

MEMORANDUM

Agenda Item No. 7(G)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: (Second Reading 12-2-14)
October 7, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Ordinance relating to Road
Impact Fees; amending sections
33E-8, 33E-9 and 33E-12;
adding land use categories to the
Road Impact Fee schedule

The accompanying ordinance was prepared by the Public Works & Waste Management Department and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.



R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum



Date: December 2, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is fluid and cursive, written over the printed name.

Subject: Ordinance Relating To Road Impact Fees; Amending Sections 33E-8, 33E-9 and 33E-12

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the attached Ordinance pertaining to Road Impact Fees, amending Sections 33E-8, 33E-9 and 33E-12 of the Miami-Dade County Code. Section 33E-8 is amended to add land use categories to the Road Impact Fee Schedule, modify the Table of Present Day Cost Multipliers to Fiscal Year increments, and authorize the Public Works and Waste Management Director (Director) to utilize the Institute of Transportation Engineers Trip Generation Manual as appropriate. Section 33E-9 is amended to authorize approval of the independent fee computation study methodology by the Director. Section 33E-12 is amended to replace the requirement of a Joint County/Municipal Committee with a provision that the Director shall solicit and consider recommendations from Municipalities.

SCOPE

The scope of this item extends to any permit for development activity within Miami-Dade County.

FISCAL IMPACT/FUNDING SOURCE

It is estimated that moving the adjustment date of the Present Day Cost from January 1, 2015 to October 1, 2015 will decrease the projected Road Impact Fee revenue by an estimated \$1,580,000.00 during Fiscal Year 2014-15. This one-time reduction in cash flow will not affect major roadway projects. However, it is expected to have a minimal impact on existing countywide continuing programs such as roadway resurfacing, intersection improvements or traffic control devices.

TRACKING

The provisions of this Ordinance are monitored by Gaspar Miranda, P.E., Assistant Director, Highway Engineering of the Public Works and Waste Management Division.

BACKGROUND

On December 6, 1988, the Board of County Commissioners adopted the Dade County Road Impact Fee Ordinance (Ord. No. 88-112), now Chapter 33E of the Miami-Dade County Code. Road Impact Fees are collected to ensure that adequate levels of roadway services are maintained within benefit districts. The assessed amount of the fee is determined in proportion to the amount of new demand that a specific type of development will introduce onto County roads.

The modifications to the ordinance address industry requests for an expedient process for calculating Road Impact Fees that is more reflective of current development practices. Additional modifications will streamline the process, and introduce certain efficiencies that will benefit the community. The proposed amendments are as follows:

- 1) The Ordinance will add 23 new land use categories to the Road Impact Fee Schedule (Schedule) and eliminate one (1) sub-category to reflect current development types in Miami-Dade County. This will allow for a more accurate method to assess how differing land uses will impact vehicular traffic and ensure that fee payers are charged in accordance with these impacts.
- 2) This Ordinance amends the calendar day for the Present Day Cost Table to the beginning of the Miami-Dade County fiscal year for consistency with the inflation adjustments to other County Impact Fees. The Present Day Cost multiplier for 2014 will not be adjusted on January 1, 2015. It will remain in effect until October 1, 2015, and thereafter will adjust in accordance with the County's fiscal year. This amendment also provides for Present Day Cost multipliers through Fiscal Years 2020-21, as the current Table of Present Day Cost multipliers ends in calendar year 2016. The Present Day Cost multiplier is developed by the Florida Department of Transportation and is based on cost factors that affect road construction within the State of Florida. Although the delay in the adjustment of the Present Day Cost multiplier will cause a loss of an estimated \$1,580,000.00 in Road Impact Fee revenues during Fiscal Year 2014-15, this change will result in a simplified process consistent with other County Impact Fees.
- 3) This Ordinance authorizes the Director to utilize a land use category from the current edition of the Trip Generation Manual published by the Institute of Transportation Engineers in instances where a proposed development does not fall within a land use category in the Schedule. Additionally, Section 33E-9 allows fee payers to contract with a qualified transportation engineer to demonstrate through an independent study that a lower fee is appropriate for a specific development. The methodology proposed by the fee payer's transportation engineer must be approved in advance by the Director. Currently, the methodology is set by the ordinance, not allowing for flexibility to this process. These amendments will ensure that the most appropriate fee is assessed.
- 4) Section 33E-12 is being amended to replace the inactive Joint County/Municipality Committee with a process where input is solicited from municipalities. This codifies current practice.

The proposed amendments will more accurately represent the demand generated by certain developments and improve the assessment of fees. The amendments also provide a more efficient process that reflects current practice and reduces delays to fee payers.



Alina T. Hudak
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: December 2, 2014

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 7(G)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(G)
12-2-14

ORDINANCE NO. _____

ORDINANCE RELATING TO ROAD IMPACT FEES; AMENDING SECTIONS 33E-8, 33E-9 AND 33E-12; ADDING LAND USE CATEGORIES TO THE ROAD IMPACT FEE SCHEDULE; AMENDING THE TABLE OF PRESENT DAY COST MULTIPLIERS TO FISCAL YEAR INCREMENTS; AUTHORIZING THE PUBLIC WORKS AND WASTE MANAGEMENT DIRECTOR TO UTILIZE THE INSTITUTE OF TRANSPORTATION ENGINEERS TRIP GENERATION MANUAL UNDER CERTAIN CONDITIONS; AUTHORIZING APPROVAL OF INDEPENDENT FEE COMPUTATION STUDY METHODOLOGY BY THE DIRECTOR; ELIMINATING REQUIREMENT OF A JOINT COUNTY/MUNICIPAL COMMITTEE AND PROVIDING THAT THE DIRECTOR SHALL SOLICIT AND CONSIDER RECOMMENDATIONS FROM MUNICIPALITIES; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

WHEREAS, this Board desires to accomplish the purposes set forth in the accompanying Mayor's Memorandum,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 33E-8 of the Code of Miami-Dade County, Florida, is hereby amended as follows:¹

Sec. 33E-8. Fee computation by adopted schedule.

The feepayer may elect to allow the County Public Works >>and Waste Management<< Director to use the impact fee schedule set forth below developed pursuant to the formula set forth in Section 33E-7(a). The Impact Fee Per Unit of

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Development shall be multiplied by the Present Day Cost (PDC) Multiplier for the ~~calendar~~ year in which the fee is paid in accordance with the table in subsection 33E-8(d).

- (a) The following impact fee schedule shall be used by the County Public Works ~~>>~~and Waste Management<< Director in computing the road impact fee:

TABLE 100
ROAD IMPACT FEE SCHEDULE
OUTSIDE URBAN INFILL AREA

ITE Code	ITE Land Use Type	Trip Generation Rate ¹ (ADT) ² Per Unit of Dev.	Trip Length (mile)	% New Trip ³	Impact Fee Per Unit of Dev. (\$)>>6<<
	Port and Terminal				
30	Truck Terminals	9.85/1,000 GSF ⁴	6.25	100%	6,338
	Industrial				
130	Industrial Park	6.96/1,000 GSF	6.16	100%	4,414
140	Manufacturing	3.82/1,000 GSF	6.16	100%	2,423
150	Warehousing	4.96/1,000 GSF	6.16	100%	3,146
151	Mini-Warehouse	2.50/1,000 GSF	5.90	100%	1,519
	Residential				
210	Single-Family Detached	9.57/unit	6.09	100%	6,001
220	Apartment (Rentals)	6.72/unit	6.09	100%	4,214
>>222	<u>High-Rise Apartment or Condominium (more than three floors)</u>	<u>4.20/unit</u>	<u>6.09</u>	<u>100%</u>	<u>2,634<<</u>
230	Condominium, Townhouse	5.86/unit	6.09	100%	3,674
240	Mobile Home	4.99/unit	6.09	100%	3,129
>>251	<u>Senior Adult Housing - Detached</u>	<u>3.68/unit</u>	<u>6.09</u>	<u>100%</u>	<u>2,307</u>
252	<u>Senior Adult Housing - Attached</u>	<u>3.44/unit</u>	<u>6.09</u>	<u>100%</u>	<u>2,157</u>
253	<u>Congregate Care Facility</u>	<u>2.02/unit</u>	<u>6.2</u>	<u>100%</u>	<u>1,289</u>
254	<u>Assisted Living Facility</u>	<u>2.66/bed</u>	<u>6.2</u>	<u>100%</u>	<u>1,698</u>

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<u>255</u>	<u>Continuing Care Retirement Community</u>	<u>2.28/unit</u>	<u>6.09</u>	<u>100%</u>	<u>1,532<<</u>
	Lodging				
310	Hotel	8.92/[occupied] >> <u>available</u> << room	6.09	100%	5,593
>> <u>311</u>	<u>All Suites Hotel</u>	<u>6.24/available room</u>	<u>6.09</u>	<u>100%</u>	<u>3,913<<</u>
320	Motel	9.11/[occupied] >> <u>available</u> << room	6.09	100%	5,712
	Recreational				
420	Marina	2.96/berth	6.30	100%	1,920
430	Golf Course	35.74/hole	6.30	100%	23,183
>> <u>480</u>	<u>Amusement Park</u>	<u>75.76/acre</u>	<u>6.30</u>	<u>100%</u>	<u>49,142</u>
<u>490</u>	<u>Tennis Courts</u> (open to public; no ancillary facilities)	<u>31.04/court</u>	<u>6.30</u>	<u>100%</u>	<u>20,134<<</u>
491	Racquet Club	38.70/court	6.30	100%	25,103
492	Health/Fitness	4.02/1,000 GSF	6.30	100%	2,608
	Institutional				
520	Elementary School	1.29/student	1.25	75%	125
530	High School	1.71/student	4.00	100%	704
540	Jr./Community College	1.20/student	6.07	100%	750
550	University	2.38/student	6.07	100%	1,487
560	Church/Synagogue	9.11/1,000 GSF	4.00	100%	3,752
565	Day Care Center	79.26/1,000 GSF	1.25	50%	5,100
	Medical				
610	Hospital	17.57/1,000 GSF	6.20	100%	11,216
620	Nursing Home	2.37/bed	6.20	100%	1,513
>> <u>630</u>	<u>Clinic</u>	<u>31.45/1000 GSF</u>	<u>6.20</u>	<u>100%</u>	<u>20,076<<</u>
	Office				
710	General Office Building				
	1—50,000	15.65/1,000 GSF	6.07	100%	9,778
	50,001—100,000	13.34/1,000 GSF	6.07	100%	8,337

	100,001—200,000	11.37/1,000 GSF	6.07	100%	7,109
	200,001—300,000	10.36/1,000 GSF	6.07	100%	6,476
	300,001—400,000	9.70/1,000 GSF	6.07	100%	6,061
	400,001—500,000	9.21/1,000 GSF	6.07	100%	5,758
	500,001—600,000	8.83/1,000 GSF	6.07	100%	5,521
	600,001—700,000	8.53/1,000 GSF	6.07	100%	5,329
	700,001—more	8.27/1,000 GSF	6.07	100%	5,168
720	Medical Office Building	36.13/1,000 GSF	6.07	100%	22,580
>>750	Office Park ⁷	11.42/GSF	6.07	100%	7,137<<
760	Research Center	8.11/1,000 GSF	6.07	100%	5,068
770	Business Park	12.76/1,000 GSF	6.07	100%	7,975
	Retail				
>>813	Discount Superstore (free standing)	50.75/1000 GSF	5.9	42%	12,948
816	Hardware / Paint Store / Pool Supply (free standing)	51.29/1000 GSF	2.36	75%	9,347<<
817	Nursery/Garden Center	36.08/1,000 GSF	4.00	75%	11,144
820	Shopping Center/General Retail				
	1—10,000	152.03/1,000 GSF	2.36	32%	11,821
	10,001—50,000	86.56/1,000 GSF	2.36	42%	8,833
	50,001—100,000	67.91/1,000 GSF	2.36	51%	8,416
	100,001—200,000	53.28/1,000 GSF	4.00	58%	12,727
	200,001—300,000	46.23/1,000 GSF	4.00	62%	11,805
	300,001—400,000	41.80/1,000 GSF	5.90	64%	16,252
	400,001—500,000	38.66/1,000 GSF	5.90	66%	15,501
	500,001—600,000	36.27/1,000 GSF	5.90	67%	14,763
	600,001—800,000	32.80/1,000 GSF	5.90	69%	13,748
	800,001—1,000,000	30.33/1,000 GSF	5.90	70%	12,899
	1,000,001—1,200,000	28.46/1,000 GSF	5.90	71%	12,274
	1,200,001—more	27.67/1,000 GSF	5.90	72%	12,103
841	Car Sales ⁵				

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	Car Sales (new and used car sales area)	33.56/1,000 GSF	5.90	75%	15,290
	Car Sales (services and parts sales area)	21.44/1,000 GSF	5.90	75%	9,768
	[[Car Sales (parking area)	4.96/1,000 GSF	6.16	100%	3,146]]
>>848	Tire Store	24.87/1000 GSF	5.9	100%	15,108
850	Supermarket (free standing)	102.24/1,000 GSF	2.36	50%	12,422<<
853	Convenience Market with Gasoline	845.60/1,000 GSF	1.25	35%	38,090
>>862	Home Improvement Superstore	30.74/1,000 GSF	5.9	75%	14,005
875	Department Store (free standing)	22.88/1000 GSF	5.9	42%	5,838
880	Pharmacy / Drugstore (no Drive thru)	90.06/1000 GSF	2.36	32%	7,003
881	Pharmacy / Drugstore (with Drive thru)	96.91/1,000 GSF	2.36	32%	7,535
890	Furniture Store (free standing)	5.06/1,000 GSF	4.00	50%	1,042<<
	Services				
911	Bank (Walk-in)	156.48/1,000 GSF	1.25	50%	10,069
912	Bank (Drive-in)	246.49/1,000 GSF	1.25	50%	15,862
931	Quality Restaurant	89.95/1,000 GSF	6.16	75%	42,787
	>>Quality Restaurant	2.86/seat ^s	6.16	75%	1,360<<
932	High Turnover Restaurant	158.37/1,000 GSF	4.00	50%	32,612
	>>High Turnover Restaurant	4.83/seat ^s	4.00	50%	995<<
933	Fast Food Restaurant No Drive Thru	716.00/1,000 GSF	1.25	50%	46,075
934	Fast Food Restaurant with Drive Thru	496.12/1,000 GSF	1.25	50%	31,925
>>937	Coffee / Donut Shop	818.58/1000 GSF	1.25	35%	36,838<<
944	Service Stations w/Gasoline	168.56/pump	1.25	35%	7,593

Notes:

1. Rates are derived from Trip Generation, An Informational Report, 7th Edition by the Institute of Transportation Engineers (ITE), 2003.
2. ADT = Average Daily Traffic.
3. Percentage of New Trips from ITE Generation Handbook, 2nd Edition (retail assumes 10% diverted-link trips in addition to pass-by trips from the formula) and Dade County existing Road Impact Fee Schedule.
4. GSF = Gross Square Feet.
5. The trip generation rates of services and sales areas for Car Sales were obtained from a survey study of Miami-Dade County car dealerships.
6. Base year for Impact Fee Per Unit of Development is 2006.
- >>7. Office Park means a planned development including offices together with support services such as banks, restaurants and service stations in a campus-like arrangement.
8. Seats = Maximum occupancy. For Quality Restaurants and High Turnover Restaurants, the Fee may be computed per seat at the option of the feepayer as provided herein. <<

TABLE 100A

ROAD IMPACT FEE SCHEDULE
WITHIN URBAN INFILL AREA

ITE Code	ITE Land Use Type	Trip Generation Rate ¹ (ADT) ² Per Unit of Dev.	Trip Length (mile)	% New Trip ³	Impact Fee Per Unit of Dev. (\$) >>6<<
	Port and Terminal				
30	Truck Terminals	9.85/1,000 GSF ⁴	6.25	100%	5,993
	Industrial				
130	Industrial Park	6.96/1,000 GSF	6.16	100%	4,174
140	Manufacturing	3.82/1,000 GSF	6.16	100%	2,291
150	Warehousing	4.96/1,000 GSF	6.16	100%	2,974
151	Mini-Warehouse	2.50/1,000 GSF	5.90	100%	1,436

	Residential				
210	Single-Family Detached	9.57/unit	6.09	100%	5,674
220	Apartment (Rentals)	6.72/unit	6.09	100%	3,984
>>222	<u>High-Rise Apartment or Condominium (more than three floors)</u>	<u>4.20/unit</u>	<u>6.09</u>	<u>100%</u>	<u>2,490<<</u>
230	Condominium, Townhouse	5.86/unit	6.09	100%	3,474
240	Mobile Home	4.99/unit	6.09	100%	2,958
>>251	<u>Senior Adult Housing - Detached</u>	<u>3.68/unit</u>	<u>6.09</u>	<u>100%</u>	<u>2,182</u>
252	<u>Senior Adult Housing - Attached</u>	<u>3.44/unit</u>	<u>6.09</u>	<u>100%</u>	<u>2,039</u>
253	<u>Congregate Care Facility</u>	<u>2.02/unit</u>	<u>6.2</u>	<u>100%</u>	<u>1,219</u>
254	<u>Assisted Living Facility</u>	<u>2.66/bed</u>	<u>6.2</u>	<u>100%</u>	<u>1,606</u>
255	<u>Continuing Care Retirement Community</u>	<u>2.28/unit</u>	<u>6.09</u>	<u>100%</u>	<u>1,449<<</u>
	Lodging				
310	Hotel	8.92/occupied room	6.09	100%	5,288
>>311	<u>All Suites Hotel</u>	<u>6.24/available room</u>	<u>6.09</u>	<u>100%</u>	<u>3,699<<</u>
320	Motel	9.11/occupied room	6.09	100%	5,401
	Recreational				
420	Marina	2.96/berth	6.30	100%	1,815
430	Golf Course	35.74/hole	6.30	100%	21,920
>>480	<u>Amusement Park</u>	<u>75.76/acre</u>	<u>6.30</u>	<u>100%</u>	<u>46,465</u>
490	<u>Tennis Courts (open to public; no ancillary facilities)</u>	<u>31.04/court</u>	<u>6.30</u>	<u>100%</u>	<u>19,037<<</u>
491	Racquet Club	38.70/court	6.30	100%	23,735
492	Health/Fitness	4.02/1,000 GSF	6.30	100%	2,466
	Institutional				
520	Elementary School	1.29/student	1.25	75%	118
530	High School	1.71/student	4.00	100%	666
540	Jr./Community College	1.20/student	6.07	100%	709

550	University	2.38/student	6.07	100%	1,406
560	Church/Synagogue	9.11/1,000 GSF	4.00	100%	3,547
565	Day Care Center	79.26/1,000 GSF	1.25	50%	4,823
	Medical				
610	Hospital	<u>17.57/1,000 GSF</u>	<u>6.20</u>	<u>100%</u>	<u>10,605</u>
620	Nursing Home	<u>2.37/bed</u>	<u>6.20</u>	<u>100%</u>	<u>1,430</u>
>>630	<u>Clinic</u>	<u>31.45/1000 GSF</u>	<u>6.20</u>	<u>100%</u>	<u>18,982<<</u>
	Office				
710	General Office Building				
	1—50,000	15.65/1,000 GSF	6.07	100%	9,246
	50,001—100,000	13.34/1,000 GSF	6.07	100%	7,883
	100,001—200,000	11.37/1,000 GSF	6.07	100%	6,722
	200,001—300,000	10.36/1,000 GSF	6.07	100%	6,123
	300,001—400,000	9.70/1,000 GSF	6.07	100%	5,731
	400,001—500,000	9.21/1,000 GSF	6.07	100%	5,444
	500,001—600,000	8.83/1,000 GSF	6.07	100%	5,221
	600,001—700,000	8.53/1,000 GSF	6.07	100%	5,039
	700,001—more	8.27/1,000 GSF	6.07	100%	4,886
720	Medical Office Building	36.13/1,000 GSF	6.07	100%	21,350
>>750	<u>Office Park⁷</u>	<u>11.42/GSF</u>	<u>6.07</u>	<u>100%</u>	<u>6,748<<</u>
760	Research Center	8.11/1,000 GSF	6.07	100%	4,792
770	Business Park	12.76/1,000 GSF	6.07	100%	7,540
	Retail				
>>813	<u>Discount Superstore (free standing)</u>	<u>50.75/1000 GSF</u>	<u>5.9</u>	<u>42%</u>	<u>12,243</u>
816	<u>Hardware / Paint Store / Pool Supply (free standing)</u>	<u>51.29/1000 GSF</u>	<u>5.9</u>	<u>75%</u>	<u>8,838<<</u>
817	Nursery/Garden Center	36.08/1,000 GSF	4.00	75%	10,537
820	Shopping Center/General Retail				
	1—10,000	152.03/1,000 GSF	2.36	32%	11,177
	10,001—50,000	86.56/1,000 GSF	2.36	42%	8,352
	50,001—100,000	67.91/1,000 GSF	2.36	51%	7,957

	100,001—200,000	53.28/1,000 GSF	4.00	58%	12,034
	200,001—300,000	46.23/1,000 GSF	4.00	62%	11,162
	300,001—400,000	41.80/1,000 GSF	5.90	64%	15,367
	400,001—500,000	38.66/1,000 GSF	5.90	66%	14,657
	500,001—600,000	36.27/1,000 GSF	5.90	67%	13,959
	600,001—800,000	32.80/1,000 GSF	5.90	69%	12,999
	800,001—1,000,000	30.33/1,000 GSF	5.90	70%	12,196
	1,000,001—1,200,000	28.46/1,000 GSF	5.90	71%	11,606
	1,200,001—more	27.67/1,000 GSF	5.90	72%	11,444
841	Car Sales ⁵				
	Car Sales (new and used car sales area)	33.56/1,000 GSF	5.90	75%	14,457
	Car Sales (services and parts sales area)	21.44/1,000 GSF	5.90	75%	9,236
	[[Car Sales (parking area)	4.96/1,000 GSF	6.16	100%	2,974]]
>>848	Tire Store	24.87/1000 GSF	5.9	100%	14,285
850	Supermarket (free standing)	102.24	2.36	50%	11,742<<
851	Convenience Market	737.99/1,000 GSF	1.25	35%	31,432
853	Convenience Market with Gasoline	845.60/1,000 GSF	1.25	35%	36,015
>>862	Home Improvement Superstore	30.74/1000GSF	5.9	75%	13,242
875	Department Store (free standing)	22.88/1000 GSF	5.9	42%	5,519
880	Pharmacy / Drugstore (no Drive thru)	90.06/1000 GSF	2.36	32%	6,621
881	Pharmacy / Drugstore (with Drive thru)	96.91/1,000 GSF	2.36	32%	7,125
890	Furniture Store (free standing)	5.06/1000 GSF	4.00	50%	985<<
	Services				
911	Bank (Walk-in)	156.48/1,000 GSF	1.25	50%	9,521
912	Bank (Drive-in)	246.49/1,000 GSF	1.25	50%	14,998
931	Quality Restaurant	89.95/1,000 GSF	6.16	75%	40,456
		>>-or-<<			
	Quality Restaurant	2.86/seat ⁸	6.16	75%	1,286<<
932	High Turnover Restaurant	158.37/1,000 GSF	4.00	50%	30,835

		>>-or-<<			
	>>High Turnover Restaurant (optional)	4.83/seat ⁸	4.00	50%	940<<
933	Fast Food Restaurant No Drive Thru	716.00/1,000 GSF	1.25	50%	43,565
934	Fast Food Restaurant with Drive Thru	496.12/1,000 GSF	1.25	50%	30,186
>>937	Coffee / Donut Shop	818.58/1,000 GSF	1.25	35%	34,864<<
944	Service Stations w/Gasoline	168.56/pump	1.25	35%	7,179

Notes:

1. Rates are derived from Trip Generation, An Informational Report, 7th Edition by the Institute of Transportation Engineers (ITE), 2003.
 2. ADT = Average Daily Traffic.
 3. Percentage of New Trips from ITE Generation Handbook, 2nd Edition (retail assumes 10% diverted-link trips in addition to pass-by trips from the formula) and Dade County existing Road Impact Fee Schedule.
 4. GSF = Gross Square Feet.
 5. The trip generation rates of services and sales areas for Car Sales were obtained from a survey study of Miami-Dade County car dealerships.
 6. Base year for Impact Fee Per Unit of Development is 2006.
 - >>7. Office Park means a planned development including offices together with support services such as banks, restaurants and service stations in a campus-like arrangement.
 8. Seats = Maximum Occupancy. For Quality Restaurants and High Turnover Restaurants, the Fee may be computed per seat at the option of the feepayer as provided herein. <<
- (b) If the type of [[activity]] >>land use<<within a proposed or current development is not specified in the above impact fee schedule, the County Public Works >>and Waste Management<< Director shall use the [[activity]] >>ITE Land Use Type<< most nearly comparable in computing the fee. >>In the absence of an appropriate land use category

codified herein, the County Public Works and Waste Management Director may use a trip generation rate for a substantially similar land use category as published in the current edition of "The Trip Generation Manual" of the Institute of Transportation Engineers.<< ~~[[In making this determination the County Public Works Director shall be guided by the current edition of "Trip Generation, an Informational Study" published by the Institute of Transportation Engineers, and based on the same or similar method of trip generation rate and trip length determination.]]~~

- (c) In determining existing development activity, as defined in Section 33E-5(h) of this chapter, and the units of proposed or existing development, the County ~~[[Planning and Zoning]]~~ >>Regulatory and Economic Resources<< Director shall use the building permit and certificate of use information contained in the records of the Miami-Dade County ~~[[Department of Planning and Zoning]]~~ >>Regulatory and Economic Resources Department<< and municipal building code and zoning regulation administering agencies.
- (d) Table of Present Day Cost (PDC) Multipliers~~[[by Calendar Year]]~~.

Calendar Year	PDC Multiplier
2006 >> <u>Base Year</u> <<	1.000
2007	1.035 >> <u>not used</u> ¹ <<
2008	1.094 >> <u>not used</u> ¹ <<
2009	1.141 >> <u>used after April 22, 2009</u> ¹ <<
2010	1.184
2011	1.225
2012	1.267
2013	1.308
2014 >> <u>through September 2015</u> <<	1.351
>> <u>Fiscal Year (October 1 – September</u>	

30)<<	
[[2015]]>>2015-2016<<	[[1.396]]>>1.430<<
[[2016]]>>2016-2017<<	[[1.442]]>>1.477
2017-2018	1.527
2018-2019	1.577
2019-2020	1.628
2020-2021	1.682<<

Source: This table is based on the table of Construction Cost Inflation Factors published August 3, 2006 by Florida Department of Transportation (FDOT) Office of Policy Planning for FDOT Fiscal Year 2007 (July 1, 2006 to June 30, 2007). PDC Multiplier values have been interpolated onto a calendar year interval>>or onto a Miami-Dade County Fiscal Year respectively.

Note:

1. Use of the Present Day Cost multiplier was first implemented upon the April 22, 2009 effective date of Ordinance 09-08.<<

Section 2. Section 33E-9 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 33E-9. Fee computation by independent study.

The feepayer may elect, either prior to or subsequent to paying the scheduled impact fee (Section 33E-8), to utilize an independent fee computation study pursuant to the formula set forth in Section 33E-7(a). The feepayer shall provide the County Public Works >>and Waste Management << Director notice of intent to utilize an independent fee computation study prior to, but no later than, the time of application for a building permit. All such studies initiated after the issuance of a building permit shall be completed and submitted to the Public Works >>and Waste Management << Director within six (6) months of issuance of building permit. Nothing within this section shall allow a building permit for development activity to be issued without the payment of a road impact fee as provided for in Section 33E-6 herein >>or without an authorized deferral of payment upon acceptance of a letter of credit as provided in Section 33E-6.1 or upon the acceptance of a voluntary lien as provided in Section 33E-18.<<

(a) If the feepayer elects to utilize an independent fee computation study, the feepayer shall, at ~~[[his]]~~ >>the feepayer's<< own expense, prepare and present to the County Public Works >>and Waste Management<< Director such a study that shall document the basis upon which the value of each of the components of the fee formula set forth in Section 33E-7(a) was determined. ~~[[The feepayer shall follow the impact fee study methodology contained in the impact fee manual.]]~~ >>The study shall use a methodology that has been approved by the Public Works and Waste Management Director.<< ~~[[Subjects of it]]~~ >>T<<he study shall ~~[[include]]~~ >>address<< the following >>subjects<< unless ~~[[determined]]~~ >>specified in writing<< by the Public Works >>and Waste Management<< Director:

- (1) Trip generation rates;
- (2) Average vehicle trip length;
- (3) New vehicle trip rates;
- (4) Non-transit trip percentages.

(b) The feepayer shall, at the time the independent fee computation study is submitted to the County Public Works >>and Waste Management<< Director, pay to the County >>Department of Regulatory and Economic Resources<< Director a nonrefundable independent study administrative cost in the amount set forth in the >>Implementing Order<< ~~[[impact fee manual]]~~ to be used solely ~~[[by the County]]~~ for the processing and review of the independent fee calculation study >>by the Public Works and Waste Management Department<<. This amount shall not be credited against the road impact fee payment >>and shall not be refunded.<<

(c) The County Public Works >>and Waste Management<< Director shall determine if an independent fee computation study:

- (1) Adheres to the impact fee formula set forth in Section 33E-7(a);

(2) Provides complete, thorough, and accurate information;

>>(3) Complies with the methodology approved by the Public Works and Waste Management Director;
and<<

~~[(3)]~~>>(4)<<Is prepared by an individual or entity qualified to perform Traffic Engineering and Operations Studies in accordance with the standards set forth in Rule 14-75.003 of the Florida Administrative Code.

(d) Upon approval of the independent fee calculation study by the County Public Works >>and Waste Management<< Director, >>the fee may be computed based upon the findings of the study using the road impact fee formula set forth in Section 33E-7.<< ~~[[based on his determination that the conditions described in Section 33E-9(e) are fully met, the fee payer shall pay the amount of the fee so computed.]]~~

(e) ~~[[Should the County Public Works Director determine that the conditions described in Section 33E-9(e) are not fully met by the independent fee study he shall issue a letter to the applicant stating the deficiencies and his intent to reject the independent fee calculation study unless the deficiencies are corrected.]]~~ >>In the event that the Public Works and Waste Management Director determines that the conditions described in Section 33E-9(e) have not been fully met by the independent fee study, a letter shall be sent to the applicant identifying the deficiencies in the study that must be corrected and stating an intent to reject the independent fee calculation study unless the deficiencies are corrected.<< If the County Public Works >>and Waste Management<< Director determines that the deficiencies in the independent fee study have not been corrected within sixty (60) working days from the date of the letter of intent, ~~[[he]]~~>>the Director<< shall issue a >>second<< letter rejecting the independent fee study.

(f) Any appeals from a decision of the County Public Works >>and Waste Management<< Director to reject an independent fee study because of deficiencies shall be >>filed with the Department of Regulatory and Economic Resources Director within 30 days of the decision and shall be<< reviewed and decided by the County Developmental

Impact Committee Executive Council ~~[[, pursuant to the procedures set forth in the adopted impact fee manual]].~~

* * *

Section 3. Section 33E-12 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 33E-12. Impact fee expenditures.

(a) Funds from the roadway ~~[[impact fee]]~~ trust funds, including any accrued interest, shall be used only in accordance with Section 33E-11 for the purpose of financing roadway capacity improvements incorporated into the Miami-Dade County Metropolitan Planning Organization's adopted long range transportation plan or short range transportation improvement program~~[[, except that an amount not to exceed three (3) percent of the gross receipts shall be used by Miami-Dade County to offset the cost of administering the provisions of this chapter]].~~

(b) Highest priority for ~~[[impact fee]]~~>>roadway<< trust >>fund<<[[account]] expenditures shall be for roadway capacity improvements deemed by the Miami-Dade County Metropolitan Planning Organization (MPO) as most needed to serve new development. Such determination by the MPO shall consider recommendation from >>the County Public Works and Waste Management Director. In preparation for said recommendation to the MPO, the Director shall solicit and consider recommendations from the various municipalities located in Miami-Dade County<<[[a joint County/municipal committee as provided for in the Metro-Miami-Dade road impact fee manual]]. Th[is]>>e Director's<< recommendation is not limited to only County or State designated roadways, but may include municipal roads and select transit capital improvements pursuant to subsection 33E-12 (d). Before funds can be allocated or expended for any capacity enhancement projects on local roads within any one Road Impact Fee District, funding for all programmed capacity needs for County arterial and collector roadways, and municipal collector roadways, within said District must have been identified and

encumbered, as determined by the Miami-Dade County Public Works >>and Waste Management<< Director. Trust account funds shall be deemed expended in the order in which they are collected. Policies to be used in scheduling the expenditure of ~~[[impact fee]]~~>>roadway<< trust funds through the long range transportation plan and short range transportation improvement program shall be set forth in the impact fee manual.

The County may construct or provide any of the roadway improvement elements listed above or alternatively may contract with a municipality to construct or provide such elements with road>>way trust funds.<< ~~[[impact fees.]]~~

- (c) Roadway trust funds may be expended on roadway >>capacity<< improvements to the State road network within ~~[[the]]~~>>a<< benefit district >>provided that there must be vehicular access to the subject State road from within the benefit district.<< ~~[[Except in the case of roadway improvements to a State road which has vehicular access within the benefit district, n]]~~ >>N<<o roadway trust fund moneys shall be expended on ~~[[the State]]~~ >>limited access<< roads ~~[[network]]~~ unless such expenditures are reimbursable. Where reimbursable by the State, payments shall be made pursuant to an interlocal agreement between the State and County entered into pursuant to Section 163.01 Florida Statutes. Reimbursements shall be deposited into the appropriate benefit district trust account.
- (d) Roadway trust funds may be expended on select transit capital improvements provided that the Board of County Commissioners, after recommendation from the Mayor in consultation with the Public Works >>and Waste Management<< Director and after public hearing, determines that any such transit use of roadway trust funds would be effective as part of the county's strategy for providing roadway capacity within the Urban Infill Area. Roadway trust funds may only be used for select transit capital improvements within the Urban Infill Area. Only impact fees generated from within the Urban Infill Area may be used for select transit capital projects. Transit projects are to be selected for road>>way trust fund<< ~~[[impact fee]]~~ funding on the basis of their expected effectiveness as roadway capacity improvements.

- (e) Each year the County Public Works ~~>>~~and Waste Management~~<<~~ Director shall present to the Metropolitan Planning Organization pursuant to the Organization's procedures for their review and approval, the annual program for expenditure of roadway ~~>>~~trust funds for roadway~~<<~~ capacity improvements projects ~~[[utilizing road impact fee trust fund monies]]~~, to be included within the ~~[[t]]>>~~T~~<<~~ransportation ~~[[i]]>>~~I~~<<~~mprovements ~~[[p]]>>~~P~~<<~~rogram. ~~>>~~After solicitation and consideration of comment from municipalities, ~~t<<[[T]]he~~ Public Works ~~>>~~and Waste Management~~<<~~ Director shall also ~~[[present the]]~~ recommend~~[[ed]]~~ priorities ~~[[as determined by the joint County/municipal committee]]~~ for the expenditure of road~~>>~~way~~<<~~ ~~[[impact fee]]~~ trust fund monies. Trust fund monies, including any accrued interest not assigned in any fiscal year, shall be retained in the trust fund until the next fiscal year, except as provided by the refund provisions of this chapter pursuant to Section 33E-13.

Section 4. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 5. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 6. The provisions of Section 1 of this ordinance relating to “The Table of Present Day Cost (PDC) Multipliers” (Section 33E-8(d)) shall become effective ten (10) days after the date of its enactment unless vetoed by the Mayor, and if vetoed, shall become effective on such date only upon an override by this Board. The remaining provisions of this ordinance shall become effective ninety (90) days after the date of its enactment unless vetoed by the Mayor, and if vetoed, shall become effective on such date only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

RAE
CHC

Prepared by:

Craig H. Coller