required** that an applicant meet with staff at least **one month before the expected filing** of an application for Conditional Use of structures that exceed 50,000 square feet in size in order to discuss your project and avoid filing an improper or incomplete application and to determine what additional information, if any, will be required. Call (305) 673-7550 to schedule an appointment. **An application package will not be accepted unless a pre-application conference with staff has been held.**
 - A. All required exhibits, application forms, mailing labels, and appropriate fees shall be submitted to the Planning Department by **NOON** of the submission date. Incomplete applications will not be accepted.

It is the responsibility of the applicant to ensure that all questions in the application are answered, all required exhibits and supplementary data are submitted at the time of the filing of the application, and that all answers, plans, exhibits and supplementary data are accurate and complete. **INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.**
 - B. Since all property owners within 375 feet of your project must be notified of the project, the Department will provide the applicant with one (1) copy of the required notice, as well as the required number of envelopes and one (1) set of labels. The applicant in turn, will copy, stuff, label and stamp (with correct postage) all envelopes and return them to the Department for mailing by the return date indicated in the instruction sheet. Failure to adhere to this procedure shall result in the application being removed from the agenda.
 - C. Approximately 15 days prior to the public hearing date, Planning staff will post a public notice on the property with a description of the request, time and place of the hearing. The public hearing will also be advertised in the newspaper. It is the responsibility of the applicant to notify this Department if the public notice posted on the property is removed.
 - D. The Planning Board will consider the application during a public hearing, allowing interested parties and members of the public to be heard. The Planning Board

members will discuss the merits of the application and will approve or deny the request. The Board may alternatively request additional information from the applicant and request that the matter be continued to a future meeting.

After the approval of a request by the Planning Board, a final order will be completed and executed. The order will be mailed to the applicant or representative for recordation in the public records of Miami-Dade County, Florida. The original recorded order **must** be returned to the Department before any approvals can be issued for a building permit, Certificate of Use, Certificate of Completion or Occupational License, whichever may occur first.

III. PUBLIC HEARING FEES

Conditional Uses \$1,295 per request
(Triple fees for after-the-fact conditional use application)

IV. APPLICATION REQUIREMENTS

Please review carefully the pertinent requirements for this application on the following pages. The applicant should also review the attached application checklist (last page) to ensure that all required exhibits are submitted.

ALL REQUIRED EXHIBITS SHALL BE FOLDED AND SUBMITTED IN COLLATED SETS - Rolled plans will not be accepted. Thirteen copies (one original and 12 copies) of the entire application are required. The original survey and plans must be full size, but not larger than 24" x 36" and shall be signed and sealed by a registered architect, engineer or professional surveyor licensed to practice in the State of Florida, as applicable. The remaining sets may consist of 11" x 17" photo-reduced copies of the original signed and sealed sets.

In addition to other requirements, a letter from the applicant that describes the request and related circumstances shall accompany all completed application forms.

V. SUBMISSION REQUIREMENTS

1. Letter of Intent
2. Completed application form including contact phone numbers, email addresses, affidavits, disclosures duly signed and notarized.
3. A site plan drawn to scale, indicating the location of buildings (existing and proposed), streets and waterways, sidewalks, signs, parking spaces, fences, major site features (existing and proposed), curb cuts and any lines of jurisdiction such as the Bulkhead Line, Erosion Control Line, easements and Coastal Construction Control Line. Plans must include a Zoning Data Sheet.
4. One copy of the Building Card and microfilm of the original site plan, floor plans and building elevations; this material is available from the Building Department. If the Building Card and/or microfilm for the property is not available, a standard memorandum to that effect (available at the Building Department), signed by a member of the Building Department Staff, is required.

5. A survey of the property that is not older than one (1) year prior to date of application signed and sealed by a Professional Land Surveyor.
6. Detailed plans and elevations of the proposed building(s) indicating all dimensions, surface materials, design features and elements, texture, color, as well as all attachments such as signs, lighting fixtures, balconies, awnings and appurtenances which are attached to the walls or roof.
7. Tabulation of all pertinent zoning data including the following:
 - a. Total number of dwelling units (per floor), and/or the total amount of office, retail/commercial areas, as well as minimum and average unit size calculations.
 - b. Total number of parking/loading spaces.
 - c. The front, side and rear setbacks; the setbacks shall be clearly delineated on ALL site, landscaping and floor plans.
 - d. Building height, inclusive of the total number of feet to the top of the roof and the highest non-habitable projection, as well as the total number of stories.
 - e. If the project consists of new construction or the addition of floor area, annotated floor plans for each and every level of the subject structure, which clearly delineate all portions of the building included in floor area calculations for FAR purposes, as well as the total amount of floor area counted toward the project FAR per floor, shall be required. If the subject building consists of multiple floors, a separate floor area calculation for each floor shall be required. The delineation method described herein shall consist of color, cross hatching or other form of highlighting which clearly distinguishes the areas included and excluded in the calculation of the project's floor area.
8. A complete and detailed floor plan, including dimensioned set backs, gross sq. ft. of each floor plate containing usable space; i.e. parking spaces, pool, pool deck, etc.
9. A complete set of color photographs of the entire property and all surrounding properties and 12 sets of color copies. All photographs are required to be dated and labeled and identified as to orientation.
10. In accordance with Section 122 of the City Code, unless exempt under the provisions of section 122-5, no development order shall be granted unless the applicant for development approval is the holder of a **valid preliminary concurrency determination**. For those projects which entail a change of use or consist of a new construction project (inclusive of additions), a valid preliminary concurrency determination must be obtained prior to an application being considered by the Planning Board. No application may go forward for development approval or be considered by the Planning Board unless a valid preliminary concurrency determination is obtained.

11. Pursuant to the 2005 Growth Management Act, a school concurrency review is now required for residential projects (not hotel projects) which entail an increase in the number of residential units. At the time of submission, Planning Department staff will input the required data as provided on the application form. Such data shall be transmitted directly to the Miami-Dade County School Board and the school concurrency application will be placed in a queue. Within ten (10) business days of being placed in the queue, the applicant must pay the appropriate fee for the school concurrency review to the Miami-Dade School Board. The applicant must provide a valid school concurrency determination from the Miami-Dade School Board prior to an application being noticed for a Planning Board agenda.
12. A traffic study and circulation analysis. The applicant must consult with the City's Transportation Manager (in the Public Works Department) to determine the scope of the study, intersections that must be detailed, and any other details that may be required.
13. Pursuant to Section 118-192(b), the applicant shall provide the necessary information to the following supplemental criteria as necessary, which must also be included with the application:
 - (1) Whether the proposed business operations plan has been provided, including hours of operation, number of employees, goals of business, and other operational characteristics pertinent to the application, and that such plan is compatible with the neighborhood in which it is located.
 - (2) Whether a plan for the mass delivery of merchandise has been provided, including the hours of operation for delivery trucks to come into and exit from the neighborhood and how such plan will mitigate any adverse impacts to adjoining and nearby properties, and neighborhood.
 - (3) Whether the scale of the proposed use is compatible with the urban character of the surrounding area and create adverse impacts on the surrounding area, and how the adverse impacts are proposed to be addressed.
 - (4) Whether the proposed parking plan has been provided, including where and how the parking is located, utilized, and managed, that meets the required parking and operational needs of the structure and proposed uses.
 - (5) Whether an indoor and outdoor customer circulation plan has been provided that facilitates ingress and egress to the site and structure.
 - (6) Whether a security plan for the establishment and supporting parking facility has been provided that addresses the safety of the business and its users and minimizes impacts on the neighborhood.
 - (7) Whether a traffic circulation analysis and plan has been provided that details means of ingress and egress into and out of the neighborhood, addresses the impact of projected traffic on the immediate neighborhood, traffic circulation pattern for the neighborhood, traffic flow through immediate intersections and arterials, and how these impacts are to be mitigated.

- (8) Whether a noise attenuation plan has been provided that addresses how noise will be controlled in the loading zone, parking structures and delivery and sanitation areas, to minimize adverse impacts to adjoining and nearby properties.
 - (9) Whether a sanitation plan has been provided that addresses on-site facilities as well as off-premises issues resulting from the operation of the structure.
 - (10) Whether the proximity of the proposed structure to similar size structures and to residential uses creates adverse impacts and how such impacts are mitigated.
 - (11) Whether a cumulative effect from the proposed structure with adjacent and nearby structures arises, and how such cumulative effect will be addressed.
11. Notification List/Labels. Pursuant to Section 118-193 of the City Code, all property owners within 375 feet of the subject property, including the subject property must be notified of any request requiring a public hearing. The mailing lists and labels must meet the following requirements:
- (1) Two (2) copies of a list, on gummed labels, with the names and addresses of all property owners of land located within a 375-ft. radius of the exterior boundary of the subject property. If the subject property constitutes only a portion of a contiguous ownership parcel, the exterior boundary from which the 375-ft. radius is to be projected will be the exterior boundary of the entire contiguous ownership parcel.
 - (2) One (1) list with the legal description of land owned by each property owner (lot number, block number and subdivision).
 - (3) One (1) map of the subject area showing the 375-ft. radius, with the subject property highlighted.
 - (4) Original certified letter stating that the ownership list, map and mailing labels are a complete and accurate representation of the real estate property and property owners within 375 ft. radius of the subject property. This letter must be dated and give the address of the subject property and its legal description, subdivision and plat book number and page. Also state the source of this information. (If done by a professional data research company, the preceding information should automatically be included. If done by the applicant, this letter should be signed by the applicant and notarized.)

The following are the names of several companies that you may want to contact to obtain the required mailing labels, legal descriptions, certified letter and accompanying maps. **THE CITY OF MIAMI BEACH DOES NOT CLAIM RESPONSIBILITY FOR THE ACCURACY OR TIMELY ACQUISITION OF THE INFORMATION PROVIDED BY THESE COMPANIES:**

LOPEZ DATA RESEARCH	305-981-9893
FLORIDA REAL ESTATE DECISIONS	305-757-6884
CONSUELO QUINTANA	305-858-2287
THE ZONING SPECIALISTS GROUP, INC.	(305)828-1210
CARLOS J. MARADIAGA	305-262-8965
SPIDER INTERNATIONAL REAL ESTATE SERVICES	305-866-4950

12. The Planning and Zoning Director may establish additional requirements, and in special cases, may waive a particular requirement, if, in his opinion, the requirement is not essential to a proper decision on the project. Therefore, as required in Section II above, a preliminary meeting with staff can help establish the requirements of an application.

REQUIRED DISCLOSURES.

In accordance with the requirements of the City Code, any individual or group that has been, or will be, compensated to either speak in favor of or against a Planning Board application, or not to speak at all, shall be fully disclosed prior to the public hearing. All such individuals and/or groups must register with the City Clerk prior to the hearing.

In accordance with Section 118-31 of the City Code, all applicants shall, prior to the public hearing, fully disclose any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the Planning Board application (exclusive of all legal or professional design services). Such disclosure shall be in writing, shall indicate to whom the consideration has been provided or committed, shall generally describe the nature of the consideration and shall be read into the record by the requesting person or entity. A copy of the written document shall be submitted to the Clerk of the Planning Board.

CHECKLIST FOR PLANNING BOARD APPLICATION

The following checklist was developed by Planning Board staff to help ensure the application package submitted is complete. Every applicant is required to review this list and return it to staff with the final submission package. You will need 13 complete collated sets (one original set and 12 copies).

Planning Board meeting of: _____

Date Pre-application Conference Held: _____

1. Letter of application _____
2. Application, Affidavit & Disclosure of Interest _____
3. Complete set of plans, including elevations and floor plans _____
4. Valid Preliminary Concurrency Determination (if applicable) _____
5. Valid School Concurrency Determination (if applicable) _____
6. Building card and microfilm or letter from Building Dept. attesting to lack of availability: _____
7. Tabulation of Zoning Data:
Annotated floor plans for FAR, Building Heights, Setbacks (on ALL plans), Minimum and Average unit size calculations, gross floor area. _____
8. A complete and detailed floor plan, including dimensioned setbacks, gross sq. ft. of each floor plate containing usable space; i.e. parking spaces, pool, pool deck, etc. _____
9. Survey (original & 12 copies one original signed & sealed) _____
10. Preliminary Concurrency Determination (13 copies) _____
11. Mailing Labels - two (2) sets including:
Property owner's list - two (2) sets
Map of notification area
Original certified letter from the real estate research company _____
12. Color photographs (one original set and 12 laser color copies) _____
13. Traffic study _____
14. CD/DVD with electronic copy of entire application package _____
15. Item #10 of the Submission Requirements - Supplemental review criteria for structures in excess of 50,000 square feet. _____

16. Application fee _____

ALL APPLICATION MATERIALS AND EXHIBITS SHALL BE FOLDED AND COLLATED IN SETS WITH THE REQUEST LETTER AND APPLICATION ON TOP OF EACH SET. ALL ORIGINALS SHOULD BE COLLATED TOGETHER. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

**THE CITY OF MIAMI BEACH
Planning Department
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139
Telephone (305) 673-7550**

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