

**ORDINANCE No. 2018-19**

**AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES CHAPTER 65, "IMPACT FEES", ARTICLE II, "PARKS AND RECREATION", SECTION 65-19, "IMPACT FEE NEW CONSTRUCTION"; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR INCORPORATION INTO THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Florida Constitution grants local governments broad home rule authority to establish assessments, impact fees, franchise fees, enterprise fees, user fees and service charges to pay for capital facilities, and government operations; and

**WHEREAS**, in 2006, the Florida Legislature adopted the "Impact Fee Act" to provide general criteria for local governments interested in adopting an impact fee program; and

**WHEREAS**, in 2009, the "Impact Fee Act" was amended to place the burden of proof on local governments, through a preponderance of the evidence, that the imposition of the impact fee meets legal precedent and the requirements of Sec. 163.31801 Florida Statutes; and

**WHEREAS**, impact fees are designed to meet the infrastructure needs to accommodate the added growth because of new development; and

**WHEREAS**, the calculation of the City of Doral "Park Impact Fee" is based on the most recent and localized data obtained from the adopted 2017 City of Doral Parks Master Plan, prepared by Browning Day Mullins Dierdorf and the park level of service (LOS) standards established in the City's Comprehensive Plan; and

**WHEREAS**, the intent of the “Park Impact Fee Technical Report” is to demonstrate that the park impact fee meets the “dual rational test”, which requires a local government demonstrate a reasonable connection, or rational nexus between “Need” and “Benefits”; and

**WHEREAS**, in accordance with F.S. 163.31801(3)(d), this ordinance shall take effect 90 days after its adoption.

**WHEREAS**, the City Council hereby finds that the adoption of this ordinance is in the best interest and welfare of the residents of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DORAL AS FOLLOWS:**

**Section 1.**            **Recitals.** The above recitals are true, correct, and incorporated herein by this Ordinance upon adoption hereof.

**Section 2.**            **Adoption of the “City of Doral Park Impact Fee Technical Report.”** The City Council hereby adopts the “City of Doral Park Impact Fee Technical Report”, dated June 28, 2018, prepared by NUE Urban Concept, LLC. A copy of the Park Impact Fee Technical Report is provided in Exhibit A.

**Section 3.**            **Code Amendment.** The Code of Ordinances of the City of Doral is hereby amended as follows:

Chapter 65 – IMPACT FEES

\* \* \*

ARTICLE II. PARKS AND RECREATION

\* \* \*

Sec. 65-19. Parks Impact fee.

~~(a) A city parks and recreation impact fee of \$4,230.77 \$5,750.60 \$1,453.40 shall be applied to each unit of a new construction single-family, duplex and multifamily buildings.~~

(a) Definitions.

In construing the provisions hereof and each and every word, term, phrase, or part hereof where the context will permit, the following definitions will apply:

(a) Applicant means the person who applies for a building permit or submits a plat or waiver of plat.

(b) Building means any structure having a roof entirely separated from any other structure by space or by walls in which there are no communicating doors or windows or any similar opening and erected for the purpose of providing support or shelter for persons, animals, things or property of any kind.

(c) Building permit means an official document or certificate issued by the City of Doral Building Official, authorizing the construction or siting of any building. For purposes of this chapter, the term "building permit" shall also include tie-down permits for those structures or buildings, such as a mobile home, that do not require a building permit ~~in order~~ to be occupied.

(d) Comprehensive Plan (CP) means the Comprehensive Plan of the City of Doral adopted pursuant to the Local Government Comprehensive Planning and Land

Development Regulation Act, 163.3161 et seq., Florida Statutes as may be amended from time to time.

(e) Contributions mean all dedications of land and/or provision of specific improvements in lieu of cash.

(f) City park system or park system means all park and recreation land and facilities owned, operated or maintained by the City of Doral.

(g) City wide as it relates to this chapter means the jurisdictional boundaries of the City of Doral.

(f) Credits means the present value of past, present or future provisions made by new developments for the cost of existing or future capital improvements or dedications.

(g) Dwelling unit means a building or portion of a building designed for or whose primary purpose is for residential occupancy, and which consists of one or more rooms which are arranged, designed or used as living quarters for one or more persons. Dwelling unit includes mobile home, motel/hotel/rooming house if converted to condominium, servants' quarters or congregate living facilities as that term is defined by Section 400.402, Florida Statutes.

(h) Existing development means the lawful land use which physically exists or for which the landowner holds a valid building permit as of the effective date of this chapter or that maximum level of development activity for which a previous impact fee was paid under the provision of this chapter.

- (i) 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) Frontage means the distance measured along a road right-of-way.
- (k) Impact means the effect of additional population generated by residential construction on the City of Doral park network.
- (l) Impact determination means the amount of property required or the cost related to the impact of residential dwelling units pursuant to the park and recreation impact fee contained herein.
- (m) Level of Service Standard (LOS) means the City of Doral's ~~LOS level of service standard~~ for the minimum provision of local recreation open space as identified in the Comprehensive Plan, as amended from time to time.
- (n) Multi-family dwelling unit means a structure that contains more than two (2) residential housing units located in a single-building or part of a multi-building complex. Units may be rental or owner-occupied.
- (o) New Construction means a development or proposed development which does not possess a valid building permit as of the effective date of this chapter and has not paid an impact fee for the maximum level of development activity.
- (p) Nonresidential development means any development not providing for residential dwelling units within a planned project.

(q) Off-site park improvement or off-site improvement means any improvement located outside of the boundaries of a parcel proposed for development or platted subdivision parcel but within the City of Doral.

(r) Owner means the person holding legal title to the real property.

(s) Parent tract means a parcel of land designated as land to be subdivided for purposes of subdivision.

(t) Park means City -provided park, that serves the local recreation needs and that is designated by the Department as a city park.

(u) Park impact fee technical report means the document prepared by NUE URBAN CONCEPTS dated August of 2018 for the City Manager and adopted by the City Council which contains information, sets forth procedures and implements policies essential to the administration of the Parks Impact Fee Ordinance.

(v) Park improvement means preliminary engineering, design studies, land surveys, engineering, permitting, construction and, installation and/or modification of land, structures, landscaping, and/or equipment thereon.

(w) Residential development means any single-family attached, single-family detached, multi-family attached building or buildings designed to be used as residential dwelling units. Dwelling unit may be one (1) single-family dwelling unit or two (2) or more dwelling units in a planned project or subdivision.

(x) Single-family attached dwelling unit means a housing unit which shares a common wall with an adjoining unit. The common wall must extend from the foundation through the attic.

(y) Single-family detached dwelling unit means a conventional home where one family normally occupies one (1) unit in one (1) structure. May be found in subdivision or on single lot.

(z) Unit(s) of development means a quantifiable increment of development activity dimensioned in terms of dwelling units, or other appropriate measurements contained in the impact fee schedule.

(b) Park Impact Fee

A city parks and recreation impact fee of \$4,230.77 ~~\$5,750.60~~ ~~\$1,453.40~~ shall be applied to each unit of a new construction single-family, duplex and multifamily buildings.

(c) Application of New Impact Fees

All building permits subject to *Park Impact Fee* issued within one year after the effective date of this ordinance shall be obligated to pay forty-five percent (45%) of the computed fee as determined herein. All building permits subject to the *Park Impact Fee* and issued more than one year after but less than two years after the effective date of this Ordinance shall be obligated to pay fifty-five percent (55%) of the computed fee as determined herein. all building permits subject to the Park Impact Fee and issued more than two years after but less than three years after the effective date of this Ordinance shall be obligated to pay seventy-five percent (75%) of the computed fee as determined herein Beginning

the fourth year after the effective date of this ordinance, all building permits subject to the  
*Park Impact Fee* shall be obligated to pay one hundred percent (100%) of the computed  
*fee* as determined herein.

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CODING:            Words in ~~struck through~~ type are deletions from existing law.  
                      Words in underscored type are additions.



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

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Claudia Mariaca	Yes
Councilwoman Digna Cabral	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes

PASSED AND ADOPTED on FIRST READING this 12 day of September, 2018.

PASSED AND ADOPTED on SECOND READING this 9 day of January, 2019.

PASSED AND ADOPTED on THIRD READING this 13 day of February, 2019.

  
\_\_\_\_\_  
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:

  
\_\_\_\_\_  
CONNIE DIAZ, MMC  
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:

  
\_\_\_\_\_  
LUIS FIGUEREDO, ESQ.  
CITY ATTORNEY

\_\_\_\_\_  
CODING: Words in ~~struck through~~ type are deletions from existing law.  
Words in underscored type are additions.

# EXHIBITS

# The City of Doral Park Impact Fee



## Technical Report

August 2018

# DRAFT

Prepared for:

The City of Doral  
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Doral, FL 33166  
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Prepared by:

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August 28th, 2018

Mr. Albert P. Childress, M.B.A., M.P.A., ICMA-CM  
Deputy City Manager  
City of Doral  
City Manager's Office  
8401 NW 53<sup>rd</sup> Terrace, 3<sup>rd</sup> Floor  
Doral, FL 33166

**Re: City of Doral Park Impact Fee Update**

Dear Mr. Childress:

Enclosed is the technical analysis used to update the Park Impact Fee for the City of Doral. The updated Park Impact Fee is based upon the recently adopted 2017 City of Doral Parks Master Plan. The updated Park Impact Fee is consistent with all legal and statutory requirements. If you have any question, please do not hesitate to contact me.

It has been a pleasure working with City Staff on this update.

Sincerely,

Jonathan B. Paul, AICP

## INTRODUCTION

The Florida Constitution grants local governments broad home rule authority to establish assessments, impact fees, franchise fees, enterprise fees, user fees and service charges to pay for capital facilities and government operations. Payment of park impact fees are one of the means through which local governments may require new residential development to fund a share of the cost of new parks and new park facilities needed to accommodate the increase in demand for parks from new residential growth.

Impact fees are designed to meet the infrastructure needs to accommodate new growth at a local level. As a result, impact calculations vary from jurisdiction to jurisdiction and from fee to fee. Impact fees also vary extensively depending on local costs, capacity needs, resources, and the local government's determination to charge the full cost of the fee's earmarked purposes. The impact fee is a one-time charge on new development only, existing development is not required to pay an impact fee.

Park impact fees are currently only assessed on new residential development within the City, they are not assessed on new non-residential development. There are some local governments in Florida that have begun to charge park impact fees to hotels and non-residential development under the premise that parks are used by tourist, visitors and employees from outside of the community. Charging park impact fees for non-residential developments is not something that has been legally validated; however, it is also not prohibited by Florida Statute. The technical analysis conducted for the park impact fee update is based on residential development only; it is not recommended that park impact fees be assessed on new non-residential development. However, the City may consider during a future update to evaluate the assessment of park impact fees on both new residential and non-residential development.

The update of the park impact fee for the City of Doral is based upon the recently adopted 2017 City of Doral Parks Master Plan prepared by Browning Day Mullins Dierdorf and the park level of service (LOS) standards established in the City's Comprehensive Plan. The intent of this technical report is to demonstrate that the park impact fee meets the "dual rational test", which requires a local government demonstrate a reasonable connection, or rational nexus, between:

*The "Need" for additional (new) capital facilities (improvements) to accommodate the increase in demand from new development (population growth), and*

*The "Benefit" that the new development receives from the payment and expenditure of fees to construct the new capital improvements.*

## IMPACT FEE ACT

In 2006, the Legislature adopted the “Impact Fee Act” to provide general criteria that local governments who adopted an impact fee are required to meet. Unlike many States throughout the U.S. that have adopted enabling legislation, the Florida Legislature deferred largely to the significant case law that has been developed in both Florida and throughout the U.S. to provide guidance to local governments. By the time the “Impact Fee Act” was adopted, many local governments had already developed impact fees through their broad home rule powers.

In 2009, the Legislature made several changes to the “Impact Fee Act”, the most significant of which was placing the burden of proof on local governments, through a preponderance of the evidence, that the imposition of the Fee meets legal precedent and the requirements of Florida Statute 163.31801. Prior to the 2009 amendment, Courts generally deferred to local governments as to the validity of an imposed impact fee and placed the burden of proof, that an imposed impact fee was invalid or unconstitutional, on the plaintiff. There has yet to be a legal challenge to impact fees in Florida since the 2009 legislation, due in large part to the great recession and the fact that many local governments either reduced impact fees or placed a moratorium on impact fees between 2009 and 2015. Starting in 2015, locally governments slowly started to remove moratoriums and reinstate previously reduced rates.

In 2015, as development started to pick up and the effects of the great recession wore off, local governments throughout Florida began to update their impact fees. One of the biggest issues facing local governments in Florida at this moment, is that due to the great recession, many impact fee ordinances have not been updated since before 2007, with some having last been updated in the 90’s. In addition, any impact fee adopted and last updated before 2006 will not even reference the “Impact Fee Act” in Florida Statute 163.31801 which reads:

- “(1) This section may be cited as the “Florida Impact Fee Act.”*
- “(2) The Legislature finds that impact fees are an important source of revenue for a local government to use in funding the infrastructure necessitated by new growth. The Legislature further finds that impact fees are an outgrowth of the home rule power of a local government to provide certain services within its jurisdiction. Due to the growth of impact fee collections and local governments’ reliance on impact fees, it is the intent of the Legislature to ensure that, when a county or municipality adopts an impact fee by ordinance or a special district adopts an impact fee by resolution, the governing authority complies with this section.*

- (3) *An impact fee adopted by ordinance of a county or municipality or by resolution of a special district must, at minimum:*
- (a) *Require that the calculation of the impact fee be based on the most recent and localized data.*
  - (b) *Provide for accounting and reporting of impact fee collections and expenditures. If a local governmental entity imposes an impact fee to address its infrastructure needs, the entity shall account for the revenues and expenditures of such impact fee in a separate accounting fund.*
  - (c) *Limit administrative charges for the collection of impact fees to actual costs.*
  - (d) *Require that notice be provided no less than 90 days before the effective date of an ordinance or resolution imposing a new or increased impact fee. A county or municipality is not required to wait 90 days to decrease, suspend, or eliminate an impact fee.*
- (4) *Audits of financial statements of local governmental entities and district school boards which are performed by a certified public accountant pursuant to s. 218.39 and submitted to the Auditor General must include an affidavit signed by the chief financial officer of the local governmental entity or district school board stating that the local governmental entity or district school board has complied with this section.*
- (5) *In any action challenging an impact fee, the government has the burden of proving by a preponderance of the evidence that the imposition or amount of the fee meets the requirements of state legal precedent or this section. The court may not use a deferential standard."*

## LEGAL

The first time the Courts recognized the authority of a municipality to impose "impact fees" in Florida occurred in 1975 In the case of *City of Dunedin v. Contractors and Builders Association of Pinellas County*, 312 So.2d 763 (2 D.C.A. Fla., 1975), where the court held: "that the so-called "impact fee" did not constitute "taxes" but was a charge for using the utility services under Ch. 180, F. S."

The Court set forth the following criteria to validate the establishment of an impact fee: "...where the growth patterns are such that an existing water or sewer system will have to be expanded in the near future, a municipality may properly charge for the privilege of connecting to the system a fee which is in excess of the physical cost of connection, if this fee does not exceed a proportionate part of the amount reasonably necessary to finance the expansion and is earmarked for that purpose." 312 So.2d 763, 766, (1975).

The case was appealed to the Florida Supreme Court and a decision rendered in the case of Contractors and Builders Association of Pinellas County v. City of Dunedin 329 So.2d 314 (Fla. 1976), in which the Second District Court's decision was reversed. The Court held that "impact fees" did not constitute a tax; that they were user charges analogous to fees collected by privately owned utilities for services rendered. However, the Court reversed the decision, based on the finding that the City did not create a separate fund where impact fees collected would be deposited and earmarked for the specific purpose for which they were collected, finding:

*"The failure to include necessary restrictions on the use of the fund is bound to result in confusion, at best. City personnel may come and go before the fund is exhausted, yet there is nothing in writing to guide their use of these moneys, although certain uses, even within the water and sewer systems, would undercut the legal basis for the fund's existence. There is no justification for such casual handling of public moneys, and we therefore hold that the ordinance is defective for failure to spell out necessary restrictions on the use of fees it authorizes to be collected. Nothing we decide, however prevents Dunedin from adopting another sewer connection charge ordinance, incorporating appropriate restrictions on use of the revenues it produces. Dunedin is at liberty, moreover, to adopt an ordinance restricting the use of moneys already collected. We pretermit any discussion of refunds for that reason."* 329 So.2d 314 321, 322 (Fla. 1976)

The case tied impact fees directly to growth and recognized the authority of a local government to impose fees to provide capacity to accommodate new growth and basing the fee on a proportionate share of the cost of the needed capacity. The ruling also established the need for local government to create a separate account to deposit impact fee collections to help ensure those funds are expended on infrastructure capacity.

Court rulings in Florida, Utah and elsewhere in the U.S. during the 1970's and early 1980's led to the first use of what ultimately become known as the "dual rational nexus test" in *Hollywood, Inc. v. Broward County*; which involved a Broward County ordinance that required a developer to dedicate land or pay a fee for the County park system. The Fourth District Court of Appeal found to establish a reasonable requirement for dedication of land or payment of an impact fee that:

*"... the local government must demonstrate a reasonable connection, or rational nexus between the need for additional capital facilities and the growth of the population generated by the subdivision. In addition, the government must show a reasonable connection, or rational nexus, between the expenditures of the funds collected and the benefits accruing to the subdivision. In order to satisfy this latter requirement, the ordinance must specifically earmark the funds collected for the use in acquiring capital facilities to benefit new residents."* (*Hollywood, Inc. v. Broward County*, 431 So. 2d 606 (Fla. 4th DCA), rev. denied, 440 So. 2d 352 (Fla. 1983).



In 1987, the 1st of two major cases were heard before the Supreme Court that have come to define what is now commonly referred to as the “dual rational nexus test”. The 1st case was *Nollan v. California Coastal Commission* which involved the Commission requiring the Nollan family to dedicated a public access easement to the beach in exchange for permitting the replacement of a bungalow with a larger home which the Commission held would block the public’s view of the beach. Justice Scalia delivered the decision of the Court: “The lack of nexus between the condition and the original purpose of the building restriction converts that purpose to something other than what it was...Unless the permit condition serves the same governmental purpose as the development ban, the building restriction is not a valid regulation of land use but an out-and-out plan of extortion (*Nollan v. California Coastal Commission*, 483 U. S. 825 (1987)”. The Court found that there must be an essential nexus between an exaction and the government's legitimate interest being advanced by that exaction (*Nollan v. California Coastal Commission*, 483 U. S. 836, 837 (1987)).

The 2<sup>nd</sup> case, *Dolan v. Tigard*, heard by the Supreme Court in 1994 solidified the elements of the “dual rational nexus test”. The Petitioner Dolan, owner and operator of a Plumbing & Electrical Supply store in the City of Tigard, Oregon, applied for a permit to expand the store and pave the parking lot of her store. The City Planning Commission granted conditional approval, dependent on the property owner dedicating land to a public greenway along an adjacent creek, and developing a pedestrian and bicycle pathway to relieve traffic congestion. The decision was affirmed by the Oregon State Land Use Board of Appeal and the Oregon Supreme Court. The U.S. Supreme Court over turned the ruling of the Oregon Supreme Court and held:

*“Under the well-settled doctrine of "unconstitutional conditions," the government may not require a person to give up a constitutional right in exchange for a discretionary benefit conferred by the government where the property sought has little or no relationship to the benefit. In evaluating Dolan's claim, it must be determined whether an "essential nexus" exists between a legitimate state interest and the permit condition. Nollan v. California Coastal Commission, 483 U. S. 825, 837. If one does, then it must be decided whether the degree of the exactions demanded by the permit conditions bears the required relationship to the projected impact of the proposed development.” Dolan v. City of Tigard, 512 U.S. 383, 386 (1994)*

The U.S. Supreme Court in addition to upholding the “essential nexus” requirement from *Nollan* also introduced the “rough proportionality” test and held that:

*“In deciding the second question-whether the city's findings are constitutionally sufficient to justify the conditions imposed on Dolan's permit-the necessary connection required by the Fifth Amendment is "rough proportionality.”*

*No precise mathematical calculation is required, but the city must make some sort of individualized determination that the required dedication is related both in nature and extent to the proposed development's impact. This is essentially the "reasonable relationship" test adopted by the majority of the state courts. Dolan v. City of Tigard, 512 U.S. 388, 391 (1994)"*

The U.S. Supreme Court recently affirmed, through *Koontz vs. St. Johns Water Management District*, that the "dual rational nexus" test equally applies to monetary exactions in the same manner as a governmental regulation requiring the dedication of land. Justice Alito described:

*"Our decisions in Nollan v. California Coastal Commission, 483 U. S. 825 (1987), and Dolan v. City of Tigard, 512 U. S. 374 (1994), provide important protection against the misuse of the power of land-use regulation. In those cases, we held that a unit of government may not condition the approval of a land-use permit on the owner's relinquishment of a portion of his property unless there is a "nexus" and "rough proportionality" between the government's demand and the effects of the proposed land use. In this case, the St. Johns River Water Management District (District) believes that it circumvented Nollan and Dolan because of the way in which it structured its handling of a permit application submitted by Coy Koontz, Sr., whose estate is represented in this Court by Coy Koontz, Jr. The District did not approve his application on the condition that he surrender an interest in his land. Instead, the District, after suggesting that he could obtain approval by signing over such an interest, denied his application because he refused to yield." Koontz v. St. Johns River Water Management District 1333 S. Ct. 2586 (2013).*

Justice Alito responded to the Districts and Florida Supreme Court findings that monetary exactions are not the same as a property dedications:

*"That carving out a different rule for monetary exactions would make no sense. Monetary exactions—particularly, fees imposed "in lieu" of real property dedications—are "commonplace" and are "functionally equivalent to other types of land use exactions." To subject monetary exactions to lesser, or no, protection would make it "very easy for land-use permitting officials to evade the limitations of Nollan and Dolan." Furthermore, such a rule would effectively render Nollan and Dolan dead letters "because the government need only provide a permit applicant with one alternative that satisfies the nexus and rough proportionality standard, a permitting authority wishing to exact an easement could simply give the owner a choice of either surrendering an easement or making a payment equal to the easement's value." Koontz v. St. Johns River Water Management District 1333 S. Ct. 2599 (2013).*

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## **PARK IMPACT FEE BENEFIT DISTRICT**

An impact fee benefit district is an area within which impact fees are collected from new development and are earmarked for expenditure for new park improvements. The entire City of Doral is currently a single benefit district for the current park impact fee. It is envisioned that the entire City will remain as a single impact fee benefit district given new park improvements are distributed through-out the City and the high likelihood that significant portions of the park system are available and utilized to accommodate demand from new development. Park impact fees collected anywhere within the City can be spent on new park improvements through-out the City.

Establishing the City boundary as a single park impact fee benefit district allows for the streamlined incorporation of any future annexed areas into the City. The single benefit district ensures the second part of the dual rational nexus test is met by clearly defining where funds are collected and where they are expended and that the new residential development that pays the park impact fees are provided the benefit of improvements funded in the benefit district.

The City will be required to continue to account for all park impact fee collections and expenditures in a separate fund established specifically for park impact fees. The State of Florida will continue to conduct routine fiscal audits to ensure that park impact fees are accounted for in specific accounting funds and that the expenditures of those fees are for park improvements provided to meet the demands from new residential development.

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## COMPREHENSIVE PLAN

The City of Doral’s Comprehensive Plan establishes Goals, Objectives and Policies for parks and recreation within the City. The Parks and Recreation Element of the Comprehensive Plan establishes the following Goal and subsequent Objectives and Policies in the Comprehensive Plan: “Provide a high quality and diverse system of public parks and recreation sites that meet the needs of existing and future residents and businesses of the City of Doral.”

Objective 7.1: **Parks and Recreation System Needs**

Continue to implement the Parks Master Plan to address park maintenance and amenities, new park and open space areas, and guide recreational activities.

Policy 7.1.1: The City shall maintain and enhance its park level-of-service standard as follows:

2012-2014: 3.75 acres of developed park land per 1,000 residents.

2015-2020: 4.25 acres of improved park land per 1,000 residents.

2020-2025: 4.50 acres of improved park land per 1,000 residents.

Policy 7.1.1: Private development must meet at least 50 percent of its parks LOS impact on-site as developed public parks and open space.

Objective 7.2: **Park Accessibility**

All public recreational facilities shall be made accessible to automobiles, bicycles, and pedestrians to the maximum extent possible.

Objective 7.3: **Park Coordination with Other Agencies**

During its annual review of recreation site and facility needs, the City shall coordinate planning for recreation and open space improvements with each level of government, including the Miami-Dade County School Board, major civic groups, and the private sector in order to promote recreational and educational opportunities in a cost-effective manner.

Objective 7.4: **Park Land Acquisition**

Acquire land necessary for maintaining the parks and recreation level of service (LOS) standards. The land acquisitions shall be strategically located in order to maximize accessibility to residents served. Development of the acquired sites shall be consistent with specific plans designed to: (1) achieve cost efficiency; (2) fulfill the spatial and functional needs of the intended uses; (3) enhance the appearance of the City; and (4) establish highly visible City focal points which reinforce a sense of community.

Policy 7.4.2: Utilize park impact fees towards new development and redevelopment.

## GROWTH IN DORAL

The first component of the dual rational nexus for an impact fee is to demonstrate that there is a need for future park improvements to accommodate the demand from future residential growth. An evaluation of the projected population for the City of Doral is based upon data obtained from the 2017 Parks Master Plan (Appendix A). The analysis provided in the Parks Master demonstrates that there is projected to be a significant increase in both population and number of households by 2030 (**Table 1**). The population in Doral is projected to increase by 20,509 between 2015 and 2030. The number of households in Doral is projected to grow from 17,308 in 2015 to 23,438 in 2030, an increase of 6,130 households. The average household size will remain relatively constant at 3.1 persons per household between 2015 and 2030.

**TABLE 1. PROJECTED GROWTH**

Year	Population	Households
2010	45,704	15,244
2015	52,896	17,038
2030	73,405	23,438
Increase	20,509	6,130

Source: 2017 Parks Master Plan excerpt (Appendix A).

## EXISTING CONDITIONS

The City of Doral had 122 acres of public parks as of 2015 and was constructing an additional 43 acres of public parks to be completed by 2017 (Appendix B). The City, as of 2015, also had roughly 2.4 acres of trails and shared use paths. The total acreage of public parks for purposes of this impact fee analysis is 167 acres based upon the data provided in the 2017 Parks Master Plan. The existing park LOS provided is 3.16 acres per 1,000 residents. Based upon the existing park LOS standard and population of 52,896 (2015), the City should have 225 acres of public parks. The City currently needs 58 acres of public parks to meet the adopted park LOS standard.

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## PARKS MASTER PLAN

The 2017 City of Doral Parks Master Plan undertook an extensive evaluation of existing parks, level of service, resident satisfaction and overall quality of the existing parks system. The Parks Master Plan included significant public outreach and community feedback in development of the Plan. The Parks Master Plan does include a Map of existing and future parks that serves as the visual representation of the Plan's Vision for a future parks system for Doral (Appendix C).

One issue with the Parks Master Plan is a lack of consistency in terms of population. The Plan starts off referencing population and household data based on the U.S. Census Bureau data and is reflected in Table 1. This is the only population data that indicates that it is based on the most recent U.S. Census data. Other instances of population utilized in the Plan quote a variety of different sources and appear to be based on differing base years. In one instance, the Plan makes a reference to Staff data that indicated 6,000 dwelling units will be built in the City between 2018 and 2020 (page 209 of the Plan); which would represent all the projected increase in households between 2015 and 2030. However, elsewhere in the Plan, the 2030 projected population of 73,405 is utilized in the determination of need for parks (page 190 of the Plan).

The Parks Master Plan was not developed for purposes of updating the City's Park Impact Fee. However, the Plan does represent the most recent and localized data available for parks. Florida Statutes requires that this data be utilized in the analysis. This technical report utilizes the data provided in the Plan to demonstrate "need" based on projected population and the "benefit" provided to the City through the Master Plan Vision Map (Appendix C). The park LOS is based upon the adopted LOS standards in the Comprehensive Plan. The cost of parks and the availability of future revenue sources is based on the Parks Master Plan.

The Parks Master Plan list total improvements that cost \$677,012,400 (Appendix D). Table 2 summarizes the overall cost of improvements included in the Parks Master Plan. The Cost of Doral Central Park represents \$120,000,000 of the overall need for improvements. The cost for 252.70 acres of new parks is projected to cost \$454,860,000, or \$1.5 million per acre. The need for new park acreage represents 67% of the overall projected cost of the Master Plan. The cost of new park acreage acquisition, plus Doral Central Park, represents 85% of the overall cost of the projected Park Master Plan improvements. A total of \$10,011,000 is allocated to make renovations and upgrades to existing facilities. New indoor and outdoor park facilities and an additional 18.5 miles of shared-use paths are projected to cost \$122,976,400.

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**TABLE 2. PARK IMPROVEMENT COST**

Facility	Description	Cost
Doral Central Park	Aquatic Facility, Rec Center, etc.	\$120,000,000
Upgrade Existing Facilities	Indoor and outdoor	\$10,011,000
New Facilities	Indoor and outdoor, plus paths	\$122,976,400
New Land Acquisition	Total of 252.70 acres	\$454,860,000
<b>Total</b>		<b>\$677,012,400</b>
Source: Park Master Plan (Appendix D)		

## FUTURE DEMAND

The City’s adopted LOS standard starting in 2020 is 4.5 acres of parks per 1,000 people. If population growth stopped in the City and stayed at 2015 levels, the City would need 238 acres of parks in 2020. The City is projected to add 20,509 residents by 2030. Those new residents would require an additional 92 acres of parks to meet the 4.5 acres per 1,000 residents. The total number of acres needed by 2030 in the City, based on existing population plus the projected growth in population, is 330 acres (Table 3).

**TABLE 3. FUTURE PARK DEMAND**

	Population	2030 Acres Needed
Existing Population @ 4.5 acres /1,000	52,896	238
Growth in Population @ 4.5 acres /1,000	20,509	92
<b>Total Population @ 4.5 acres /1,000</b>	<b>73,405</b>	<b>330</b>

The City’s current park LOS is 3.16 acres, which is less than the LOS standard of 4.25 acres. The City currently has 167 acres of parks and needs 225 acres to meet the adopted LOS, a deficit of 58 acres (Table 4). By 2030, the City’s park LOS would be 2.28 if no additional park acreage is added. There is a need to add a total of 167 acres of parks by 2030, of which 92 acres would be attributable to new population growth to meet the adopted LOS of 4.5 acres of parks per 1,000 residents (Table 5).

**TABLE 4. EXISTING PARK DEFICIT**

	Acres	LOS
Existing Population (52,896)	167	3.16
Adopted Standard (4.25 / 1,000)	225	4.25
<b>Current Deficit</b>	<b>-58</b>	<b>-1.09</b>

**TABLE 5. FUTURE PARK DEFICIT**

	<b>Acres</b>	<b>LOS</b>
<b>Existing Population (52,896)</b>	<b>167</b>	<b>3.16</b>
<b>Adopted Standard in 2020 (4.5 / 1,000)</b>	<b>238</b>	<b>4.5</b>
<b>2030 Deficit</b>	<b>-71</b>	<b>-1.34</b>
<b>Future Population (73,405)</b>	<b>167</b>	<b>2.28</b>
<b>Adopted Standard (4.5 / 1,000)</b>	<b>330</b>	<b>4.5</b>
<b>2030 Deficit</b>	<b>-163</b>	<b>-2.22</b>
<b>Attributable to New Growth (2030)</b>	<b>92</b>	<b>4.5</b>

Comprehensive Plan Policy 7.1.1 requires private development to meet at least 50% of the required park LOS standard through providing internal parks and open space that are open to the public. One thing the Parks Master Plan did not provide was an inventory of parks within private developments that are publically accessible. It is possible that there are no parks within private development that are publically accessible as the Comprehensive Plan Goals, Objectives and Policies were recently updated in 2016.

The future demand for parks, based on adopted LOS and projected population growth, is 163 acres, versus the 252.7 acres included in the Parks Master Plan, a difference of 89.7 acres. Further, Policy 7.1.1 of the Comprehensive Plan requires that new development provide at least 50% of the park acreage required to meet adopted LOS standards internal to the development. This would result in a reduction in the total acreage needed to 46 acres (92 acres x 50%). Thus, the total number of new park acres required based on the Comprehensive Plan would be 117 acres, of which 46 acres would be directly attributable to new population growth.

## **FUTURE HOUSEHOLD COST**

There are two ways in which the cost of new park acreage per household can be calculated: (1) new growth, and (2) total population. The Park Master Plan provides a projected cost for new parks at \$1.5 million per acre. The Park Master Plan identifies several funding sources available to fund parks (Appendix E). The cost per acre is reduced by 50% to account for the multiple funding sources that are available to fund new parks. The net cost is calculated on a per person basis and then multiplied by the average household size of 3.1 persons per house to derive a cost per household (Table 6). The following formula is used to determine the cost per household per option:

$$\text{Net Cost} = (((\text{Gross Acre Need} - \text{Acres Provided}) \times \text{Cost per Acre}) \times .50\% \text{ Funding Match})$$

$$\text{Cost per Household} = (\text{Net Cost} / \text{Population}) \times 3.1 \text{ (persons per household)}$$



**TABLE 6. NEW PARK ACREAGE COST PER HOUSEHOLD**

	<b>New Growth</b>	<b>Total Population</b>
<b>Gross Additional Parks Acres needed by 2030</b>	<b>92</b>	<b>163</b>
<b>Acres provided internal to development</b>	<b>46</b>	<b>46</b>
<b>Net Additional Parks Acres needed by 2030</b>	<b>46</b>	<b>117</b>
<b>Cost of new parks @ \$1.5 million / acre</b>	<b>\$69,217,875</b>	<b>\$175,765,875</b>
<b>50% County Match / Other Funding Sources</b>	<b>\$34,608,938</b>	<b>\$87,882,938</b>
<b>Population</b>	<b>20,509</b>	<b>73,405</b>
<b>Cost per Person</b>	<b>\$1,687.50</b>	<b>\$1,197.23</b>
<b>Cost per Household (3.1 persons / household)</b>	<b>\$5,231.25</b>	<b>\$3,711.42</b>

In addition to the cost of providing new parks, there are cost associated with development of the new parks, indoor facilities and shared use paths that are included in the Parks Master Plan (Appendix D). There is a greater percentage of funding allocated towards the provision of new park facilities than acquisition of new park acreage (Appendix E). Thus, the percent funding match is estimated to be 90% based upon the data provided in the Parks Master Plan. Since the new facilities will be used by both existing residents and new population growth and there is not a direct LOS standard for new park facilities, the cost per household is calculated based upon total population. The cost per resident is multiplied by the project household size of 3.1 persons per household to derive a cost per household. The following formula is used to determine the cost per household:

$$\text{Cost per Household} = (((\text{Cost} \times .90\% \text{ Funding}) / \text{Population}) \times 3.1 \text{ (persons / household)})$$

**TABLE 7. NEW PARK FACILITY COST PER HOUSEHOLD**

	<b>Park Development</b>	<b>Indoor Facilities</b>	<b>Shared-Use Paths</b>
<b>Cost</b>	<b>\$60,409,300</b>	<b>\$37,222,100</b>	<b>\$25,345,000</b>
<b>90% Funding Match</b>	<b>\$54,368,370</b>	<b>\$33,499,890</b>	<b>\$22,810,500</b>
<b>Net Cost</b>	<b>\$6,040,930</b>	<b>\$3,722,210</b>	<b>\$2,534,500</b>
<b>Population</b>	<b>73,405</b>	<b>73,405</b>	<b>73,405</b>
<b>Cost per person</b>	<b>\$82.30</b>	<b>\$50.71</b>	<b>\$34.53</b>
<b>Cost per household</b>	<b>\$255.12</b>	<b>\$157.19</b>	<b>\$107.04</b>

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## PARK IMPACT FEE

The current park impact fee is \$1,453.40 per dwelling unit. The current park impact fee is based upon the adopted park impact fees for Dade County at the time the City of Doral was incorporated. The updated park impact fee is higher due to the current park LOS standard and the improvements identified in the 2017 City of Doral Parks Master Plan. Two options have been provided to determine the new park impact fee. The first option is to look at the cost per acre associated with new growth only and then to add the proportional cost per resident for new park facilities. The second option is to look at the cost per acre and the cost for new park facilities per resident based on total population. The proposed park impact fees are illustrated in Table 8. The following formula is used to determine the park impact fee per option:

Park Impact Fee = (New Parks Cost + New Park Development Cost + New Indoor Facility Cost + New Shared Use Path Cost)

**TABLE 8. PROPOSED PARK IMPACT FEE**

<b>Options Available</b>	<b>Option 1</b>	<b>Option 2</b>
<b>Cost per household</b>	<b>New Growth</b>	<b>Total Population</b>
<b>New Parks (based on acreage)</b>	<b>\$5,231.25</b>	<b>\$3,711.42</b>
<b>New Park Development (outdoor facilities)</b>	<b>\$255.12</b>	<b>\$255.12</b>
<b>New Indoor Facilities</b>	<b>\$157.19</b>	<b>\$157.19</b>
<b>New Shared Use Paths</b>	<b>\$107.04</b>	<b>\$107.04</b>
<b>Calculated Park Impact Fee</b>	<b>\$5,750.60</b>	<b>\$4,230.77</b>

## CONCLUSION

The proposed increase in park impact fees for the two options is illustrated in Table 9. The \$1.5 million per acre cost for new parks is the single largest factor in the projected increase in park impact fees from the current fee. The higher LOS standard as of 2020 also factors into the increase in the overall park fee. The availability of funding is another factor that impacts the net cost. The Parks Master Plan had less funding allocated towards new park acreage. Adjusting the cost per acre of new parks, the adopted LOS standard and the percentage of funding available are the three primary factors that would either increase or decrease the calculated park impact fee rate.

**TABLE 9. PROPOSED PARK IMPACT FEE INCREASE**

<b>Options Available</b>	<b>Option 1</b>	<b>Option 2</b>
<b>Cost per household</b>	<b>New Growth</b>	<b>Total Population</b>
<b>Existing Park Impact Fees</b>	<b>\$1,453.40</b>	<b>\$1,453.40</b>
<b>Proposed Park Impact Fees</b>	<b>\$5,750.60</b>	<b>\$4,230.77</b>
<b>Increase in Park Impact Fees</b>	<b>\$4,297.20</b>	<b>\$2,777.37</b>

The Parks Master Plan provided the most recent and local data available. However, there were some factors in the way in which the Parks Master Plan was developed that required adjustments to calculate a legally defensible park impact fee that meets the dual rational nexus requirements. Further, the park impact fee calculations also differ from some of the assumptions in the Parks Master Plan to ensure that new development is not charged for existing deficiencies and that new development is not held to a higher standard than existing development. This technical report provides a factual basis for update of the City of Doral park impact fee and is consistent with impact fee case law and statutory requirements.

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# APPENDIX A

## POPULATION PROJECTION

## 2.1.2 Demographic Overview

The total population of the City has recently experienced a very significant increase of approximately 15.74%; from 45,704 in 2010 to 52,896 in 2015. The current estimated population is projected to continue growing at an accelerated rate, increasing to 59,506 individuals in 2020, and 73,405 by 2030.

According to U.S. Census reports, the total number of households in the target area has experienced a coinciding upward trend, increasing roughly 13.54%, from 15,244 in 2010 to 17,308 in 2015. The City's total households are expected to continue to increase at this rapid rate up to 23,438 households by 2030. The City's median household income (\$72,259) and per capita income (\$31,468) are both above the state and national averages.

Based on the 2010 Census, the population of the target area is just slightly lower (34.8 years) than the median age of the U.S. (37.2 years). Projections show that the service area will become more evenly distributed over the next 15 years, as the 55+ age segment continues growing.

The estimated 2015 population of the service area is predominantly White Alone (88.83%), with the Asian (3.69%) population representing the largest minority. Future projections show that by 2030 the overall composition of the population will stay relatively unchanged.

Based on the 2010 Census, those of Hispanic/Latino origin represent just under 80% of the City's total population.

## 2.1.3 Total Population

The City's population has seen a substantial growing trend in recent years and is currently estimated at 52,896 individuals. Projecting ahead, the total population is expected to continue to grow over the next 15 years. **Figure 2.1** illustrates that, based on predictions through 2030, the City is expected to have just over 73,405 residents living within 23,438 households (ESRI, 2015a).

## 2.1.4 Age Segment

Evaluating the population by age segments, the service area exhibits a somewhat skewed distribution among the four major age segments; with the 35-54 segment representing 34.2% of the City's total population. Currently, the City has a predominately middle-aged population, with the average age of its residents being 34.8 years old.

The overall composition of the City's populace is projected to become more evenly distributed; as the population slowly begins to age. While the 35-54 segment is expected to decrease roughly 6%; the 55+ age segment is projected to increase 3.4% over the next 15 years (**Figure 2.2**). This is assumed to be a consequence of a vast amount of the Baby Boomer generation shifting into the senior age segment (U.S. Census Bureau, 2010).

When looking at Doral's Parks and Recreation Department, they currently offer a wide variety of programs; primarily focusing on the younger age segments. Moving forward, the Parks and Recreation Department might want to consider expanding their Silver Club for Active Adults program area. This would be a good opportunity to look at introducing new programs for this age segment; especially as the senior population continues to grow over the next 15 years.

Also, given the differences in how the active adults (55+) participate in recreation programs, the trend is moving toward having at least two different segments of older adults. The department could evaluate further splitting program offerings into 55-74 and 75+ program segments.

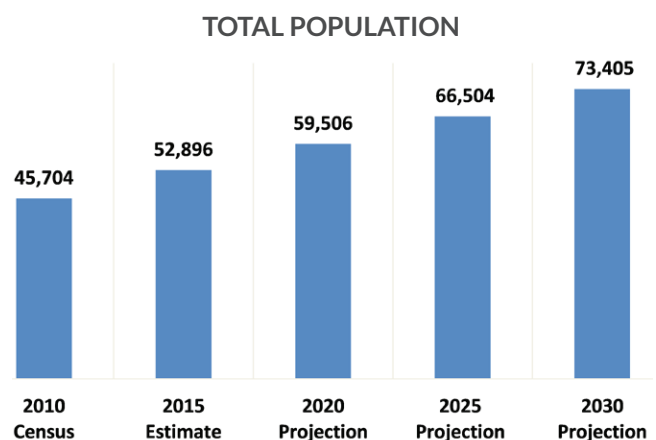


Figure 2.1: Total population, including projections.

# APPENDIX B

## EXISTING PARKS MAP

part three : needs + priorities assessment

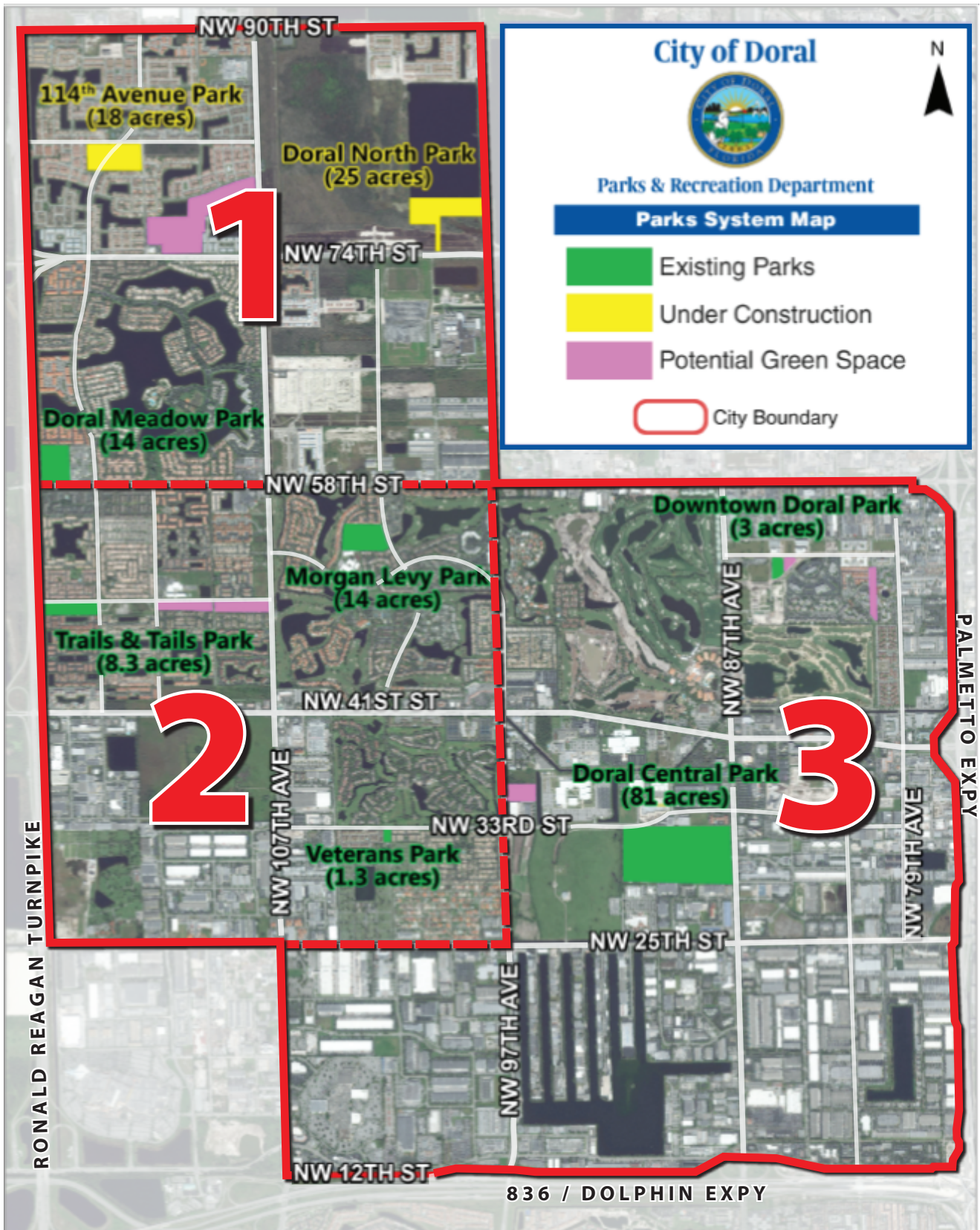


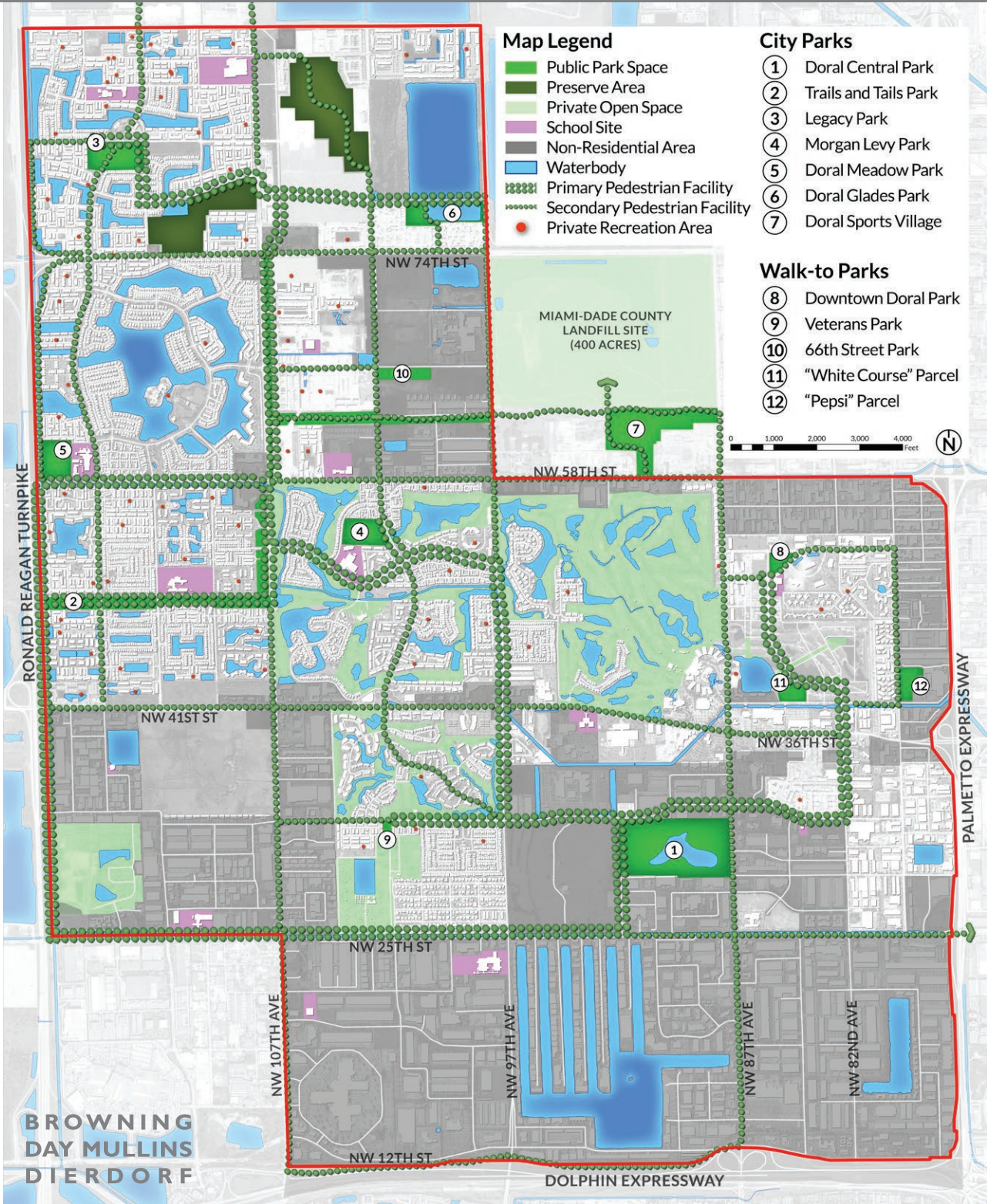
Figure 3.18: Map illustrating the three (3) geographic regions utilized in the public opinion survey.

# APPENDIX C

## PARKS MASTER PLAN VISION



# Master Plan Vision Map



Figures 4.1: 2017 City of Doral Parks System Master Plan Vision Map.

# APPENDIX D

## PARKS MASTER PLAN IMPROVEMENTS

# 4.8

## opinion of probable cost

### 4.8.1 Methodology

To facilitate the budgeting and project prioritization process, the Project Team developed a high-level, order-of-magnitude opinion of probable cost (OPC) for cumulative costs of the capital improvements proposed in the Master Plan Vision.

The estimated costs, in 2017 dollars, include generalized allowances for design services (7%), contingency (20%) and contractor mark-up/profit (10%), where applicable. Unless otherwise noted, these estimates exclude any unknown costs associated with permitting, mitigation, land acquisition, and utility infrastructure. Costs for bikeways and trails are generalized and are largely intent on providing only a high-level perspective of the capital needs required to implement the system. Bikeways costs were developed using data provided for recent (2015) trails projects by the City which cost approximately \$1M per mile.

New park development requires a combination of both land acquisition costs and park development costs. The average park development cost for each of the City's six (6) existing park sites, is \$900,000 per acre. In lieu of an estimated figure provided by the Department, this value was used for all currently undeveloped sites.

The value of land in Doral is exceptionally high, with current estimates ranging between \$1M and \$2M per acre (as validated by the City's Planning Department). For the purposes of this cost opinion, \$1.5M per acre for land acquisition was used as the average. Renovation and new construction costs for buildings or structures were estimated at \$300 per square foot.

### 4.8.2 Disclaimer

Please note that this OPC is made based on the Project Team's experience and qualifications and represents their best judgment as experienced and qualified professionals generally familiar with the industry. However, since the Project Team has no control over the cost of labor, materials, equipment, or services furnished by others, or over the Contractor's methods of determining prices, or over competitive bidding, market conditions, or unknown site conditions, the Project Team cannot and does not guarantee that proposals, bids, or actual construction cost will not vary widely from the planning-level opinions of probable construction cost described below.

Because these recommendations represent a series of planning-level concepts for further development, exclusive of any engineering or detailed site design, unknown site conditions or constraints may exist which impact the construction cost. Additionally, the final design, scale, materials selection, and delivery method of the projects will have a significant impact on final cost.

Costs should be continually evaluated throughout the design and documentation process of each construction-based project through consultation with a professional cost estimator.

### 4.8.3 Total Long-Range Vision Cost

Based on costs derived from current market trends and/or similar projects, it is the opinion of the Project Team that the complete implementation of the long-range Master Plan Vision, as articulated herein, may cost in the range of \$250M-\$700M (depending on land acquisition strategy), which can be further broken down into the following capital categories:

#### Parks + Facilities

- Doral Central Park \$120M
- Improvements to Existing Parks \$3.4M
- New Park Development \$60.4M
- Additional Parkland Acquisition \$455M

#### Indoor Recreation

- New Indoor Recreation Facilities \$37.2M
- Improvements to Existing Indoor Recreation Facilities \$6.6M

#### Trails + Streets

- Additional Shared-Use Paths (18.5 mi.) \$25.3M

Please note that these costs represent the complete implementation of the Master Plan Vision, which may take several years or several decades depending on the funding resources available. A prioritized action plan can be found in Part 5 of this report.

Additionally, it should be noted that these costs are for capital improvements only (unless otherwise stated), and exclude any operational costs associated with the addition of programs, events, and FTE's. Accurately estimating these costs should take place as programs are developed on an annual basis, and/or as part of a larger operational business plan.

### 4.8.4 Costs by Subsystem

Following are summarized, high-level estimates for each of the key capital Vision projects and/or initiatives, as described herein. A more detailed cost estimate spreadsheet that includes information related to units, unit prices, and conditional notes can be found in Section 6.4 of the Appendix.

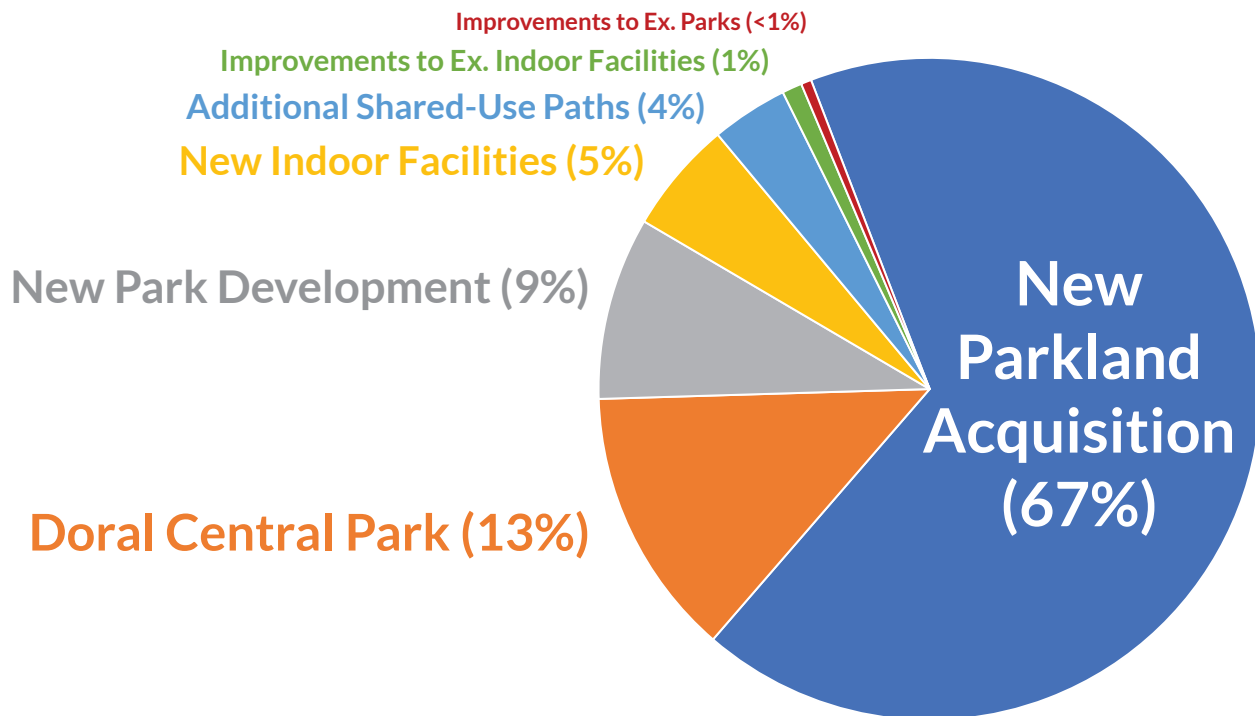


Figure 4.45: Pie chart illustrating how the total cost of the master plan vision is distributed among key capital categories.

# part four : master plan vision



## 2017 CITY OF DORAL PARK SYSTEM MASTER PLAN

**BROWNING  
DAY MULLINS  
DIERDORF**  
LEADERSHIP + DESIGN®

### 2017 City of Doral Parks System Master Plan - Total Vision Opinion of Probable Cost

1. PARKS + FACILITIES								\$638,694,300
Item No.	Item Description	Quantity	Unit	Unit Price	Raw Costs	Incl. Soft Costs/Contingency	Funding Source	Notes
<b>1.1 Doral Central Park</b>								
A	Central Park	1.00	EA	\$89,126,474	\$89,126,474	\$120,000,000	Voter-Approved Bond	Incl. costs for the aquatics facility, recreation center, and roadways, and park development.
<b>SUBTOTAL</b>						<b>\$120,000,000</b>	<i>(Does not include permitting fees, utility service costs, land acquisition)</i>	
<b>1.2 Improvements to Existing Parks (pre-2016)</b>								
A	Improvements to Existing Parks (pre-2016)	5.00	EA	\$500,000	\$2,500,000	\$3,425,000	Coffers	Lump sum for basic accessibility and activation improvements to existing, older parks.
<b>SUBTOTAL</b>						<b>\$3,425,000</b>	<i>(Does not include permitting fees, utility service costs, land acquisition)</i>	
<b>1.3 New Park Development on Known Parcels</b>								
A	White Course Park Parcel	3.00	AC	\$833,333	\$2,500,000	\$2,500,000	Voter-Approved Bond	Cost provided by the City of Doral, DNI markup.
B	66th Street Park Parcel	10.00	AC	\$600,000	\$6,000,000	\$6,000,000	Voter-Approved Bond	Cost provided by the City of Doral, DNI markup.
C	Pepsi Property Greenspace	7.80	AC	\$900,000	\$7,020,000	\$9,617,400	Coffers	Park development cost only, DNI land acquisition
D	Downtown Doral Park Expansion	1.30	AC	\$900,000	\$1,170,000	\$1,602,900	Voter-Approved Bond	Park development cost only, DNI land acquisition or Cultural Pavilion
E	Doral Sports Village	33.00	AC	\$900,000	\$29,700,000	\$40,689,000	City-County Partnership	Park development cost only, DNI land acquisition, partnership with MDC
<b>SUBTOTAL</b>						<b>\$60,409,300</b>	<i>(Does not include permitting fees, utility service costs, land acquisition)</i>	
<b>1.4 Park Land Acquisition</b>								
A	Acquire additional park land	252.70	AC	\$1,500,000	\$379,050,000	\$454,860,000	Impact Fees and City-County Partnership	Target of 300 acres, including parcels in 1.3. Excludes park development costs, contractor fees, and prof. service fees
<b>SUBTOTAL</b>						<b>\$454,860,000</b>	<i>(Does not include permitting fees, utility service costs)</i>	
2. INDOOR RECREATION								\$43,798,100
Item No.	Item Description	Quantity	Unit	Unit Price	Raw Costs	Incl. Soft Costs/Contingency	Funding Source	Notes
<b>2.1 New Indoor Facilities</b>								
A	Central Park Recreation Center	75,000	SF	\$300.00	\$22,500,000	\$30,825,000	Voter-Approved Bond	Costs included within overall cost of Central Park
B	Cultural Pavilion in Downtown Doral Park	8,000	SF	\$583.68	\$4,669,416	\$6,397,100	Voter-Approved Bond	Cost provided by City of Doral - contemporary building with green roof terrace
<b>SUBTOTAL</b>						<b>\$37,222,100</b>	<i>(Does not include permitting fees, utility service costs, land acquisition)</i>	
<b>2.2 Improvements to Existing Indoor Facilities</b>								
A	Morgan Levy Center Renovation/Expansion	5,000	SF	\$300.00	\$1,500,000	\$2,055,000	Coffers	Target total SF of 15,000.
B	Doral Meadow Center Renovation/Expansion	11,000	SF	\$300.00	\$3,300,000	\$4,521,000	Coffers	Target total SF of 15,000.
<b>SUBTOTAL</b>						<b>\$6,576,000</b>	<i>(Does not include permitting fees, utility service costs, land acquisition)</i>	
3. TRAILS + STREETS								\$25,345,000
Item No.	Item Description	Quantity	Unit	Unit Price	Raw Costs	Incl. Soft Costs/Contingency	Funding Source	Notes
<b>3.1 Additional Shared-Use Paths</b>								
A	Additional Shared-Use Paths	18.50	MI	\$1,000,000	\$18,500,000	\$25,345,000	Public Works/Voter Approved Bond	10'W min., separated from the roadway, DNI land/ROW acquisition.
<b>SUBTOTAL</b>						<b>\$25,345,000</b>	<i>(Does not include permitting fees, utility service costs, land acquisition)</i>	

**MASTER PLAN VISION TOTAL: \$677,012,400**

Figure 4.46: Opinion of probable cost for the complete master plan vision.

# APPENDIX E

## PARKS MASTER PLAN AVAILABLE FUNDING

# 5.1 funding strategies

## 5.1.1 Methodology

As outlined in the previous section, implementation of the City's long-range vision for parks and recreation facilities is anticipated to cost up to \$700M for parkland acquisition and development, indoor recreation facilities, and trails.

City staff, consultants, and Council members met on May 3 and 4, 2017 with the Project Team in a workshop setting to discuss priorities for implementation, and potential funding sources available to help realize this vision. Feedback from that meeting served as the basis for the information to follow.

## 5.1.2 Approaches to Funding

Typical funding sources for parks and recreation capital improvements include:

### "Pay-As-You-Go":

- General Fund/ CIP (budget allocation)
- Millage Increase (approved by voters)
- Infrastructure Sales Tax (approved by voters County-wide)
- Park Impact Fees
- Grants
- User Fees
- Special Assessments

### Borrowing:

- General Obligation Bonds (backed by property tax)
- Revenue Bonds

Of these potential sources, only a budget allocation, millage increase, sales tax, and/or general obligation bond will raise the funds needed for the larger projects identified in the long-range vision. Park impact fees can also generate significant funds over time but must be used for projects required by new development to maintain existing levels-of-service.

As a result, City staff divided the projects into five (5) types of funding:

1. "City Coffers"
2. "Impact Fees"
3. "Voter-Approved Bonds"
4. "City Public Works"
5. "City-County Partnership"

Following is a summary of each of these sources, as well as potential projects for consideration.

### 5.1.3 City Coffers - \$45M

Between 2015 and 2017, Doral spent approximately \$10M annually (\$177/resident) on parks and recreation capital improvements. The City Coffers category includes projects that are budgeted and funded from existing City reserves, plus future monies to be collected through ad valorem taxes, grants, and user fees.

Approximately \$20M of new capital projects have been identified for funding from City Coffers over the next 5-10 years, averaging approximately \$2.5M-\$5M per year, including:

#### Improvements to existing parks

- \$500K for each for a total of \$3.4M

#### Development of new park spaces on privately-owned lands to be acquired or access negotiated: (\$9.6M)

- Pepsi Property (8 acres)

#### Improvements/expansion of existing indoor recreation centers (\$6.6M)

- Morgan Levy Park (+5K SF)
- Doral Meadow Park (+10K SF)

#### Operations + Maintenance allowance for vision improvements (\$25M)

It is important to note that additional funding needs to be allocated from the City's general fund for the operations and maintenance (O&M) of new facilities as they are constructed and opened. City staff should estimate projected O&M costs for each new project, and request additional O&M funding concurrent with approval for capital funding.

Year	Capital Budget for Parks and Recreation	Population Estimate	Dollars Spent Per Resident on Parks
2015	\$5,050,428	56,004	\$90.18
2016	\$5,266,814	57,947	\$90.89
2017	\$21,140,898	60,531	\$349.25
		<b>3-Year Average:</b>	<b>\$176.77</b>

Figure 5.1: Table illustrating the capital budget for parks and recreation compared to the City's population for years 2015-2017.



Figure 5.2: Morgan Levy Community Center that is recommended for future expansion to 15,000 SF.



## part five : implementation

An industry rule of thumb is approximately 5-10% of capital costs for annual O&M funding, depending on the complexity of the project. For example, a rough estimate indicates that an additional \$12M-\$25M will be needed annually to operate and maintain the key capital components of the vision (approximately \$260M, excluding land acquisition).

### 5.1.4 Voter-Approved Bonds - \$150M

A cornerstone of the Vision is the development of Central Park; the city's largest park space. The vision for Central Park would provide Doral residents with access to many of the high-priority needs identified during the planning process. Funding for the \$115-130M Doral Central Park is proposed to be generated through a voter-approved bond referendum. In addition, the City desires to include other high-priority park projects city-wide within the bond effort to ensure its benefit to all residents of Doral.

During the planning process, the City engaged the Trust for Public Land (TPL) to assist with estimating the potential implication of a park-specific bond in Doral. Based on their findings, TPL estimated that a 30-year, \$150 M bond could cost the average Doral household approximately \$120-\$165 per year, and could provide residents with access to:

#### Doral Central Park (80-acres - \$120M)

- 75,000+ SF indoor recreation center, including an outdoor café, waterfront plaza, event center, entry plaza, festival street, and motor court,
- 1.5 miles of local roadways with full utility infrastructure and on-street parking,
- Outdoor aquatics complex with both recreational/leisure and competition components,
- Large parking structure (500-700 spaces),
- Waterfront promenade,
- Waterfront performance/event pavilion,
- Formal events lawn,
- Multiple multipurpose greenspaces,
- A neighborhood-scale skate park with a pump-track,
- Three (3) large playgrounds,
- A destination nature-play area,
- Large, open-air nature pavilion,
- Over-water boardwalk trails,
- Canoe/kayak launch,
- Four (4) lakeside "beach" volleyball courts,
- 1-acre urban dog park,

- Four (4) tennis courts with spectator seating,
- Four (4) basketball courts,
- Two (2) restroom and storage buildings,
- Six (6) miles of multi-purpose trails, paths, and sidewalks,
- Wetland and native plantings areas,
- Vehicular and site lighting,
- Multiple large and small shade pavilions.

#### Downtown Cultural Pavilion + Park Expansion (1.3 acres - \$8M)

- 8,000 SF contemporary community pavilion building
- Amphitheater green roof
- Community rooms
- Art gallery
- 1.3 acre expanded park greenspace

#### New Walk-to Park at NW 66th Street and 102nd Ave. (10 acres - \$6M)

- Neighborhood-scale park amenities
- Flexible greenspace
- Picnic areas and shelters
- Playground
- Sports court(s)
- Trailhead location

#### New Walk-to Park on the White Course Parcel (3 acres - \$2.5M)

- Neighborhood-scale park amenities
- Flexible greenspace
- Picnic areas and shelters
- Playground
- Sports court(s)
- Trailhead location

#### High-Priority Trail Linkages (\$13.5M)

- Approximately 10 miles of new trails



Figure 5.3: Doral Central Park (2018).

### 5.1.5 City Public Works - \$12M

Approximately 18.5 miles of new separated, multi-use trails are included in the long-range vision, at a cost of approximately \$25M (excluding any land acquisition costs). Approximately 10 miles (\$13.5M) of the highest priority segments are anticipated to be included within the voter-approved bond.

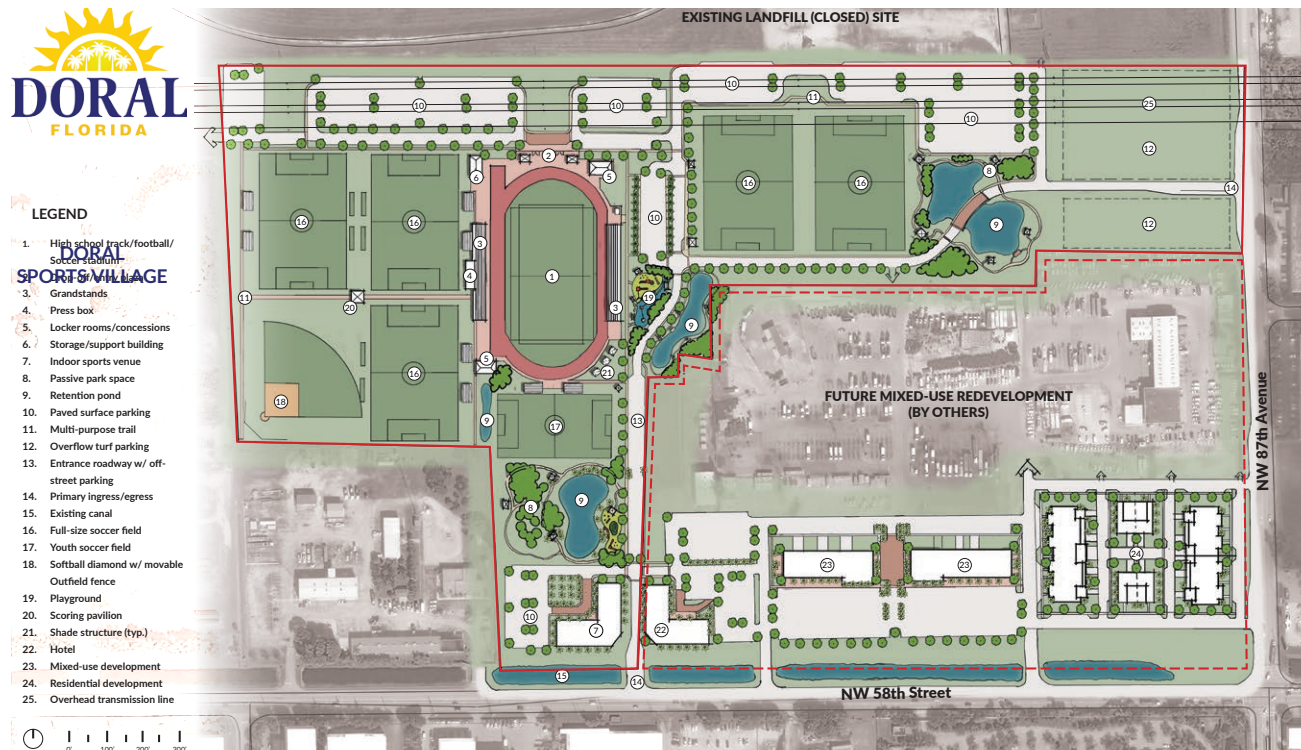
Priority should be given to off-road and/or separated trail facilities within heavily populated areas of Doral. Additionally, the City should advocate for the development of connecting trails within any future residential and/or mixed-use developments and should explore potential viable routes between Downtown Doral, CityPlace Doral, and Doral Central Park. The City should also look for ways to combine trail projects with larger roadway and/or infrastructure projects wherever feasible.

Trails construction is the responsibility of the City's Public Works Department and has historically been funded through a combination of the City's general fund, transportation impact fees, grants, and/or other funding sources.

### 5.1.6 City-County Partnership - \$10M-\$20M

It is anticipated that the City will partner with Miami-Dade County to construct the proposed \$41M Doral Sports Village on the County's land at the edge of the City (south of the existing landfill site). The amount or source of the City's contribution has not been determined, however, could possibly include funding from the City's general fund, impact fees, and/or voter-approved bonds.

Additional discussion with the other project partners will be necessary to define the final program of the site, and in turn, the estimated cost. The amount of the City's financial investment in the Doral Sports Village should be commensurate with the anticipated return/value of the facility to Doral residents.



2017 Doral Parks Master Plan / Sports Village Concept



Figure 5.4: Conceptual vision plan for the Doral Sports Village.

### 5.1.7 Impact Fees - \$50M+

Impact fee funding is proposed for the acquisition of approximately 300 additional acres of parkland needed to accommodate the City's anticipated growth and maintain existing parkland level-of-service. Given the exceptionally high value of land in Doral (\$1M-\$2M per acre), this acquisition is estimated to cost in excess of \$400M.

Current projections by the City's planning Department indicate that approximately 6,000 additional residential units are expected between 2018-2020, representing an approximate annual impact fee revenue stream of \$2.9M. Even if this level of growth continues to 2030, the current impact fee structure will generate less than 10% of the revenue necessary for the required land acquisition. As such, the City may wish to re-evaluate its current park impact fee ordinance to make sure that impact fees are covering the full costs (acquisition + development) of maintaining the City's parks level-of-service.

Additionally, it is recommended that the City further explore potential opportunities to expand its park acreage through acquisition of existing publicly-owned land parcels such as the Doral Sports Village Property (46 acres) and/or the former landfill site (approx. 400 acres). Both of these parcels are owned by Miami-Dade County.

The limited development potential of the landfill site (and its existing public ownership) will likely allow the city to acquire it for significantly less than vacant lands within the city; at the time of the study it had an assessed value of just over \$20M (\$50K per acre).

If the development of the landfill site into a meaningful and accessible park property is viable, it is likely the only fiscally feasible way to acquire 300+ acres of undeveloped land in the immediate region, inside the urban development boundary, and would satisfy the amount of additional acreage required up to the year 2030.



Figure 5.5: Graphic illustrating the approximate location of the landfill and Doral Sports Village parcels owned by Miami-Dade County (Aerial: Google, 2018).

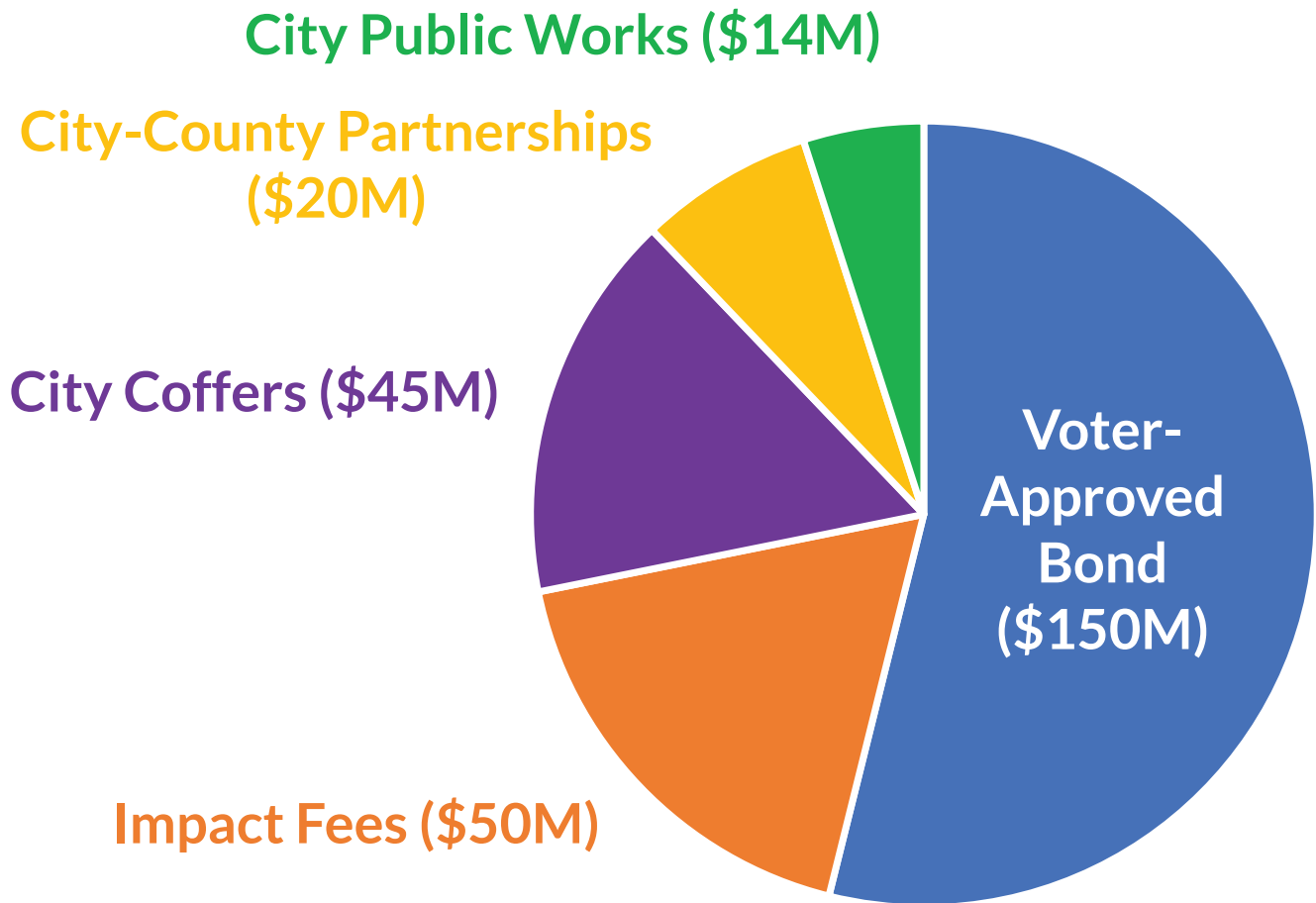


Figure 5.6: Pie chart illustrating the approximate funding amounts allocated to each of the proposed funding mechanisms or sources.

Select Year:  

## The 2018 Florida Statutes

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[Title XI](#)  
COUNTY ORGANIZATION AND INTERGOVERNMENTAL  
RELATIONS

[Chapter 163](#)  
INTERGOVERNMENTAL  
PROGRAMS

[View Entire  
Chapter](#)

### **163.31801 Impact fees; short title; intent; definitions; ordinances levying impact fees.—**

(1) This section may be cited as the “Florida Impact Fee Act.”

(2) The Legislature finds that impact fees are an important source of revenue for a local government to use in funding the infrastructure necessitated by new growth. The Legislature further finds that impact fees are an outgrowth of the home rule power of a local government to provide certain services within its jurisdiction. Due to the growth of impact fee collections and local governments’ reliance on impact fees, it is the intent of the Legislature to ensure that, when a county or municipality adopts an impact fee by ordinance or a special district adopts an impact fee by resolution, the governing authority complies with this section.

(3) An impact fee adopted by ordinance of a county or municipality or by resolution of a special district must, at minimum:

(a) Require that the calculation of the impact fee be based on the most recent and localized data.

(b) Provide for accounting and reporting of impact fee collections and expenditures. If a local governmental entity imposes an impact fee to address its infrastructure needs, the entity shall account for the revenues and expenditures of such impact fee in a separate accounting fund.

(c) Limit administrative charges for the collection of impact fees to actual costs.

(d) Require that notice be provided no less than 90 days before the effective date of an ordinance or resolution imposing a new or increased impact fee. A county or municipality is not required to wait 90 days to decrease, suspend, or eliminate an impact fee.

(4) Audits of financial statements of local governmental entities and district school boards which are performed by a certified public accountant pursuant to s. [218.39](#) and submitted to the Auditor General must include an affidavit signed by the chief financial officer of the local governmental entity or district school board stating that the local governmental entity or district school board has complied with this section.

(5) In any action challenging an impact fee, the government has the burden of proving by a preponderance of the evidence that the imposition or amount of the fee meets the requirements of state legal precedent or this section. The court may not use a deferential standard.

History.—s. 9, ch. 2006-218; s. 1, ch. 2009-49; s. 5, ch. 2009-96; s. 5, ch. 2011-14; s. 1, ch. 2011-149.