

## *Miami-Dade County Mobility Impact Fee on Track to Fund Multi-Modal Transportation System*

For the past 35 years, road impact fees have been the primary tool used by Miami-Dade County (the "County") to ensure that real estate developers share in the capital cost of roadway capacity improvements necessary to maintain adequate levels of roadway service. This impact fee, which applies countywide from Aventura to Florida City, is a requirement of all residential and non-residential buildings and mixed-use projects, generating millions of dollars.

The County's current road impact fee system is predicated primarily on roadway construction and expansion, and thus limits expenditures for other transportation modes such as bicycle/pedestrian facilities and transit capital improvements. However, the County's land use policies have evolved to promote compact, mixed use, transit- and pedestrian-oriented development at designated urban centers and along major transportation corridors. Recognizing this growing disconnect, the Board of County Commissioners (the "BCC") in 2019, directed the County administration to conduct a fee study to address the unique impacts of transit-oriented developments and to create a framework for funding infrastructure for bicycle/pedestrian facilities and transit improvements.

Following on completion of the County's Multimodal/Mobility Fee Study, the County has teed up an ordinance sponsored by Commissioner Eileen Higgins, and co-sponsored by Commissioner Kevin Marino Cabrera, that would replace the existing road impact fee with a countywide mobility fee. The proposed ordinance was adopted by the BCC on first reading on May 16, 2023, and is set for public hearing before the Chairman's Policy Council and Intergovernmental Affairs Committee on Monday, July 10, 2023.

**I. Road Impact Fees in Miami-Dade County.** The Florida Impact Fee Act, Section 163.31801, Florida Statutes, authorizes counties and municipalities in Florida to impose impact fees on new development to account for the cost of capital facilities required to accommodate the growth generated by the new development. The County's existing road impact fee ordinance was adopted in 1988 to ensure that adequate levels of roadway services are maintained. The County's ordinance requires payment of road impact fees prior to issuance of building permit for new construction, additions, and changes to existing buildings to more intense land uses. The assessed amount is determined in proportion to the amount of new traffic demand projected to result from the proposed development, based on the County's established impact fees for each fiscal year, supported by nationwide vehicular trip analyses conducted by the Institute of Transportation Engineers.

However, the existing road impact Fee methodology perpetuates the longstanding view of prioritizing roadway construction, which places an emphasis on moving motor vehicles and not people, and which runs counter to the County's goals for revitalization of Miami's urban core and recent focus on building a more robust and accessible multi-modal transportation system.

Road impact fees are a big business in Miami-Dade County, and the largest impact fee imposed by the County on private development. Today the County collects approximately \$130 million dollars in road impact fees annually.

**II. Proposed Multimodal/Mobility Impact Fee.** Starting with the Urban Centers and expansion of the County's Rapid Transit Zone ( RTZ), the County has started promoting a more compact urban form and mix of uses, and array of transportation modes – contributing to a change in transportation needs and characteristics recognized by the County and the Multimodal/Mobility Fee Study. As such, the Multimodal/Mobility Fee Study recommends replacing the existing road impact fee and fee structure with a countywide mobility fee, with some of the key proposed features highlighted below.

- ***Context Zones.*** The current road impact fee ordinance splits Miami-Dade County into two (2) zones for fee collection purposes – within the Urban Infill Area and outside the Urban Infill Area. Recognizing that travel characteristics are distinct and varied throughout Miami-Dade County, the proposed mobility fee instead creates four (4) "context" zones: Smart Plan Corridor Zone (Zone 1), Inner Ring (Zone 2), Middle Ring (Zone 3), and Outer Ring (Zone 4). *See the Context Zone Map attached.*
- ***Mobility Benefit Districts.*** The current road impact fee ordinance provides for nine (9) benefit districts for revenue expenditure. The proposed mobility fee creates five (5) larger mobility benefit districts. *See the Mobility Benefit District Map attached.* This consolidation of benefit districts could help the County direct funds paid in connection with a building permit closer to the impacts of the real estate projects.
- ***Trust Fund Accounts.*** To ensure the proper distribution of funds, each mobility benefit district will have three (3) trust fund accounts: one for road improvements; one for transit improvements; and one for bicycle/pedestrian improvements. The Mobility Fee ordinance will continue to allow for in-kind contributions in lieu of monetary contributions; however the purposes have now been broadened to go beyond just vehicular access and capacity.
- ***Mobility Fee Assessment Rate.*** Mobility fee assessments are not anticipated to vary significantly from the existing roadway impact fee schedule. Mobility fees will be assessed in relation to a development's proximity to SMART corridors based on their Context Zone.
  - For example, road impact fees for a 1,000-unit single family development would be approximately \$9.5 million dollars, whereas the mobility fee for the same development would be approximately \$9.8 million in Context Zone 1, \$9.3 million in Context Zone 2,

\$10.2 million in Context Zone 3, and \$10.6 million in Context Zone 4. Likewise, for a 150,000 SF retail development, the road impact fees would be about approximately \$3 million dollars, whereas the mobility fee for the same development would be approximately \$2.5 million in Context Zone 1, \$2.4 million in Context Zone 2, \$2.6 million in Context Zone 3, and \$2.7 million in Context Zone 4.

III. **Conclusion.** The proposed mobility fee has the ability to modernize the existing road impact fee to allow those fees paid by real estate developers to be more broadly applied to various transportation modes, and not just roadway construction and expansion. It will also allow for flexibility in revenue expenditures for roads, transit, sidewalks, trails, and bicycle lanes, particularly in the urban core where transit-oriented development and roadway infrastructure already exists.

If adopted, the proposed mobility fee is slated for implementation to be assessed on building permit applications filed on or after December 31, 2023. Developers may therefore wish to explore the different calculations that fluctuated depending on the scale of choice.

Link to Mobility Fee Ordinance ([File No. 230929](#))

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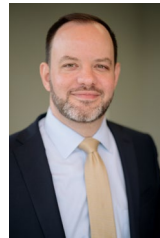
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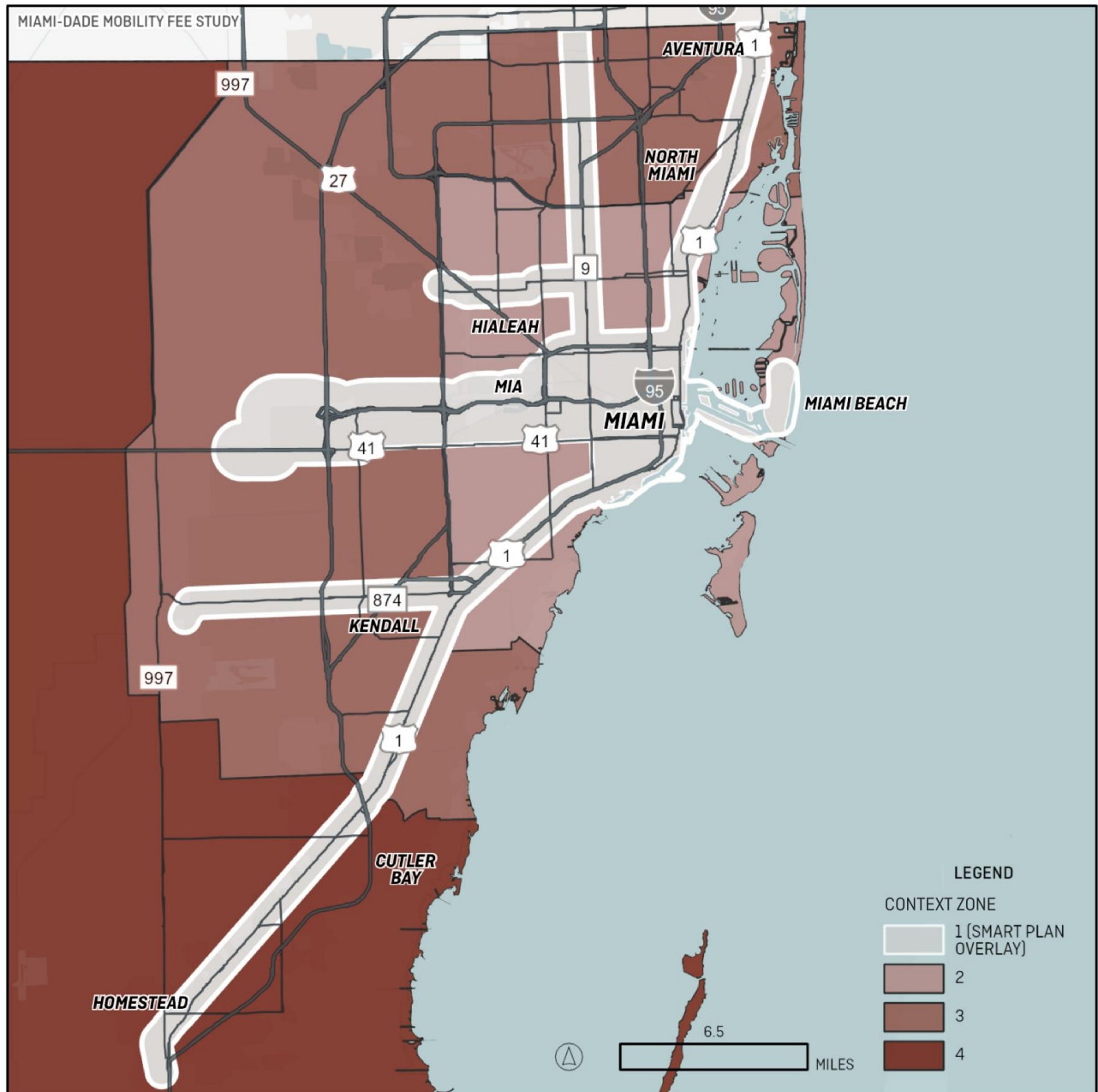
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## Proposed Multimodal Mobility Fee Context Zones



## Proposed Multimodal Mobility Fee Benefit Districts

