Section 9

GENERAL DEVELOPMENT REQUIREMENTS

This section contains general development information that applicants should be aware of when working in Altamonte Springs.

City of Altamonte Springs Developer's Guide

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SECTION 9. GENERAL DEVELOPMENT REQUIREMENTS.

9.1 AGENCY PERMITS.

Evidence of permits issued by other agencies, as applicable, will be required prior to the City's issuance of a site work or building permit. It is the Owner/Developer's responsibility to ensure that all appropriate agency permits, applicable to the project, are obtained. In the absence of a permit for wastewater, drinking water, and/or stormwater, an exemption letter from the appropriate permitting agency shall be obtained and submitted to the City in lieu of the permit. The following is a listing of typical permitting agencies and examples of areas of permitting responsibility:

CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
Telephone No.: 904.359.1028
www.csxt.com

-- Pipeline Crossing Over/Under Properties and Track.

Florida Department of Environmental Protection (FDEP)
Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, FL 32803-38767
Telephone No.: 407.894.7555
www.dep.state.fl.us

-- Domestic Wastewater Collection/Transmission System Permit.
-- Environmental Resources Permit.
-- Public Drinking Water System Construction Permit.
-- NPDES CGP.

Florida Department of Transportation (FDOT)
2400 Camp Road
Oviedo, FL 32765
Telephone No.: 407.365.5679
Fax No.: 407.365.7896
www.dot.state.fl.us

-- FDOT Right-of-Way Utilization Permit.
-- Drainage Connection Permit.

St. Johns River Water Management District (SJRWMD)
975 Keller Road
Altamonte Springs, FL 32714
Telephone No.: 407.659.4800
Fax No.: 407.659.4805
http://sjrwmd.com

- -- Consumptive Use Permit.
- -- Environmental Resources Permit.

Seminole County
Public Works Department - Engineering Division
Reflections Plaza
Attn: Randy Williams, Coordinator/Permits
520 Lake Mary Boulevard, Suite 200
Sanford, FL 32773
Telephone No.: 407.665.5663
Fax No.: 407.665.5789
www.co.seminole.fl.us/planning/devrev_main.asp

- -- Right-of-Way Utilization Permit.

9.2 DEVELOPER'S AGREEMENTS AND EASEMENTS.

9.2.1 Developer's Agreements.

Developer's Agreements are required for projects with site plan approval contingent upon execution of an agreement to address restrictions, future project responsibilities, transportation or transit obligations, cross-access easements and other commitments identified through the development plan approval process.

When a Developer's Agreement is required, it must be executed prior to the issuance of a building permit. A standard Development Agreement takes approximately thirty (30) days to draft and thirty (30) days to execute. Fees for the City's preparation of Developer's Agreements are part of the site plan application fee. There are separate fees for other major documents, including: Capacity Reservation Agreements, Annexation Agreements, Restricted Use Agreements, etc. Refer to Legal Agreements in Section 4 for a listing of fees.

The City prepares the Developer's Agreement after approval of the final site plan, unless otherwise agreed, and transmits it to the Owner/Developer for review.

A draft of the City's standard Developer's Agreement is on file with the Growth Management Department Services. The standard Developer's Agreement includes language on cross-access, mass transit participation, easement requirements and other future developer obligation issues. A draft Developer Agreement for the project is distributed after the final plan has been approved.

Cross Access. Cross access is a very common Developer's Agreement requirement. The provision of cross access easements within an Agreement can be through a grant of cross access easement or as a commitment to provide a cross access easement at some future time. [Refer to LDC Sections 11.7.5, 11.8.5, and 11.8.8]

Contact Growth Management at 407.571.8150 x8152 if you have any questions regarding Developer's Agreements.

9.2.2 Easements.

Utility Easements. Utility easements are required when infrastructure, constructed on private property, is conveyed to the City for ownership and maintenance. The Public Works Department is responsible for approving proposed easement dedications to the City and for assessing when easements will be required to accommodate the extension of utility or roadway systems.

Any off-site easements, which are needed to make the system functional, shall be included in the proposal for development and made a requirement for plan approval. Easements for all facilities must be shown on construction drawings and approved by the City Engineer.

The City's standard Easement Agreement document is kept on file in the Public Works Department. The final Easement Agreement must be in a form acceptable to the City's Public Works Department and/or City Attorney and include an easement description accompanied by a sketch of description prepared on 8-1/2" x 11" paper at a legible scale suitable for recording. Said description and sketch must be prepared by a registered or professional land surveyor licensed in the State of Florida. Documents must be signed and sealed by the surveyor. Additionally, coordination efforts shall be provided by the Owner/Developer to execute the approved documents. When a utility easement is required, it must be executed and recorded in the public records prior to issuance of a building permit.

Meter Easement Agreement. Water meters installed on private property require prior approval of the City Engineer. Approval must be evidenced by a "Meter Easement Agreement" document executed by the property owner and the City. When a Meter Easement Agreement is required, it must be executed prior to the City's installation of any meters on private property.

Easements shall be provided at no expense to the City.

[LDC Sections 6.1.7 and 16.3.1(i)]

Contact Public Works/Admin at 407.571.8332 if you have any questions regarding easements.

9.3 BONDING REQUIREMENTS.

9.3.1 Performance Bonding.

A Performance Bond, or other City approved form of security, in the amount of 110% of the construction costs for all public and/or private infrastructure improvements is required by the City when land is being platted or replatted in the City and the Owner/Developer chooses to record the plat prior to the completion of the infrastructure (e.g., potable water, reclaimed water, sewer, paving, drainage, etc.) for the project. A Performance Bond, or other City approved form of security, may be required for the development of large unplatted commercial or multi-family residential projects having an impact on the City's transportation or utility system(s). An engineer's cost estimate or accepted contractor's bid shall be submitted concurrently with all Performance Bonds for review by the City Engineer

Itemized construction costs shall be submitted concurrently with all required Performance Bonds for review by the City Engineer. An engineer's cost estimate or the accepted contractor's bid shall be submitted for Performance Bond review. All cost documents shall be signed and sealed where appropriate.

[Refer to LDC Article IV, Section 4.3.8, Article V, Section 5.3.3.3, and Article XVI, Section 16.3.1(f).]

9.3.2 Maintenance Bonding.

A two (2) year Maintenance Bond (in the amount of 10% of the construction costs), or other City approved form of security in the amount of ten percent (10%) of the construction costs is required by the City for all infrastructure improvements (e.g., potable water, reclaimed water, sanitary sewer, paving and drainage, etc.) to be conveyed to the City for ownership and maintenance. Itemized construction costs shall be submitted concurrently with all Maintenance Bonds for review by the City Engineer.

[Refer to LDC Article XVI, Section 16.3.1(e).]

Final itemized construction costs shall be submitted concurrently with the Maintenance Bond for review by the City Engineer. A corrected contractor's bid

reflecting any additional cost increase or change orders shall be required. All cost documents shall be signed and sealed where appropriate.

[Refer to LDC Article XVI, Section 16.3.1(f).]

Inspection for Maintenance Bond Release. Approximately sixty (60) days prior to the expiration of the scheduled two-year maintenance bond, but only after formal request by the applicant, the City Engineer will schedule an inspection for the release of the Maintenance Bond. Prior to the release of the Maintenance Bond, the Owner/Developer will be required to correct all deficiencies which have been determined by the City to be construction deficiencies and the responsibility of the Owner/Developer.

The Maintenance Bond shall remain in effect until an inspection has been performed by the City and released by the City Commission.

[Refer to LDC Article XVI, Section 16.5.1 and 16.5.2.]

9.4 UTILITY OVERSIZING, CITY COST SHARING, AND REIMBURSEMENT PROCESS.

The City requires new development to construct facilities that are "oversized," if analyses of the future needs in the area of the development show a need for oversizing. The City may require potable and/or reclaimed main line sizing up to twelve inches (12") in diameter across the full property frontage to facilitate future connection and extension at the developer's expense. Oversizing of mains beyond twelve inches (12") may be required, if the City authorizes the additional expense over twelve inches (12") be funded by the City. [Refer to LDC Article VII, Sections 7.8.1 and 7.9.2.3.8.]

The City may choose to participate in the construction of an extension, including oversizing, to its sanitary sewer, potable water, reclaimed water, or drainage system. When cost sharing of an extension is proposed by the City, the Owner/Developer will be required to obtain and submit itemized engineer's estimates and construction bids based upon development project requirements and extended or oversized utility requirements. The City Engineer will be responsible for evaluating the information provided and making recommendation to the City Commission for any cost sharing for extensions or oversizing by the City. [Refer to *City Code of Ordinances*, Section 26-109.]

If the project is approved by the City Commission, the Owner/Developer will be required to submit final itemized construction costs for all extension or oversizing work performed.

9.5 POWER OF ATTORNEY AND OWNER AUTHORIZATIONS.

All development applications filed with the City must be by the property owner or include a written, verifiable authorization from the property owner. Alternatively, the City may accept a contract for purchase or a power of attorney as owner authorizations. A power of attorney form is included in this section for use by applicants if they so desire.