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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: January 22, 2009

Amended
Agenda Item No. 7(E)

Ordinance No. 09-08

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Ordinance Pertaining to Road Impact Fees; Amending Sections 33E-2, 33E-5, 33E-7 Through 33E-11 and 33E-13 Through 33E-15 of the Code of Miami-Dade County, Florida (Code); Creating Sections 33E-6.1, 33E-11.1 and 33E-17 of the Code; Updating the Road Impact Fee Formula and Fee Schedule; Providing for Automatic Adjustment of Fee Schedule Based on Florida Department of Transportation Inflation Factor; Providing Applicability; Repealing the Road Impact Fee Manual (Manual) in Its Entirety And Adoption of Manual by Resolution; Providing for Severability, Inclusion in the Code and an Effective Date

O#09-08

Recommendation

It is recommended that the Board of County Commissioners (BCC) approve the attached ordinance pertaining to Road Impact Fees (RIF) amending Sections 33E-2, 33E-5, 33E-7, 33E-8, 33E-9, 33E-10, 33E-11, 33E-14 and 33E-15, and creating Sections 33E-6.1, 33E-11.1, 33E-17, 33E-18 of the Code.

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 the proposed ordinance will increase RIF revenue by approximately 95 million to 120 million dollars over the next five (5) years.

Background

On December 6, 1988, the BCC adopted the Dade County RIF Ordinance (Ord. No. 88-112 § 1) Chapter 33E of the Miami-Dade County Code, for the purpose of ensuring that all new development bears its proportionate share of the capital cost of road facilities necessary to allow an adequate level of roadway service within Miami-Dade County and its municipalities. Section 163.31801(3)(a) of the Florida Statutes requires that the calculation of the impact fee be based on the most recent and localized data. The proposed ordinance updates the cost information used in the RIF formula found in Sec. 33E-7 and the road impact fee (RIF) schedule found in Sec. 33E-8. The RIF formula and RIF schedule were last updated in 1994 (Ord. No. 94-134). The proposed amendments will gradually bring RIF revenues into line with current road construction costs. Proposed Sec. 33E-8 provides for an automatic annual adjustment to the RIF Schedule by indexing the Schedule to inflation as defined by the Florida Department of Transportation present day cost (PDC) multipliers.

Taking into consideration current economic conditions affecting the building industry the proposed ordinance includes two transitional provisions. Proposed subsection 33E-6.1(h) provides for a declining discount of road impact fees over a five (5) year period at which time the formula and the schedule are expected to reflect current road construction costs. During the first year of the declining discount the fee payer will only be required to pay thirty percent (30%) of the calculated fee. This is only a slight increase over the current fee. In the second year, fee payers will be required to pay fifty (50%) of the computed fee, sixty-five percent (65%) in the third year, eighty percent (80%) in the fourth year, ninety percent (90%) in the fifth year and one hundred percent (100%) from then on. Proposed subsection 33E-6.1(i) also provides a transitional two year window during which developments for which a plat has already been filed prior to January 1, 2009, can apply for permits and pay the impact fee at the old rate.

Except for the addition of the PDC inflation factor, the basic methodology for developing the road impact fee schedule has not changed. It is the same as the methodology used in Orange County and Lee County. The proposed change in fees is due to the rising costs of road construction and right of way. Other counties have updated their road impact fees in recent years. Some do so on a regular basis. A comparison of fees paid in ten (10) other counties is attached as Exhibit "A."

The proposed ordinance also repeals the current RIF manual as an ordinance and provides for adoption of a RIF manual as a resolution. This is in keeping with the pattern of other Miami-Dade County impact fees. The current RIF manual (to be repealed) has been reviewed and those elements requiring authorization by ordinance would be incorporated into Chapter 33E of the Code. For example, the proposed ordinance creates Sec. 11.1 for the purpose of incorporating the RIF benefit district boundaries explicitly as a section of the code. The boundaries in proposed Sec. 33E-11.1 are the same as those that now appear in the RIF manual. Likewise Sec. 6.1 would be created incorporating items from the manual relating to payment of road impact fees into the Code. The proposed ordinance also creates Sec. 33E-17 providing for the adoption of the RIF manual by resolution. An updated and simplified version of the RIF manual will be proposed for adoption by resolution under separate cover.

Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: January 22, 2009

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

SUBJECT: Amended Agenda Item No. 7(E)

Please note any items checked.

	"4-Day Rule" ("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
	Bid waiver requiring County Manager's written recommendation
	Ordinance creating a new board requires detailed County Manager's report for public hearing
	Housekeeping item (no policy decision required)
	No committee review

Approved _____ Mayor
Veto _____
Override _____

Amended
Agenda Item No. 7(E)
1-22-09

ORDINANCE NO. 09-08

ORDINANCE PERTAINING TO ROAD IMPACT FEES; AMENDING SECTIONS 33E-2, 33E-5, 33E-7 THROUGH 33E-11 AND 33E-13 THROUGH 33E-15 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (CODE); CREATING SECTIONS 33E-6.1, 33E-11.1 AND 33E-17 OF THE CODE; UPDATING THE ROAD IMPACT FEE FORMULA AND FEE SCHEDULE; PROVIDING FOR AUTOMATIC ADJUSTMENT OF FEE SCHEDULE BASED ON FLORIDA DEPARTMENT OF TRANSPORTATION INFLATION FACTOR; PROVIDING APPLICABILITY; REPEALING THE ROAD IMPACT FEE MANUAL (MANUAL) IN ITS ENTIRETY AND ADOPTION OF MANUAL BY RESOLUTION; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

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

Section 1. Section 33E-2 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:[1]

* * *

Sec. 33E-2. Short title, authority and applicability.

(a) This chapter [Ordinance Number 88-112] >>effective June 4, 1989,<< shall be known and may be cited as the "Miami-Dade County Road Impact Fee Ordinance."

(b) The Board of County Commissioners of Miami-Dade County has the authority to adopt this chapter pursuant to Article VIII, Section 6 of the Constitution of the State of Florida, Section 1.01 of the Charter of Miami-Dade County and Chapters 163 and 380, Florida Statutes.

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

(c) This chapter shall be applicable to land development in the entirety of Miami-Dade County.

* * *

Section 2. Section 33E-5 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

Sec. 33E-5. Definitions.

>>(a) The words and terms listed below are hereby defined for the purpose of this chapter:

(1) *Adjusted gross income* means all wages, assets, regular cash or noncash contributions or gifts from persons outside the household, and such other resources and benefits as may be determined to be income by the County Planning and Zoning Director, adjusted for family size, less deductions allowable under s. 62 of the Internal Revenue Code.

(2) *Affordable Housing* pursuant to the Florida Housing Planning and Community Assistance Act (Section 420 Part VI , Florida Statutes) and for the purpose of eligibility for a road impact fee exemption shall mean:

a. with respect to a housing unit to be occupied by very-low-income persons, that monthly rents, or monthly mortgage payments including property taxes and insurance, do not exceed 30 percent of that amount which represents 50 percent of the median annual income for households within Miami-Dade County, divided by 12.

b. with respect to a housing unit to be occupied by low-income persons, that monthly rents, or monthly mortgage payments including taxes and insurance, do not exceed 30 percent of that amount which represents 80 percent of the median annual income for households within Miami-Dade County, divided by 12. <<

[[~~(a)~~]]>>(3)<< *Arterial roadway* means a roadway intended to serve moderate to large traffic volumes traveling relatively long distances. These facilities are characterized by long trip lengths and high speeds and volumes.

[[~~(b) *City Manager* means the Chief Administrative Officer of a Miami-Dade County municipality or his designee.~~]]

>>(4) *Building permit* shall mean an official document or certificate issued by the Building Official authorizing the construction, alteration or installation of any building, structure or any part thereof. The building permit application plans shall bear the impress seal and signature of a licensed architect or registered professional engineer and indicate the use and occupancy of all parts of the building or structure.<<

[[(c)]]>>(5)<< *Collector roadway* means a roadway which is intended to serve as the connecting link for local streets and to provide intraneighborhood transportation. These facilities are characterized by relatively short trip lengths and moderate speeds and volumes.

[[~~(d)~~]]>>(6)<< *County Manager* means the Chief Administrative Officer of Metropolitan Miami-Dade County or his designee.

[[~~(e)~~]]>>(7)<< *County Public Works Director* means the Director of the [[~~Metropolitan~~]] Miami-Dade County Public Works Department or his designee.

[[~~(e-1)~~]]>>(8)<< *County Planning and Zoning Director* means the Director of the Miami-Dade County Department of Planning and Zoning or his designee.

[[~~(f) *Miami-Dade County Metropolitan Planning Organization* or *MPO* means the local government entity designated by the Governor, pursuant to Chapter 339.175, Florida Statutes for the management of transportation planning process in Miami-Dade County.~~

~~(g)~~]]>>(9)<< *Development activity, development* or *activity* means any activity for which a building permit is required pursuant to the South Florida Building Code and/or any applicable County or municipal ordinance.

[[~~(h)~~]]>>(10)<< *Existing development* means the lawful land use physically existing at any time during the period from December 6, 1988 through June 4, 1989 and any development or additional development for which the landowner holds a valid building permit as of June 4, 1989. Existing development shall also include the maximum level of development activity for which a previous impact fee was paid under the provisions of this chapter. As used in this chapter, the term "lawful land use" shall not include a land use which has been established or maintained in violation of this chapter or applicable municipal codes.

[[~~(i)~~]]>>(11)<< *Feepayer* means a person intending to commence a proposed development for which an impact fee computation is required, or a person who has paid an impact fee, provided a letter of credit, or made a contribution in-lieu-of-fee pursuant to this chapter.

[[~~(j)~~]]>>(12)<< *Level of service* is the qualitative measure of traffic service provided by a road under a particular volume condition as described in the >> current edition of the<<Highway Capacity Manual, Special Report 209, [[~~1985~~]], published by the nonprofit Transportation Research Board of the National Research Council serving the National Academy of Engineering.

[[~~(k)~~]]>>(13)<< *Local street* means a roadway which has the primary function to serve adjacent property by providing the initial access to the highway network. These facilities are characterized by short trip lengths, low speeds, and small traffic volumes.

[[~~(l)~~]]>>(14)<< *Long range transportation plan* means the adopted [[~~Metro-~~]]Miami-Dade Transportation Plan or successor document adopted by the Miami-Dade County Metropolitan Planning Organization.

>>(15) *Low-income persons* means one or more natural persons or a family, the total annual adjusted gross household income of which does not exceed 80 percent of the median annual income for households within Miami-Dade County.

(16) *Median Annual Income For Households Within Miami-Dade County* is equivalent to Median Family Income (MFI) for Miami-Dade County as determined for the current fiscal year by the U.S. Department of Housing and Urban Development.

(17) *Miami-Dade County Metropolitan Planning Organization* or *MPO* means the local government entity designated by the Governor, pursuant to Chapter 339.175, Florida Statutes for the management of transportation planning process in Miami-Dade County.<<

[[~~(m) *Metro*~~]]>>(18)<< *Miami-Dade road impact fee manual* or *impact fee manual* >>or *the manual*<< means the document [[~~prepared by the County Manager and~~]] adopted by >>resolution of<< the Board of County Commissioners which contains information, sets forth procedures and implements policies essential to the administration of the >>road<< impact fee [[~~procedure, all~~]] pursuant to [[~~the standards set forth in~~]] this chapter.

[[~~(n)~~]]>>(19)<< *Off-site roadway improvement* or *off-site improvement* means any arterial and collector roadway improvement located outside of the boundaries of a parcel proposed for development or platted subdivision parcel excluding those improvements required to be dedicated or improved pursuant to the subdivision or zoning regulations. This definition also includes roadway improvements, including right-of-way dedication, which are located beyond those zoned right-of-way limits specified in Section 33-133, Miami-Dade County Code.

[[~~(p) *Primary Metropolitan Statistical Area* or *PMSA* means the Primary Metropolitan Statistical Area for Miami-Dade County.~~]]

[[~~(o)~~]]>>(20)<< *Road impact fee, fee,* or *impact fee* means the proportionate share charge required to be paid in accordance with this chapter.

[[~~(p)~~]]>>(21)<< *Road impact fee schedule* or *impact fee schedule* means the table of impact fee per unit of development used by the Public Works Director in computing the roadway impact fee pursuant to Section 33E-8 of this chapter.

[[~~(q)~~]]>>(22)<< *Roadway capacity improvement* or *roadway improvement* means any roadway element or select transit capital improvement which will serve to enhance the vehicular movement or increase the vehicular volume in any corridor. The following roadway elements shall be considered as roadway capacity improvements:

[[~~(1)~~]]>>a.<< Thru lanes;

[[~~(2)~~]]>>b.<< Turn lanes;

[[~~(3)~~]]>>c.<< Bridges;

[[~~(4)~~]]>>d.<< Drainage facilities that serve to enhance vehicular movement or volume;

[[~~(5)~~]]>>e.<< Traffic signalization;

[[~~(6)~~]]>>f.<< Sidewalks or bike [[~~paths~~]] >>facilities<< that serve to enhance vehicular movement or volume;

[[~~(7)~~]]>>g.<< Resurfacing of existing roadways including planning and removal of existing paved surfaces where such improvements will enhance the roadway capacity and service level; and

[[~~(8)~~]]>>h.<< Select Transit Capital Improvements; and

[[~~9.~~]]>>i.<< Other structural improvements shown by specific studies to enhance roadway capacity.

In addition, the following roadway elements shall also be considered roadway capacity improvements when undertaken as components of a complete roadway project:

[[~~(1)~~]]>>a.<< Curbs, medians, shoulders, striping, and traffic signage;

[[~~(2)~~]]>>b.<< Utility relocation; and

[[~~(3)~~]]>>c.<< Sodding and tree planting.

Furthermore, the following activities: preliminary engineering, design studies, land surveys, engineering design, right-of-way acquisition, and permitting, shall also be construed as roadway capacity improvements when associated with the construction of any of the aforementioned roadway elements.

Expenditures for all such improvements shall be in accordance with Section 33E-12 and implementing provisions of the Road Impact Fee Manual.

[[~~(r)~~]]>>(23)<< *Select Transit Capital Improvement* means a specific transit capital project located inside the Urban Infill Area that has been determined by the Board of County Commissioners to be of strategic value in providing roadway capacity inside the Urban Infill Area pursuant to Sec. 33E-12(d).

[[~~(s)~~]]>>(24)<< *Short range transportation improvement program* means the five-year roadway program adopted annually by the Miami-Dade County Metropolitan Planning Organization as amended from time to time.

>>(25) *Student* means any person not living with his or her parent or guardian who is eligible to be claimed by his or her parent or guardian as a dependent under the federal income tax code and who is enrolled on at least a half-time basis in a secondary school, career center, community college, college or university.

(26) *Total Trips* means total outbound trips. (Outbound trips are attributed to the proposed development. Return trips are attributed to the destination.)<<

[[~~(t)~~]]>>(27)<< *Unit(s) of development* means a quantifiable increment of development activity dimensioned in terms of dwelling units, one thousand (1,000) square feet of floor area, hotel/motel rooms, parking spaces, students or other appropriate measurements contained in the impact fee schedule or in >>the current edition of <<"Trip Generation>>, an Informational Study<<" [[~~fourth Edition, September, 1987~~]], published by the Institute of Traffic Engineers.

[[~~(u)~~]]>>(28)<< *Urban Infill Area or UIA* >>pursuant to the adopted Comprehensive Development Plan<< means that part of Miami-Dade County >>located<< east of, and including >>S.R. 826 (Palmetto Expressway) and<< NW/SW 77 Avenue and [[~~S.R. 826 (Palmetto Expressway)~~]]>>, excluding the area north of and west of I-95, and the City of Islandia.<<

[[~~(v) *Building permit* shall mean an official document or certificate issued by the Building Official authorizing the construction, alteration or installation of any building, structure or any part thereof. The building permit application plans shall bear the impress seal and signature of a licensed architect or registered professional engineer and indicate the use and occupancy of all parts of the building or structure.~~]]

>>(29) *Very-low-income persons* means one or more natural persons or a family, not including students as defined herein, the total annual adjusted gross household income of which does not exceed 50 percent of the median annual income for households within Miami-Dade County. <<

* * *

Section 3 Section 33E-6.1 of the Code of Miami-Dade County, Florida is hereby created as follows:

>>Sec. 33E-6.1 Payment of Road Impact Fees.

(a) The feepayer shall pay a road impact fee amount based on the formula set forth in Sec. 33E-7.

(b) Payment shall be made in cash, personal check, cashier's check, or money order payable to Miami-Dade County; however, when a municipality is the permitting authority, payment shall not be made by personal check.

(c) No building permit shall be issued by the county or any municipality therein until payment for the road impact fee has been received or a bond accepted pursuant to subsection 33E-6.1(g). The total road impact fee shall be paid prior to issuance of a certificate of completion, temporary certificate of use and occupancy or certificate of use and occupancy for any part of construction authorized by the building permit.

(d) Upon receiving notice that a payment proffered for an impact fee is invalid due to insufficient funds, improper execution or for any other reason, the appropriate county or city building department shall have the authority to stop all construction authorized by the permit until payment in full is received. Payment in full shall include the amount owed for the road impact fee plus any penalty amount charged by a bank against the county as a result said invalid payment, plus, pursuant to Section 68.065 Florida Statutes, a service fee of Ten Dollars ($10.00) or five percent (5%) of the face amount of the invalid payment, which ever is greater.

(e) If the amount of the impact fee paid is found to have been insufficient for any reason, the appropriate county or city building department shall have the authority stop all construction authorized by the permit until payment in full is received.

(f) The county shall have the authority to lien real property for which a Final Certificate of Use and Occupancy (C.O.) has been issued but for which the correct required road impact fee has not been paid in full. Such lien must be filed within three years from the date of issuance of the C.O.

(g) Road impact fees exceeding twenty-five thousand dollars ($25,000) may be deferred provided that the feepayer submits either a surety performance bond (the bond) or an automatically renewable, irrevocable letter of credit (the bond), for the total amount of the impact fee. Upon acceptance of the bond by the County Planning and Zoning Department the building permit may be issued.

(h) All developments subject to road impact fees paid less than one year after the effective date of this ordinance shall be obligated to pay thirty percent (30%) of the fee as computed herein. All developments subject to road impact fees paid one year but less than two years after the effective date of this ordinance shall be obligated to pay fifty percent (50%) of the fee as computed herein. All developments subject to road impact fees paid two years but less than three years after the effective date of this ordinance shall be obligated to pay sixty-five percent (65%) of the fee as computed herein. All developments subject to road impact fees paid three years but less than four years after the effective date of this ordinance shall be obligated to pay eighty percent (80%) of the fee as computed herein. All developments subject to road impact fees paid four years but less than five years after the effective date of this ordinance shall be obligated to pay eighty percent (90%) of the fee as computed herein. Beginning five years after the effective date of this ordinance, all developments subject to road impact fees shall be obligated to pay one hundred percent (100%) of the fee as computed herein. This subsection shall expire on January 1, 2014.

(i) Any development subject to road impact fees for which a plat has been filed in the public records prior to January 1, 2009 and for which road impact fees are paid prior to January 1, 2011 shall be charged for road impact fees in accordance with the Fee Schedule in effect for the year 2008. A copy of the 2008 Table 100 and 2008 Table 100A Fee Schedules shall be included in the road impact fee manual until the date of expiration of this provision. This subsection shall expire on January 1, 2011.<<

Section 4. Section 33E-7 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

* * *

Sec. 33E-7. Road Impact Fee Formula.

(a) The feepayer shall pay a road impact fee amount based on the formula set forth below. Such fee will be based on the capital cost of roadway improvements required to serve any increase in transportation requirements resulting from proposed development activities together with impact fee administrative costs. The formula to be used to calculate the road impact fee shall be as follows:

(1) Total Trips = Proposed Units of Development × Trip Generation Rate × 97% Trips Non-transit × 1/2 [[~~Trips Attributable to Proposed Development~~]] >>× Percent New Trips<<

(2) (Outside UIA) New Lane Miles = Total Trips × Trip Length [[~~+~~]] >>÷ <<8,100 Average Daily Vehicles Capacity per Lane Mile

(Within UIA) New Lane Miles = Total Trips × Trip Length [[~~×~~]] >>÷ << 8,500 Average Daily Vehicles Capacity per Lane Mile

(3) Road Cost = New Lane Miles × [[~~$558,000~~]] >>$1,951,500<< per Lane Mile (Including [[~~$114,000~~]] >>$151,500<< per lane mile for Right-of-Way Costs)

[[~~(4) Net Road Cost = Road Cost – (minus) $181,631 per Lane Mile of Road Costs Credited from Motor Fuels Tax and Vehicle License Fees~~]]

>>(4) (Outside UIA) Net Road Cost = Road Cost – $265,680 per New Lane Mile credited from Motor Fuels Tax and Vehicle License Fees

(Within UIA) Net Road Cost = Road Cost – $278,800 per New Lane Mile credited from Motor Fuels Tax and Vehicle License Fees)<<

[[~~(5) Road Impact Fee = net Road Costs + 2% General Administrative Costs~~]]

>>(5) Inflation Factor = PDC Multiplier from Table of Present Day Cost (PDC) Multipliers by Calendar Year in subsection 33E-8(d).

(6) Road Impact Fee = Net Road Costs × Inflation Factor + 2% Administrative Costs <<

* * *

(d) [[~~The County Manager, pursuant to Section 4.02 of the Code of Metropolitan Miami-Dade County shall propose to the Board of County Commissioners in not less than sixty (60) days prior to the effective date of this chapter, a Metro-Miami-Dade road impact fee manual that shall be used for the administration of this chapter. The impact fee manual shall contain the following:~~

~~(1) The procedure for the designation of city administrative staff, as provided for by a memorandum of agreement, to administer any part of the impact fee process or procedure; as well as the specific procedure for entering into such a memorandum of agreement;~~

~~(2) The independent fee calculation methodology relating to Section 33E-9;~~

~~(3) The portion of the general administrative cost set forth in Section 33E-12(a) that may be retained by any city designated to administer a portion of the impact fee process or procedure;~~

~~(4) The independent study administrative cost provided for in Section 33E-9(b);~~

~~(5) The standards and procedures for issuance of fee credits set forth in Section 33E-14(c); and~~

~~(6) The standards, procedures and other matters required to administer Sections 33E-7 through 33E-15.~~

~~(e) The County Manager shall periodically review the contents of the adopted road impact fee ordinance and impact fee manual and, if appropriate, make recommendations for revisions to the adopted road impact fee ordinance and impact fee manual to the Board of County Commissioners. The Board of County Commissioners shall consider the County Manager's recommended revision(s) to the Miami-Dade County Road Impact Fee Ordinance and the impact fee manual at least once every twelve (12) months. The Manager's recommendations and the Commission's action shall ensure that the benefits to a fee paying development are equitable in that the fee charged to the paying development shall not exceed a proportionate share of the costs of mitigating road impacts, and the procedures for administering the impact fee process remain efficient.~~]]

>>Any change of use, redevelopment or modification of an existing use which requires the issuance of a building permit and which generates additional vehicular trips shall pay a road impact fee based on the net increase in the impact fee above that which would have been required for the previous use.<<

Section 5. Section 33E-8 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

Sec. 33E-8. Fee Computation by Adopted Schedule.

The feepayer may elect to allow the County Public Works 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 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 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. ($)~~
	~~**Port and Terminal**~~				
~~30~~	~~Truck Terminals~~	~~9.86/1,000 GSF***~~	~~6.84~~	~~100%~~	~~$1550~~
	~~**Industrial**~~				
~~130~~	~~Industrial Park~~	~~6.97/1,000 GSF~~	~~6.84~~	~~100%~~	~~$1,096~~
~~140~~	~~Manufacturing~~	~~3.85/1,000 GSF~~	~~6.84~~	~~100%~~	~~$605~~
~~150~~	~~Warehousing~~	~~4.88/1,000 GSF~~	~~6.84~~	~~100%~~	~~$767~~
~~151~~	~~Mini-Warehouse~~	~~2.61/1,000 GSF~~	~~6.84~~	~~100%~~	~~$410~~
	~~**Residential**~~				
~~210~~	~~Single-Family Detached~~	~~8.31/unit~~	~~6.84~~	~~100%~~	~~$1,307~~
~~220~~	~~Apartment (Rentals)~~	~~6.25/unit~~	~~6.84~~	~~100%~~	~~$983~~
~~230~~	~~Condominium, Townhouse~~	~~5.86/unit~~	~~6.84~~	~~100%~~	~~$921~~
~~240~~	~~Mobile Home~~	~~2.40/unit~~	~~6.84~~	~~100%~~	~~$756~~
	~~**Lodging**~~				
~~310~~	~~Hotel~~	~~6.96/occupied room~~	~~6.84~~	~~100%~~	~~$1,094~~
~~320~~	~~Motel~~	~~8.15/occupied room~~	~~6.84~~	~~100%~~	~~$1,281~~
	~~**Recreational**~~				
~~420~~	~~Marina~~	~~2.96/berth~~	~~6.84~~	~~100%~~	~~$465~~
~~430~~	~~Golf Course~~	~~37.59/hole~~	~~6.84~~	~~100%~~	~~$5,910~~
~~492~~	~~Racquet Club~~	~~42.90/court~~	~~6.84~~	~~100%~~	~~$6,745~~
	~~**Institutional**~~				
~~520~~	~~Elementary School~~	~~1.09/student~~	~~1.25~~	~~100%~~	~~$31~~
~~530~~	~~High School~~	~~1.38/student~~	~~4.00~~	~~100%~~	~~$127~~
~~540~~	~~Jr./Community College~~	~~1.33/student~~	~~6.87~~	~~100%~~	~~$209~~
~~550~~	~~University~~	~~2.37/student~~	~~6.87~~	~~100%~~	~~$373~~
~~560~~	~~Church/Synagogue~~	~~9.32/1,000 GSF~~	~~4.00~~	~~100%~~	~~$857~~
~~565~~	~~Day Care Center~~	~~79.26/1,000 GSF~~	~~1.25~~	~~50%~~	~~$1,138~~

	~~**Medical**~~				
~~610~~	~~Hospital~~	~~16.78/1,000 GSF~~	~~4.00~~	~~100%~~	~~$1,543~~
~~620~~	~~Nursing Home~~	~~2.60/bed~~	~~4.00~~	~~100%~~	~~$239~~
	~~**Office**~~				
~~710~~	~~General Office Building~~				
	~~1 – 50,000~~	~~16.58/1,000 GSF~~	~~6.84~~	~~100%~~	~~$2,607~~
	~~50,001 – 100,000~~	~~14.03/1,000 GSF~~	~~6.84~~	~~100%~~	~~$2,206~~
	~~100,001 – 200,000~~	~~11.85/1,000 GSF~~	~~6.84~~	~~100%~~	~~$1,863~~
	~~200,001 – 300,000~~	~~10.77/1,000 GSF~~	~~6.84~~	~~100%~~	~~$1,693~~
	~~300,001 – 400,000~~	~~9.96/1,000 GSF~~	~~6.84~~	~~100%~~	~~$1,566~~
	~~400,001 – 500,000~~	~~9.45/1,000 GSF~~	~~6.84~~	~~100%~~	~~$1,486~~
	~~500,001 – 600,000~~	~~9.05/1,000 GSF~~	~~6.84~~	~~100%~~	~~$1,423~~
	~~600,001 – 700,000~~	~~8.75/1,000 GSF~~	~~6.84~~	~~100%~~	~~$1,376~~
	~~700,001 – more~~	~~8.46/1,000 GSF~~	~~6.84~~	~~100%~~	~~$1,330~~
~~720~~	~~Medical Office Building~~	~~34.17/1,000 GSF~~	~~6.84~~	~~100%~~	~~$3,142~~
~~760~~	~~Research Center~~	~~7.70/1,000 GSF~~	~~6.84~~	~~100%~~	~~$1,211~~
~~770~~	~~Business Park~~	~~14.37/1,000 GSF~~	~~6.84~~	~~100%~~	~~$2,259~~
	~~**Retail**~~				
~~820~~	~~General Retail~~				
	~~1 – 10,000~~	~~167.59/1,000 GSF~~	~~1.25~~	~~50%~~	~~$2,408~~
	~~10,001 – 50,000~~	~~91.65/1,000 GSF~~	~~1.25~~	~~50%~~	~~$1,317~~
	~~50,001 – 100,000~~	~~70.67/1,000 GSF~~	~~1.25~~	~~50%~~	~~$1,105~~
	~~100,001 – 200,000~~	~~54.50/1,000 GSF~~	~~4.00~~	~~52%~~	~~$2,606~~
	~~200,001 – 300,000~~	~~46.81/1,000 GSF~~	~~4.00~~	~~55%~~	~~$2,367~~
	~~300,001 – 400,000~~	~~42.02/1,000 GSF~~	~~6.84~~	~~57%~~	~~$3,766~~
	~~400,001 – 500,000~~	~~38.65/1,000 GSF~~	~~6.84~~	~~59%~~	~~$3,585~~
	~~500,001 – 600,000~~	~~36.35/1,000 GSF~~	~~6.84~~	~~61%~~	~~$3,486~~
	~~600,001 – 800,000~~	~~33.88/1,000 GSF~~	~~6.84~~	~~64%~~	~~$3,409~~
	~~800,001 – 1,000,000~~	~~32.09/1,000 GSF~~	~~6.84~~	~~68%~~	~~$3,431~~
	~~1,000,001 – 1,200,000~~	~~30.69/1,000 GSF~~	~~6.84~~	~~72%~~	~~$3,474~~
	~~1,200,001 – more~~	~~28.61/1,000 GSF~~	~~6.84~~	~~75%~~	~~$3,374~~
	~~**Services**~~				
~~817~~	~~Nursery-Garden Center~~	~~36.08/1000 GSF~~	~~4.00~~	~~75%~~	~~$2,020~~
~~831~~	~~Quality Restaurant~~	~~95.51/1,000 GSF~~	~~6.84~~	~~75%~~	~~$11,380~~
~~832~~	~~High Turnover Restaurant~~	~~205.36/1,000 GSF~~	~~4.00~~	~~50%~~	~~$9,441~~
~~833~~	~~Fast Food Restaurant~~	~~632.12/1,000 GSF~~	~~1.25~~	~~50%~~	~~$9,081~~
~~841~~	~~Car Sales~~	~~47.91/1,000 GSF~~	~~6.84~~	~~75%~~	~~$5,649~~
~~944~~	~~Service Stations~~	~~146.38/1,000 GSF~~	~~1.25~~	~~50%~~	~~$2,103~~
~~851~~	~~Convenience Retail~~	~~737.99/1,000 GSF~~	~~1.25~~	~~50%~~	~~$10,602~~
~~911~~	~~Bank (Walk-in)~~	~~140.61/1,000 GSF~~	~~1.25~~	~~50%~~	~~$2,020~~
~~912~~	~~Bank (Drive-in)~~	~~265.21/1,000 GSF~~	~~1.25~~	~~50%~~	~~$3,810~~

~~* Rates are derived from *Trip Generation*, An Informational Report, 5th Edition by the Institute of Transportation Engineers (ITE), 1991.~~
~~** Average Daily Traffic.~~
~~*** Gross Square Feet.~~]]

>>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. ($)
	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
230	Condominium, Townhouse	5.86/unit	6.09	100%	3,674
240	Mobile Home	4.99/unit	6.09	100%	3,129
	Lodging				
310	Hotel	8.92/occupied room	6.09	100%	5,593
320	Motel	9.11/occupied 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
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
	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
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				

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]				
	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
851	Convenience Market	737.99/1,000 GSF	1.25	35%	33,243
853	Convenience Market with Gasoline	845.60/1,000 GSF	1.25	35%	38,090
	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
932	High Turnover Restaurant	158.37/1,000 GSF	4	50%	32,612
933	Fast Food Restaurant No Dive 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
944	Service Stations w/Gasoline	168.56/pump	1.25	35%	7,593

Note: 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. <<

TABLE 100A
ROAD IMPACT FEE SCHEDULE
WITHIN URBAN INFILL AREA

[[~~ITE Code~~	~~ITE Land Use Type~~	~~Trip Generation Rate*(ADT)**~~ ~~Per Unit of Dev.~~	~~Trip Length (mile)~~	~~% New Trip~~	~~Impact Fee Per Unit of Dev.~~
	~~**Port and Terminal**~~				
~~30~~	~~Truck Terminals~~	~~9.86/1,000 GSF***~~	~~6.84~~	~~100%~~	~~$1,477~~
	~~**Industrial**~~				
~~130~~	~~Industrial Park~~	~~6.97/1,000 GSF~~	~~6.84~~	~~100%~~	~~$1,044~~
~~140~~	~~Manufacturing~~	~~3.85/1,000 GSF~~	~~6.84~~	~~100%~~	~~$577~~
~~150~~	~~Warehousing~~	~~4.88/1,000 GSF~~	~~6.84~~	~~100%~~	~~$731~~
~~151~~	~~Mini-Warehouse~~	~~2.61/1,000 GSF~~	~~6.84~~	~~100%~~	~~$391~~
	~~**Residential**~~				
~~210~~	~~Single-Family Detached~~	~~8.31/unit~~	~~6.84~~	~~100%~~	~~$1,242~~
~~220~~	~~Apartment (Rentals)~~	~~6.25/unit~~	~~6.84~~	~~100%~~	~~$936~~
~~230~~	~~Condominium, Townhouse~~	~~5.86/unit~~	~~6.84~~	~~100%~~	~~$877~~
~~240~~	~~Mobile Home~~	~~2.40/unit~~	~~6.84~~	~~100%~~	~~$720~~
	~~**Lodging**~~				
~~310~~	~~Hotel~~	~~6.96/occupied room~~	~~6.84~~	~~100%~~	~~$1,042~~
~~320~~	~~Motel~~	~~8.15/occupied room~~	~~6.84~~	~~100%~~	~~$1,220~~
	~~**Recreational**~~				
~~420~~	~~Marina~~	~~2.96/berth~~	~~6.84~~	~~100%~~	~~$443~~
~~430~~	~~Golf Course~~	~~37.59/hole~~	~~6.84~~	~~100%~~	~~$5,631~~
~~492~~	~~Racquet Club~~	~~42.90/court~~	~~6.84~~	~~100%~~	~~$6,427~~
	~~**Institutional**~~				
~~520~~	~~Elementary School~~	~~1.09/student~~	~~1.25~~	~~100%~~	~~$30~~
~~530~~	~~High School~~	~~1.38/student~~	~~4.00~~	~~100%~~	~~$121~~
~~540~~	~~Jr./Community College~~	~~1.33/student~~	~~6.84~~	~~100%~~	~~$199~~
~~550~~	~~University~~	~~2.37/student~~	~~6.84~~	~~100%~~	~~$355~~
~~560~~	~~Church/Synagogue~~	~~9.32/1,000 GSF~~	~~4.00~~	~~100%~~	~~$817~~
~~565~~	~~Day Care Center~~	~~79.26/1,000 GSF~~	~~1.25~~	~~50%~~	~~$1,085~~
	~~**Medical**~~				
~~610~~	~~Hospital~~	~~16.78/1,000 GSF~~	~~4.00~~	~~100%~~	~~$1,470~~
~~620~~	~~Nursing Home~~	~~2.60/bed~~	~~4.00~~	~~100%~~	~~$228~~
	~~**Office**~~				
~~710~~	~~General Office Building~~				
	~~1--50,000~~	~~16.58/1,000 GSF~~	~~6.84~~	~~100%~~	~~$2,484~~
	~~50,001--100,000~~	~~14.03/1,000 GSF~~	~~6.84~~	~~100%~~	~~$2,102~~
	~~100,001--200,000~~	~~11.85/1,000 GSF~~	~~6.84~~	~~100%~~	~~$1,775~~
	~~200,001--300,000~~	~~10.77/1,000 GSF~~	~~6.84~~	~~100%~~	~~$1,614~~
	~~300,001--400,000~~	~~9.96/1,000 GSF~~	~~6.84~~	~~100%~~	~~$1,492~~
	~~400,001--500,000~~	~~9.45/1,000 GSF~~	~~6.84~~	~~100%~~	~~$1,416~~
	~~500,001--600,000~~	~~9.05/1,000 GSF~~	~~6.84~~	~~100%~~	~~$1,356~~
	~~600,001--700,000~~	~~8.75/1,000 GSF~~	~~6.84~~	~~100%~~	~~$1,311~~
	~~700,001--more~~	~~8.46/1,000 GSF~~	~~6.84~~	~~100%~~	~~$1,268~~
~~720~~	~~Medical Office Building~~	~~34.17/1,000 GSF~~	~~4.00~~	~~100%~~	~~$2,994~~
~~760~~	~~Research Center~~	~~7.70/1,000 GSF~~	~~6.84~~	~~100%~~	~~$1,154~~

~~770~~	~~Business Park~~	~~14.37/1,000 GSF~~	~~6.84~~	~~100%~~	~~$2,153~~
	~~**Retail**~~				
~~820~~	~~General Retail~~				
	~~1 – 10,000~~	~~167.59/1,000 GSF~~	~~1.25~~	~~50%~~	~~$2,294~~
	~~10,001 – 50,000~~	~~91.65/1,000 GSF~~	~~1.25~~	~~50%~~	~~$1,255~~
	~~50,001 – 100,000~~	~~70.67/1,000 GSF~~	~~1.25~~	~~50%~~	~~$967~~
	~~100,001 – 200,000~~	~~54.50/1,000 GSF~~	~~4.00~~	~~52%~~	~~$2,483~~
	~~200,001 – 300,000~~	~~46.81/1,000 GSF~~	~~4.00~~	~~55%~~	~~$2,256~~
	~~300,001 – 400,000~~	~~42.02/1,000 GSF~~	~~6.84~~	~~57%~~	~~$3,589~~
	~~400,001 – 500,000~~	~~38.65/1,000 GSF~~	~~6.84~~	~~59%~~	~~$3,417~~
	~~500,001 – 600,000~~	~~36.35/1,000 GSF~~	~~6.84~~	~~61%~~	~~$3,322~~
	~~600,001 – 800,000~~	~~33.88/1,000 GSF~~	~~6.84~~	~~64%~~	~~$3,249~~
	~~800,001 – 1,000,000~~	~~32.09/1,000 GSF~~	~~6.84~~	~~68%~~	~~$3,269~~
	~~1,000,001 – 1,200,000~~	~~30.69/1,000 GSF~~	~~6.84~~	~~72%~~	~~$3,311~~
	~~1,200,001 – more~~	~~28.61/1,000 GSF~~	~~6.84~~	~~75%~~	~~$3,215~~
	~~**Services**~~				
~~817~~	~~Nursery-Garden Center~~	~~36.08/1000 GSF~~	~~4.00~~	~~75%~~	~~$1,925~~
~~831~~	~~Quality Restaurant~~	~~95.51/1000 GSF~~	~~6.84~~	~~75%~~	~~$10,845~~
~~832~~	~~High-Turnover Restaurant~~	~~205.36/1,000 GSF~~	~~4.00~~	~~50%~~	~~$8,996~~
~~833~~	~~Fast Food Restaurant~~	~~632.12/1,000 GSF~~	~~1.25~~	~~50%~~	~~$8,654~~
~~841~~	~~Car Sales~~	~~47.91/1,000 GSF~~	~~6.84~~	~~75%~~	~~$5,384~~
~~844~~	~~Service Stations~~	~~146.38/pump~~	~~1.25~~	~~50%~~	~~$2,004~~
~~851~~	~~Convenience Retail~~	~~737.99/1,000 GSF~~	~~1.25~~	~~50%~~	~~$10,103~~
~~911~~	~~Bank (Walk-in)~~	~~140.61/1,000 GSF~~	~~1.25~~	~~50%~~	~~$1,925~~
~~912~~	~~Bank (Drive-in)~~	~~265.21/1,000 GSF~~	~~1.25~~	~~50%~~	~~$3,631~~

~~* Rates are derived from *Trip Generation*, An Informational Report, 5th Edition by the Institute of Transportation Engineers (ITE), 1991.~~
~~** Average Daily Traffic.~~
~~*** Gross Square Feet.~~]]

>>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. ($)
	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
230	Condominium, Townhouse	5.86/unit	6.09	100%	3,474
240	Mobile Home	4.99/unit	6.09	100%	2,958
	Lodging				
310	Hotel	8.92/occupied room	6.09	100%	5,288

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
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	17.57/1,000 GSF	6.20	100%	10,605
620	Nursing Home	2.37/bed	6.20	100%	1,430
	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
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				
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
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
	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
932	High Turnover Restaurant	158.37/1,000 GSF	4.00	50%	30,835
933	Fast Food Restaurant No Dive 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
944	Service Stations w/Gasoline	168.56/pump	1.25	35%	7,179

Note: 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. <<

(b) If the type of activity within a proposed or current development is not specified in the above impact fee schedule, the County Public Works Director shall use the activity most nearly comparable in computing the fee. In making this determination the County Public Works Director shall be guided by >>the current edition of<< "Trip Generation,>> an Informational Study<<" [[~~Fifth Edition, January, 1991~~]], published by the Institute of Transportation Engineers, and based on the same or similar method of trip generation rate and trip length determination.

* * *

>>(d) Table of Present Day Cost (PDC) Mutipliers by Calendar Year.

Calendar Year	PDC Mutiplier
2006	1.000
2007	1.035
2008	1.094
2009	1.141
2010	1.184
2011	1.225
2012	1.267
2013	1.308
2014	1.351
2015	1.396
2016	1.442

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.<<

Section 6. 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.

* * *

(c) The County Public Works 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; and

(3) is prepared by [[~~a qualified~~]] >>an<< individual or entity [[~~as defined in the Metro-Miami-Dade Impact Fee Manual.~~]] >>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.<<

* * *

Section 7. Section 33E-10 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

Sec. 33E-10. Roadway improvement contributions in-lieu-of-fee.

* * *

>>(f) Any provisions for contributions in lieu of road impact fees included as a condition of a development of regional impact development order must be approved by the County Public Works Director prior to approval of the final development order for county development orders or subsequently ratified by the County Public Works Director in the case of municipal development orders.

(g) Any claim for contributions in lieu of road impact fee shall have been submitted to and received approval from the County Public Works Director prior to issuance of any building permit intended to use said contributions in lieu of fee and prior to commencement of any road construction or dedication of any right of way for which said contributions in lieu of fee are being claimed.

(h) Authorized contributions in lieu of fees are not site-transferable and may only be applied against the impact fees due for developments within the parent tract (development property) of the application for which the off-site contributions were made and authorized. Allocations of contributions in lieu of fees to sub-parcels within the parent tract shall be on based on the prorated area (square footage or acreage) unless an alternative allocation or reallocation has been approved by the County Public Works Director.

(i) The fee payer shall pay a non-refundable administrative cost in the amount set forth in the road impact fee manual to be used by the county for processing and review of the contributions in lieu of fee study. This fee shall not be credited against the amount of road impact fees due.

(k) Determination of the amount of contributions in lieu of road impact fees to be accepted shall be determined by the County Public Works Director based on a review of the documentation provided by the feepayer and current cost information. Any increase in this amount due to changes in construction plans must be authorized in advance by the Public Works Director.

(l) Previously approved contributions in lieu of fee that have not yet been used may be re-adjusted based on the percentage increase or decrease in the net-road cost as recalculated pursuant to Sec. 33E-7. Any such adjustment may be applied toward payment of road impact fees but shall not be refundable.<<

Section 8. Section 33E-11 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

Sec. 33E-11. Impact Fee Benefit District>>s<< and Trust Accounts.

(a) To insure that fee-funded roadway improvements will benefit impact fee paying development, all collected impact fees shall be spent only for off-site roadway improvements or for principal and interest payments (including sinking fund payments) on bonds or other borrowed revenues used to fund such improvements, within the >>road impact fee<< benefit district >>described in Section 33E-11.1<< in which the fee paying development is located, or within three (3) miles of the border of the benefit district upon prior determination by resolution of the Board of County Commissioners, that the project benefits the Impact Fee District where the funds were collected. [[~~These benefit districts are delineated in Attachment A Revised and described in detail in Attachment B Revised of which attachments are incorporated herein by reference and made a part hereof.~~]] The full width of the right-of-way of the roadways that form a border of a benefit district shall be considered to be within the district.

* * *

Section 9. Section 33E-11.1 of the Code of Miami-Dade County, Florida is hereby created as follows:

>>**Sec. 33E-11.1 Boundaries of Road Impact Fee Districts.**

Nine (9) road impact fee districts are hereby established. The boundaries of said road impact districts fee are depicted in Figure 1 and described as follows:

(a) DISTRICT 1: Begin at the intersection of the Miami Canal and Homestead Extension of Florida's Turnpike (H.E.F.T., S.R. 821); thence Southerly along the H.E.F.T. to Sunset Drive (S.W. 72 Street); thence Easterly along Sunset Drive to the Palmetto Expressway (S.R. 826); thence Southerly along the Palmetto Expressway to Kendall Drive (S.W. 88 Street); thence Easterly along Kendall Drive to Red Road (S.W. 57 Avenue); thence Northerly along Red Road to Tamiami Trail (S.W. 8 Street); thence Westerly along Tamiami Trail to S.W. 77 Avenue; thence Northerly along S.W. 77 Avenue to the boundary of the City of Miami; thence Northeasterly, Northerly, Southerly and Easterly meandering the boundary of the City of Miami, to LeJeune Road (N.W. 42 Avenue); thence Northerly along LeJeune Road to N.W. 28 Street; thence Easterly along N.W. 28 Street and its Easterly extension to the East right of way line of the CSX Railroad; thence Northerly along the East right of way line of the CSX Railroad to the Miami Canal; thence Northwesterly along the Miami Canal to the Point of Beginning.

(b) DISTRICT 2: Begin one-half mile due East of the most Southerly point of Key Biscayne; thence due West to the Easterly boundary of Coral Gables; thence Northeasterly along the East boundary of Coral Gables to the South boundary of the City of Miami; thence Westerly along the South boundary of the City of Miami to LeJeune Road (S.W. 42 Avenue); thence Northerly, Easterly and Westerly meandering the boundary of the City of Miami to the Northeast corner of the City of Coral Gables; thence Westerly and Southerly along the boundary of Coral Gables to the Tamiami Trail (S.W. 8 Street) at Ponce de Leon Boulevard; thence Westerly along the Tamiami Trail and along

the boundary of the City of Miami to S.W. 77 Avenue; thence Northerly along S.W. 77 Avenue to the boundary of the City of Miami; thence Northeasterly, Northerly, Southerly and Easterly meandering the boundary of the City of Miami to LeJeune Road (N.W. 42 Avenue); thence Northerly along LeJeune Road to N.W. 28 Street; thence Easterly along N.W. 28 Street and its Easterly extension to the East line of the CSX Railroad; thence Northerly along the East line of the CSX Railroad to the Airport Expressway (S.R. 112); thence Northeasterly and Easterly along the Airport Expressway to N.W. 27 Avenue; thence Northerly along N.W. 27 Avenue to N.W. 119 Street; thence Easterly along N.W. /N.E. 119 Street to N.E. 2 Avenue; thence Northerly along N.E. 2 Avenue to N.E. 121 Street; thence Easterly along N.E. 121 Street and along the North boundary of the Village of Biscayne Park to N.E. 18 Avenue; thence Southerly, Westerly, Southerly and Westerly along the boundary of the Village of Biscayne Park to the intersection of N.E. 119 Street and State Road 5 (S.R. 5); thence Southwesterly along S.R. 5 to the North boundary of the Village of Miami Shores; thence Easterly along said North boundary to the Easterly boundary of the Village of Miami Shores; thence Southwesterly along the Easterly boundary of the Village of Miami Shores and along the Westerly boundary of the City of Miami Beach to the Miami Municipal Channel (Government Cut); thence Southeasterly along the Miami Municipal Channel and along the boundary of the City of Miami Beach to the North line of the F.E.C. Channel (Fisherman's Channel); thence Westerly, Southeasterly, Westerly and Southerly along the boundary of the City of Miami Beach to Norris Cut; thence Southeasterly along Norris Cut and along the boundary of the City of Miami Beach for 6,000 feet; thence Southwesterly to the Point of Beginning.

(c) DISTRICT 3: That portion of Miami-Dade County lying Northerly of the following described line: Begin at the North County Line and Okeechobee Road (U.S. 27); thence Southeasterly along Okeechobee Road to the North line of Section 30-52-40 thence Easterly along the North line of Sections 25 through 30-52-40 (N.W. 138 Street) to Red Road (N.W. 57 Avenue); thence Easterly along N.W. 138/135 Street to N.W. 47 Avenue; thence Southerly along N.W. 47 Avenue to N.W. 119 Street; thence Easterly along N.W. / N.E. 119 Street to N.E. 2 Avenue; thence Northerly along N.E. 2 Avenue to N.E. 121 Street; thence Easterly along N.E. 121 Street and along the North boundary of the Village of Biscayne Park to N.E. 18 Avenue; thence Southerly, Westerly, Southerly and Westerly along the boundary of the Village of Biscayne Park to the intersection of N.E. 119 Street and State Road 5 (S.R. 5); thence Southwesterly along S.R. 5 to the North boundary of the Village of Miami Shores; thence Easterly along said North boundary to the Easterly boundary of the Village of Miami Shores; thence Southwesterly along the Easterly boundary of the Village of Miami Shores to the North line of the City of Miami Beach; thence Easterly along the North line of the City of Miami Beach to the Atlantic Ocean and the END of the herein described line.

(d) DISTRICT 4: That portion of Miami-Dade County lying Westerly of Okeechobee Road (U.S. 27) and the Homestead Extension of F1orida's Turnpike (S.R 821) and lying Northerly of Bird Drive Extension.

(e) DISTRICT 5: That portion of Miami-Dade County lying West of Red Road (S.W. 57 Avenue), lying Northerly of the following described line: Begin at the intersection of the West line of Biscayne Bay and Eureka Drive (S.W. 184 Street) extended East; thence Westerly along Eureka Drive to Krome Avenue (S.W. 177

Avenue); thence Northerly along Krome Avenue to S.W. 168 Street; thence Westerly along S.W. 168 Street to the West line of Miami-Dade County and the END of the herein described line, and lying Southerly of the following described line: Begin at Red Road (S.W. 57 Avenue) and Kendall Drive (S.W. 88 Street); thence Westerly along Kendall Drive to the Palmetto Expressway (S.R. 826); thence Northerly along the Palmetto Expressway to Sunset Drive (S.W. 72 Street); thence Westerly along Sunset Drive to the Homestead Extension of Florida's Turnpike (H.E.F.T.) (S.R. 821); thence Northerly along the H.E.F.T. to Bird Drive Extension (S.W. 42 Street); thence Westerly along Bird Drive Extension to Krome Avenue (S.W. 177 Avenue); thence Northerly along Krome Avenue to Bird Drive Extension (S.W. 36 Street); thence Westerly along Bird Drive Extension to the Westerly line of Miami-Dade County and the END of the herein described line; LESS that portion lying within the corporate boundaries of the City of Coral Gables.

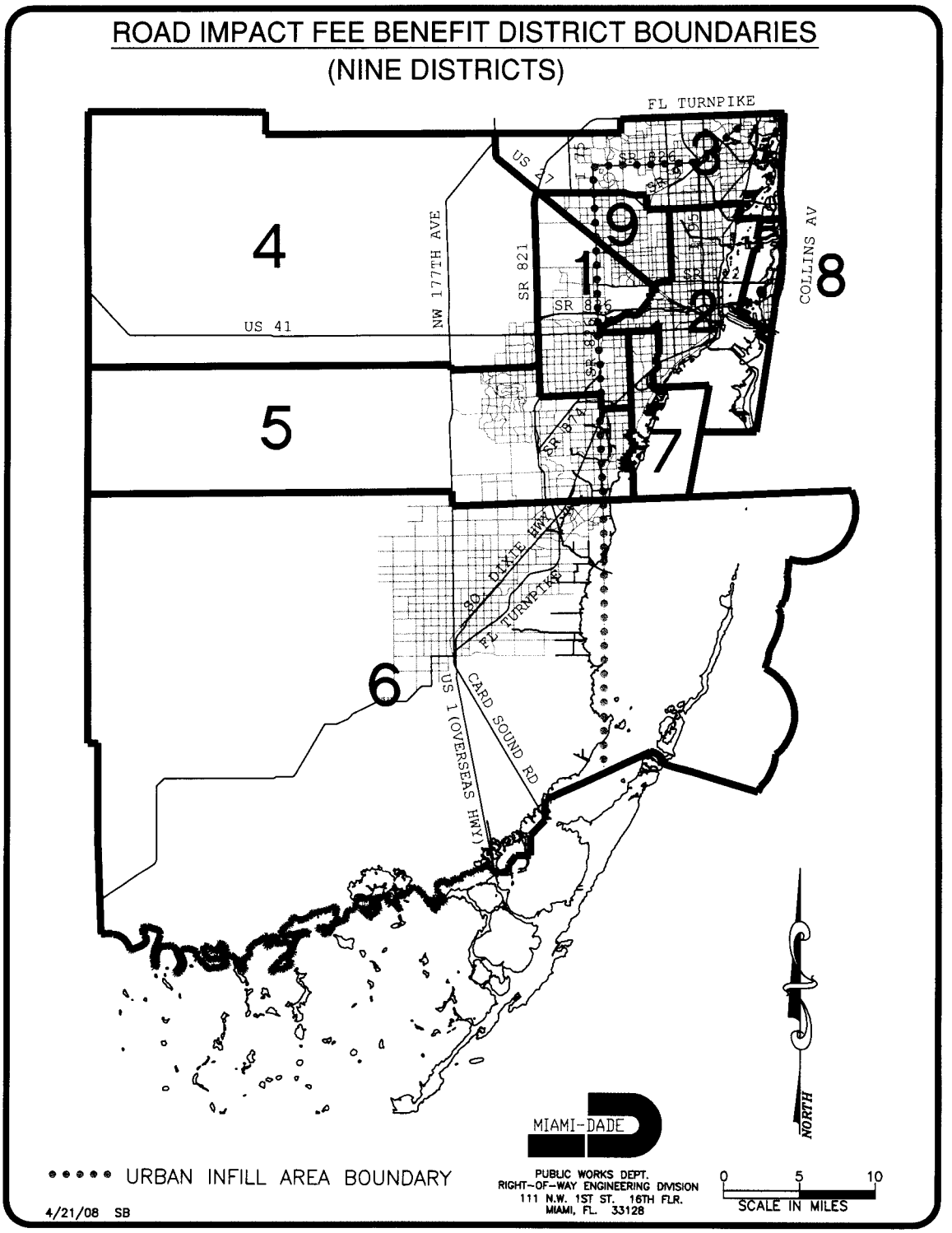
(f) DISTRICT 6: That portion of Miami-Dade County lying Southerly of the following described line: Begin at the intersection of the West line of Biscayne Bay and Eureka Drive (S.W. 184 Street) extended East; thence Westerly along Eureka Drive to Krome Avenue (S.W. 177 Avenue); thence Northerly along Krome Avenue to S.W. 168 Street; thence Westerly along S.W. 168 Street to the West line of Miami-Dade County and the END of the herein described line.

(g) DISTRICT 7: That portion of Miami-Dade County lying within the corporate boundaries of the City of Coral Gables; AND that portion of unincorporated Miami-Dade County lying Easterly of Red Road (S.W. 57 Avenue), lying Southerly of Tamiami Trail (S.W. 8 Street), lying Westerly of S.W. 37 Avenue and lying Northerly of Eureka Drive (S.W. 184 Street).

(h) DISTRICT 8: That portion of Miami-Dade County lying Easterly of the following described line: Begin at the Atlantic Ocean and the North boundary of the City of Miami Beach; thence Westerly along the North boundary of Miami Beach to the Westerly boundary of Miami Beach; thence Southwesterly, Southeasterly and Westerly along the Westerly boundary of the City of Miami Beach to the Miami Municipal Channel (Government Cut); thence Southeasterly along the Miami Municipal Channel and along the boundary of the City of Miami Beach to the North line of the F.E.C. Channel (Fisherman's Channel); thence Westerly, Southeasterly, Westerly and Southerly along the boundary of the City of Miami Beach to Norris Cut; thence Southeasterly along Norris Cut and along the boundary of the City of Miami Beach for 6,000 feet and the END of the herein described line.

(i) DISTRICT 9: Begin at the intersection of the Miami River and the North line of Section 30-52-40; thence Easterly along the North line of Sections 25 through 30-52-40 (N.W. 138 Street) to Red Road (N.W. 57 Avenue); thence run Easterly along N.W. 138/135 Street to N.W. 47 Avenue; thence Southerly along N.W. 47 Avenue to N.W. 119 Street; thence Easterly along N.W. 119 Street to N.W. 27 Avenue; thence Southerly along N.W. 27 Avenue to the Airport Expressway (S R. 112); thence Westerly along the Airport Expressway to the East right of way line of the CSX Railroad; thence Southerly along the East line of the CSX Railroad to the Miami Canal; thence Northwesterly along the Miami Canal to the Point of Beginning.

Figure 1<<


ROAD IMPACT FEE BENEFIT DISTRICT BOUNDARIES
(NINE DISTRICTS)
FL TURNPIKE
US 27
SR 826
SR 9
3
9
4
NW 177TH AVE
SR 821
1
SR 826
2
COLLINS AV
8
US 41
5
SR 874
7
SO. DIXIE HWY
FL TURNPIKE
6
US 1 (OVERSEAS HWY)
CARD SOUND RD
NORTH
MIAMI-DADE
URBAN INFILL AREA BOUNDARY
PUBLIC WORKS DEPT.
RIGHT-OF-WAY ENGINEERING DIVISION
111 N.W. 1ST ST. 16TH FLR.
MIAMI, FL. 33128
0 5 10
SCALE IN MILES
4/21/08 SB

Section 10. Section 33E-13 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

* * *

Sec. 33E-13. Refund of impact fees paid.

(a) If a building permit encompassing feepaying development expires or is revoked, the feepayer shall>>, upon submission of a written request to the County Planning and Zoning Director,<< be entitled to a refund of the impact fee paid [[~~from the County Planning and Zoning Director~~]] except that the county [[~~and/or designated city~~]] shall retain the general administrative cost portion of the fee to cover the cost of the administration of the impact fee calculation, collection and refund. However, no refund shall be provided for impact fees deemed expended pursuant to Section 33E-13(b) or for the cost of completed improvements contributed in-lieu-of-fee.

(b) Any fee trust funds not expended by the end of the fiscal quarter immediately following six (6) years from the date the fee was paid shall be returned to the feepayer by the County Planning and Zoning Director with accrued interest. Funds >>shall be expended in the order in which they are collected and<< shall be deemed expended for purposes of this chapter when a road contract or agreement obligating all or a portion of the payment of said funds shall be approved by Miami-Dade County. The impact fee manual shall set forth a procedure to be used for identifying the source of monies expended. The feepayer shall be required to submit a written request for refund to the County Planning and Zoning Director before issuance of the refund can be authorized. No refunds of road impact fees will be provided for in the event the feepayer does not request such a refund prior to the expiration of one (1) year following the six-year period from the date the road impact fee was paid.

>>(c) The feepayer may request a refund of road impact fees paid for a development that has been exempted pursuant to Sec. 33E-14. The amount of the exemption refund shall exclude the administrative cost portion of the fee. Application must be made within one (1) year of the issuance of a certificate of completion or a certificate of occupancy for the subject of the exemption and shall be made in accordance with the provisions of the road impact fee manual.<<

Section 11. Section 33E-14 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

Sec. 33E-14. Exemptions and credits.

* * *

(b) Unless provided for to the contrary in the current effective development order, all development activity which is subject to an existing Development of Regional Impact Development Order adopted pursuant to Chapter 380, Florida Statutes prior to [[~~the effective date of this chapter in its entirety~~]] >>June 4, 1989<< shall be exempt from this chapter with regard to development approved by such development order. This exemption provision does not apply to those development orders which may have been revoked or determined to be null and void or to any development not authorized in such development order by Miami-Dade County or another unit of local government in Miami-Dade County issuing such development order. This exemption shall not apply to any additional development regardless of whether or not such additional development constitutes a substantial deviation pursuant to Chapter 380, Florida Statutes. [[Any Development of Regional Impact development order amended after January 1, 2009 which generates additional vehicular trips above the previously approved development order shall be not be exempt for said additional trips.]]

(c) Credit for up to the full amount of the net road cost portion of the impact fee shall be given by the County Public Works Director for off-site roadway contributions, or payments that were voluntarily proffered or required under a county or municipal development order issued for a development of regional impact or development of county impact or under other legislative or ministerial action approved prior to [[~~the effective date of the ordinance adopting the impact fee manual.~~]]>>June 4, 1989.<< Credit shall be given to the extent the contribution, payment or construction meets the definition of off-site roadway improvement contained in Section 33E-5(n) of this chapter. Any claim for credit pursuant to this section must be filed with the County Public Works Director [[~~within one (1) year from the adoption of the impact fee manual~~]] >>by May 23, 1990.<< and shall be in accord with the standards and procedures for issuance of credits provided therein. Credits shall not be applied to the two (2) percent county administrative cost portion of the impact fee which remains the responsibility of the feepayer and must be paid at the time of the building permit issuance. A credit shall only be considered against the fee due for improvement to those properties encompassed by the previous development order or action contemplating the off-site roadway improvements. Any feepayer claiming such credit shall present documentation of land valuation at time of roadway improvement and/or construction costs, adjusted to current United States dollar values as defined in the impact fee manual. The same shall be considered by the County Public Works Director in determining the amount of credit to be given toward the impact fee. The County Public Works Director shall be guided by the criteria set forth in the impact fee manual. No refunds shall be made under this provision of this section. Any appeal from such a determination by the County Public Works Director shall be reviewed by the Developmental Impact Committee Executive Council pursuant to the procedures set forth in the adopted impact fee manual.

Where a feepayer seeks to apply a credit against payment of the road impact fee, the administrative fee portion of the impact fee shall be the sum of: (a) two (2) percent of the credit or one thousand dollars ($1,000.00) whichever is less and (b) two (2) percent of the remaining net road cost not satisfied by the credit.

Previously approved off-site road impact fee credits which are: (1) unused and (2) based on a net road cost which has been subsequently adjusted, shall be entitled to an adjustment equal to the percentage increase or decrease of the net road cost in the road impact fee formula. Any such adjustment shall only be utilized to offset road impact fees and shall not be refundable.

(d) Notwithstanding any other provisions of this chapter, development activity shall be exempt from the requirement of payment of road impact fees upon a determination by the County Planning and Zoning Director that such activity conforms to the following requirements:

(1) The development activity is consistent with the Comprehensive Development Master Plan (CDMP) and;

(2) Any portion of a residential development activity, which provides affordable housing as defined [[~~in the "Florida Affordable Housing Act of 1986," Section 420.602(3)(a) (Very Low Income) and/or (b) (Low Income), Florida Statutes (1987) as the same may be amended from time to time and as further defined in the manual~~]]>>in Sec. 33E-5 provided that:

a. there shall be no affordable housing exemption for a housing unit priced at more than seventy-five thousand dollars ($75,000) unless approved by a governmental assistance program for a higher amount; and

b. there shall be no affordable housing exemption for a housing unit occupied by persons, families or households having total household assets (excluding pensions, annuities and the like) exceeding fifty thousand dollars ($50,000) unless a governmental assistance program has approved a different amount; and

c. applicant must obtain such third party approvals as may be required by the County Planning and Zoning Director or as provided in the road impact fee manual; and

d. applicant must covenant with the county that the housing unit will remain affordable as defined in Sec. 33E-5 for a period of fifteen years (15). Other such covenants and agreements may be required as provided in the road impact fee manual or by the County Planning and Zoning Department Director to insure that affordable housing purpose of the exemption is maintained. Housing units that lose their affordable housing status prior to the expiration of five (5) years from the date the exemption was granted shall be subject to payment of the road impact fee in effect at the time said affordable status was lost and the County Planning and Zoning Director shall be authorized to lien the property if necessary to secure payment of the fee.<<; or

(3) Any commercial or industrial development activity located within an existing designated enterprise zone as defined in [[~~Section 290.004(1)(a)~~]] >>Section 290.0065<<, Florida Statutes [[~~(1987)~~]], as the same may be amended from time to time, provided that: (a) the proposed development activity has been granted a property tax exemption under Sections 29-81 through 29-89 of the Code of Miami-Dade County; (b) if such development activity is located within a municipality the municipality has also granted a property tax exemption under the aforesaid Sections 29-81 through 29-89; and (c) the feepayer has furnished all the documentation required by the County Planning and Zoning Director, in accordance with the provisions of the >>road impact fee<< manual[[~~.~~]] >>and has executed a covenant running with the land, in a form approved by the County Planning and Zoning Director, obligating the feepayer, its successors and assigns to comply with the employee residency requirements of Sec. 29-83(a) and Sec. 29-84(b) of the Code of Miami-Dade County for a minimum of Five (5) years; or<<

(4) Any commercial or industrial development activity located within an area approved for tax increment financing in accordance with Chapter 30-A of the Code of Miami-Dade County as the same may be amended, in which the development activity has made specific expenditures from tax increment dollars for improvements to the collector or arterial roadway systems as identified in Section 33E-12 of the Code of Miami-Dade County, as the same may be amended. The total amount of exemption shall not exceed the total expenditure from tax increment dollars for capacity improvements to the collector or arterial roadway system[[~~.~~]]>>;or

(5) Any development activity for which the computed road impact fee amount is less than fifty dollars ($50.00); or

(6) Any house move originating within Miami-Dade County; or

(7) Any tie down permit for a mobile home that was legally in place at the permit location on June 4, 1989 or any tie down permit for which documentation is provided that a road impact fee has been previously paid for a mobile home at the same permit location; or

(8) Any alteration, replacement or expansion of an existing structure or the addition of an accessory building shall be exempted provided that the land use has not changed and no additional units are created and no additional vehicle trips are generated pursuant to tables 100 or 100-A in Sec. 33E-8.<<

(e) If an exemption is sought pursuant to Section 33E-14(d)(1), (2), (3), and (4), road impact fees shall be paid prior to the issuance of the building permit. However, the feepayer shall be entitled to a refund pursuant to this chapter upon submitting a formal application for a refund to and receiving approval from the County Planning and Zoning Director, in accordance with the provisions of the manual. Application for a refund under this section shall be made within one (1) year of [[~~the later of: (1) the effective date of this ordinance or (2)~~]] the issuance of a certificate of completion or certificate of occupancy for the building. Failure to apply for a refund by the feepayer, within the above referred one-year period shall invalidate the right for a refund under this section.

Notwithstanding the aforesaid, if an exemption is sought pursuant to Section 33E-14(d)(2), community development corporations as defined in Section 290.033(2), Florida Statutes (1991) and community-based organizations as defined in Section 420.602[[~~(5)~~]]>>(4)<<, Florida Statutes [[~~(1991)~~]] that have received assistance from Miami-Dade County or the State of Florida in funding predevelopment costs to provide affordable housing to low and very low income families shall have the option of executing a covenant running with the land, in a form approved by the County Planning and Zoning Director, in lieu of payment of road impact fees prior to the issuance of the building permit. >>Joint ventures of either a community development corporation or a community based organization with a for-profit developer for the purpose of affordable housing development shall also have the right to execute the aforementioned covenant provided that the proposed affordable housing development for which an exemption is being sought has been approved by the Miami-Dade County Office of Community Development.

(f) The applicant shall submit a complete application for any exemption from Road impact fees prior to or concurrently with the building permit application. The applicant shall supply all documentation necessary to validate the requested exemption as outlined in the road impact fee manual along with any additional documentation that may be required by the County Planning and Zoning Director.<<

* * *

Section 12. Section 33E-15 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

Sec. 33E-15. Appeals of administrative decisions.

Decisions of the County Planning and Zoning Director may be appealed by the feepayer to the County Developmental Impact Committee Executive Council. Appeals of the decisions of the Executive Council shall be to the Board of County Commissioners in accordance with procedures specified in the adopted impact fee manual.

If a feepayer wishes to appeal an administrative decision of the County Public Works Director, or of the County Planning and Zoning Director the feepayer shall first file a notice of administrative appeal on a form specified in the adopted impact fee manual with the Developmental Impact Committee Coordinator. All appeals shall be filed within thirty (30) days after the earlier of: (a) the issuance of a written decision by the Public Works Director or the Planning and Zoning Director; or (b) the Planning and Zoning Director's acceptance of payment of the road impact fee. The feepayer shall, when filing an appeal, submit a letter which provides a full explanation of the request, the reason for the appeal, and any supporting documentation.

The Developmental Impact Committee Coordinator shall schedule the appeal before the Executive Council as soon as practically possible. The Executive Council shall vote to affirm, reject or revise the decision of the County Public Works Director or of the County Planning and Zoning Director. The written decision of the Council shall be mailed certified mail, return receipt requested. Any appeal [[~~shall~~]] >>pursuant to subsection 33-314(c)(1) must<< be filed within thirty (30) days from the date of the receipt of the Council's written decision.

Section 13. Section 33E-17 of the Code of Miami-Dade County, Florida is hereby created as follows:

>>**Sec. 33E-17. Miami-Dade County Road Impact Fee Manual.**

(a) In not less than sixty (60) days prior to the effective date of this chapter, a Miami-Dade County Road Impact Fee Manual (the impact fee manual) shall be proposed to the Board of County Commissioners for adoption by resolution. The impact fee manual shall be used for the administration of this chapter and shall contain the following:

(1) The independent fee calculation methodology relating to Section 33E-9;

(2) The independent study administrative cost provided for in Section 33E-9(b);

(3) The standards and procedures for issuance of fee credits set forth in Section 33E-14(c); and

(4) The standards, procedures and other matters required to administer Sections 33E-7 through 33E-15.

(b) The Mayor or designee shall periodically review the contents of the adopted road impact fee ordinance and the impact fee manual and, if appropriate, make recommendations for revisions to the adopted road impact fee ordinance and impact fee manual to the Board of County Commissioners. The Board of County Commissioners shall consider the recommended revision(s) to the Miami-Dade County Road Impact Fee Ordinance and the road impact fee manual at least once every twelve (12) months. The recommendations and the Commission's action shall ensure that the benefits to a fee paying development are equitable in that the fee charged to the paying development shall not exceed a proportionate share of the costs of mitigating road impacts, and the procedures for administering the impact fee process remain efficient. <<

Section 14. The Miami-Dade Road Impact Fee Manual adopted by Ordinance No. 89-47, is hereby repealed in its entirety along with those certain sections of the following

ordinances, which amended the road impact fee manual: Ordinance No. 89-53, Section 2; Ordinance No. 90-60, Section 2; Ordinance No. 92-153, Section 5; Ordinance No. 94-134, Section 2; Ordinance No. 94-185, Section 2; Ordinance No. 95-215, Section 2; Ordinance No. 98-125, Section 32; Ordinance No. 99-98, Section 2; Ordinance No. 00-76, Section 2; Ordinance No. 01-153, Section 2; and Ordinance No. 02-257, Section 2.

Section 15. Those parts of Sections 4 and 5 of this ordinance amending Sections 33E-7 and 33E-8 (modifying the amount of the Miami-Dade County Road Impact Fee) shall not apply to any complete building permit application filed in the appropriate building department prior to the effective date of this ordinance if a building permit is issued by October 1, 2009. For purposes of this section, a "complete building permit application" shall be defined as a building permit application which contains plans signed and sealed by a State of Florida licensed engineer or architect showing all applicable site work, zoning compliance, and architectural, structural, electrical, and plumbing work.

Section 16. 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 17. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance (including "Figure 1"), shall become and be made 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 18. This ordinance shall become effective (90) days from date of 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: **January 22, 2009**

Approved by County Attorney
as to form and legal sufficiency.

Prepared by:

Craig H. Coller