

ORDINANCE No. 2015-24

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING ARTICLE IV, "TRANSPORTATION," IN CHAPTER 65, "IMPACT FEES," OF THE LAND DEVELOPMENT CODE BY MODIFYING THE TRANSPORTATION IMPACT FEE FORMULA CALCULATION TO FACTOR THE RATE OF CAPTURE OF TRIPS INTERNAL TO CERTAIN DEVELOPMENTS DEFINED AS MIXED USE; PROVIDING THE CRITERIA FOR QUALIFYING DEVELOPMENTS DEFINED AS MIXED USE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCORPORATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, section 65-73 of the City of Doral's (the "City") Land Development Code provides for the assessment and imposition of "roadway improvement impact fee" for development activity within the City as a means to generate funding for impact-mitigating roadway improvements; and

WHEREAS, section 65-73 provides for the periodic review of the amount of, and manner in which, road impact fees assessed by the City Manager as a way to ensure an appropriate and efficient assessment of fees;

WHEREAS, this Ordinance seeks to address the capture of internal trips that occurs when you have a mixed use project that calls for visitors to arrive and park at the site once and visit multiple destinations in the project; and

WHEREAS, the City Council has reviewed the policy contemplated herein and finds it to be in the best interest of the City and its residents

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA:

Section 1. Recitals. The above Recitals are confirmed, adopted, and

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incorporated herein and made a part hereof by this reference.

Section 2. **Code Amended.** Article IV, “Transportation,” of Chapter 65, “Impact Fees,” of the Code of Ordinances of the City of Doral is hereby amended as follows:

CHAPTER 65. IMPACT FEES

ARTICLE IV. TRANSPORTATION

Sec. 65-73. - Roadway improvement impact fee.

* * *

(e) *Formula calculation.*

(1) The fee payer shall pay a roadway improvement impact fee amount based on the formula set forth in this section. The fee shall be collected by the planning and zoning department for all structures for which a building permit is issued. 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 roadway improvement impact fee shall be as follows:

a. *Step 1.* Compute total daily trips for the proposed development using the latest published edition of the Institute of Transportation Engineers (ITE) trip generation handbook using the following Institute of Transportation Engineers land use codes (LUC):

1. *Residential land uses.* For residential land uses, use appropriate trip generation rates per dwelling unit from the latest available version of the Institute of Transportation Engineers (ITE) trip generation (TG) publication to reflect the actual number and type of residential units. Use the latest edition of the Institute of Transportation Engineers Trip Generation handbook ~~7th edition~~ for the corresponding land use codes such as: 210, 220—224, 230—233, 240, 251—255, 260 and 270.

2. *Office land use.* For office land uses, use appropriate trip generation rate from the latest available version of Institute of Transportation Engineers trip generation publication to reflect land use in 1,000 square feet area. Use latest edition of the Institute of Transportation Engineers Trip Generation

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handbook 7th edition ~~for the~~ land use code No. 710, general office building.

3. *Industrial and warehouse land use.* For industrial and warehouse land uses, use appropriate trip generation rate from the latest available version of Institute of Transportation Engineers trip generation publication to reflect land use in 1,000 square feet area. Use latest edition of the Institute of Transportation Engineers Trip Generation handbook 7th edition ~~for the~~ land use code No. 150, warehousing.
4. *Retail land use.* For retail land uses, including, but not limited to, restaurants, pharmacy/drug stores, commercial banks, specialty retail, discount stores, convenience markets, supermarkets, etc. use appropriate trip generation rate from the latest available version of Institute of Transportation Engineers trip generation publication to reflect land use in 1,000 square feet area. Use latest edition of the Institute of Transportation Engineers Trip Generation handbook 7th edition ~~for the~~ land use code No. 820, shopping center.
5. *Houses of worship, churches or synagogues.* For houses of worship, churches or synagogues, use latest edition of the Institute of Transportation Engineers Trip Generation handbook 7th edition ~~for the~~ land use code No. 560, church, weekday trip generation rate per 1,000 square feet of area.
6. *Hotels.* For all hotels use daily trip generation rates per room using latest edition of the Institute of Transportation Engineers Trip Generation handbook 7th Edition ~~for the~~ land use code No. 310, hotel.
7. Mixed Use Projects. For purpose of this section, a mixed-use project shall be defined as a construction development containing a proportionate combination of two (2) or more uses as permitted by the underlying future land use category. It is recognized that the internal trip-making characteristics of multi-use development sites are directly related to the type mix of onsite land uses and shall be quantified for the purposes of determining impact fees for mixed use projects. The internal capture trips rates vary by the size and land use types within the project site. For mixed use projects, the internal capture rates amongst use shall be as determined by the 2nd edition of the ITE Trip Generation Handbook, except

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that different components within the same classification of use (i.e. single family and multi-family) shall be combined within the single classification, and hotel use shall be classified under the residential land use category for internal capture purposes.

8. *Other uses.* For other land uses not listed above, consult with and obtain approval from the city regarding use of the appropriate daily trip generation rate.

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Section 3. Implementation. The City Manager, City Clerk, and City Attorney are hereby authorized and directed to implement the provisions of this Ordinance and to take any and all necessary administrative actions as may be appropriate by their position to execute the purpose of this Ordinance.

Section 4. Incorporation into the Code. The provisions of this Ordinance, to the extent appropriate, shall become and be made a part of the Code of Ordinances of the City of Doral. The City Clerk is authorized to take all actions necessary to incorporate the provisions of this Ordinance into the Code of Ordinances, including, but not limited to, renumbering or relettering sections and to change and that the word “ordinance” may be changes to “section,” “article,” or such other appropriate word or phrase in order to accomplish such intention.

Section 5. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

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Section 6. **Conflicts.** All ordinances or parts of ordinances, resolution or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 7. **Effective Date.** This Ordinance shall become effective immediately.

The foregoing Ordinance was offered by Vice Mayor Ruiz, who moved its adoption. The motion was seconded by Councilmember Cabrera, and upon being put to a vote, the vote was as follows:

Mayor Luigi Boria	Yes
Vice Mayor Sandra Ruiz	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Ana Maria Rodriguez	Yes

PASSED AND ADOPTED on FIRST READING THIS 13 day of May 2015.

PASSED AND ADOPTED on SECOND READING THIS 9 day of June 2015.



LUIGI BORIA, MAYOR

ATTEST:



CONNIE DIAZ, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE SOLE USE
OF THE CITY OF DORAL



WEISS, SEROTA, HELFMAN, COLE, & BIERMAN, PL
CITY ATTORNEY

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