

TOWN OF CUTLER BAY

Mayor Paul S. Vrooman
Vice-Mayor Edward P. MacDougall
Councilmember Timothy J. Meerbott
Councilmember Ernest N. Sochin
Councilmember Peggy R. Bell

Town Attorney Mitchell Bierman
Town Attorney Chad Friedman
Town Clerk Erika Gonzalez-Santamaria
Town Manager Steven Alexander

This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter or hearing impaired to participate in this proceeding should contact the Town Clerk at (305) 234-4262 for assistance no later than four (4) days prior to the meeting.

LOCAL PLANNING AGENCY AGENDA

Wednesday, August 19, 2009, 7:00 PM
South Dade Regional Library
10750 SW 211th ST, 2nd Floor
Cutler Bay, Florida 33189

I. CALL TO ORDER, ROLL CALL

II. ADDITIONS, DELETIONS, AND DEFERRALS

III. CONSENT AGENDA

A. Minutes – July 15, 2009

IV. ACTION ITEMS:

A. **AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING ROADS, POLICE, FIRE/RESCUE, PUBLIC BUILDINGS, AND PARKS IMPACT FEES; REPEALING CHAPTER 33H PARK IMPACT FEE ORDINANCE; REPEALING CHAPTER 33I POLICE SERVICES IMPACT FEE ORDINANCE; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.**

VI. ADJOURNMENT.

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

**TOWN OF CUTLER BAY
LOCAL PLANNING AGENCY MEETING
MINUTES**

Wednesday, July 15, 2009, 7:00 PM
South Dade Regional Library
10750 Southwest 211th Street, 2nd Floor
Cutler Bay, Florida 33189

I. CALL TO ORDER/ROLL CALL OF MEMBERS: The meeting was called to order by the mayor at 7:25 p.m. Present were the following chartered officials:

Councilmember Peggy R. Bell
Councilmember Timothy J. Meerbott
Councilmember Ernest N. Sochin
Vice Mayor Edward P. MacDougall
Mayor Paul S. Vrooman

Town Attorney Mitchell Bierman
Town Clerk Erika Gonzalez-Santamaria
Town Manager Steven Alexander

II. PLEDGE OF ALLEGIANCE: There was no Pledge of Allegiance at this time.

III. ADDITIONS, DELETIONS, AND DEFERRALS: None at this time.

IV. CONSENT AGENDA:

Councilmember Meerbott made a motion approving the minutes of meeting of May 20, 2009. The motion was seconded by Vice Mayor MacDougall and adopted by a unanimous voice vote. The vote was as follows: Councilmembers Bell, Meerbott, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

V. ACTION ITEMS:

The clerk read the following ordinance by title:

A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING GREEN LAND DEVELOPMENT REGULATIONS WITHIN THE TOWN; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

There was no public hearing at this time.

Councilmember Meerbott made a motion to adopt staff's recommendation to approve. The motion was seconded by Councilmember Bell and approved by unanimous voice vote. The vote was as follows: Councilmembers Bell, Meerbott, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

VI. ADJOURNMENT: The meeting was officially adjourned at 7:30 p.m.

Respectfully submitted:

*Erika Gonzalez-Santamaria, CMC
Town Clerk*

*Adopted by the Town Local Planning Agency
on this 19th day of August, 2009.*

Paul S. Vrooman, Mayor

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.



Community Development Department

David Hennis
Director

MEMORANDUM

To: Steven J. Alexander, Town Manager

From: David Hennis, Community Development Director

Date: August 10, 2009

Re: Technical Memorandum on the Methods Use to Establish Impact Fees for the Town of Cutler Bay

The attached Technical Memorandum establishes the legal basis for adopting an impact fee structure for roads, police, fire/rescue, parks, and public buildings. The Town retained the services of James C. Nicholas, PhD, to develop the methodology which will provide a source of committed funding for roadway improvements, police, fire/rescue, parks, and public buildings necessitated by future growth.

Impact fees are a total or partial payment of the additional infrastructure cost necessary as a result of new development. Impact fees are tailored to address the infrastructure needs of new growth at the local level. As a result, impact fee calculations generally vary from jurisdiction to jurisdiction and from fee to fee. Impact fees also vary extensively depending on local costs, capacity needs, resources and interest in charging the full cost of the fees for an earmarked purpose.

In Florida, impact fees are an outgrowth of local governments home rule powers to provide certain services within their jurisdictions. Impact fee structures in Florida must flow from the establishment of a nexus between new development and the need to expand infrastructure. The resulting impact fees may be no more than a pro rata share of the reasonably anticipated cost of expanding the infrastructure.

The attached report draws upon information within the Growth Management Plan to indicate that additional infrastructure and public safety capital facilities are required to accommodate new development. The report, which is based upon the most recent and localized data, establishes a fair and reasonable methodology to calculate the impact fees to address the specific needs of new development in the Town. In the absence of a Statewide impact fee model, the methodology presented follows the most recent guidelines put forth by the State and the courts to draft an impact fee structure that will best serve the future infrastructure needs that future growth will demand within the Town.

The following chart represents the pro rata shares of reasonably anticipated costs of expansion to meet the needs of new development in Cutler Bay. Comparatively, the fee is 45% **lower** than

the County impact fee for a single family home; 83% **lower** than the County impact fee for a 75,000 SF office; and 64% **lower** than the County impact fee for a 75,000 SF retail store.

TABLE VII-1

	Roads	Police	Fire/ Rescue	Public Buildings	Parks	Total
Residential per FT ²	\$0.13	\$0.05	\$0.16	\$0.10	\$0.86	\$1.30
Non-Residential per FT ²						
Commercial	\$0.42	\$0.05	\$0.16	\$0.10	\$0.00	\$0.73
Office	\$0.17	\$0.05	\$0.16	\$0.10	\$0.00	\$0.48
Industrial	\$0.09	\$0.05	\$0.16	\$0.10	\$0.00	\$0.40
Institutional	\$0.20	\$0.05	\$0.16	\$0.10	\$0.00	\$0.51
Governmental	\$0.17	\$0.05	\$0.16	\$0.10	\$0.00	\$0.48
Hotel/Motel	\$0.16	\$0.05	\$0.16	\$0.10	\$0.43	\$0.90

TOWN STAFF RECOMMENDATION:

Approval.



ORDINANCE NO. 09- _____

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING ROADS, POLICE, FIRE/RESCUE, PUBLIC BUILDINGS, AND PARKS IMPACT FEES; REPEALING CHAPTER 33H PARK IMPACT FEE ORDINANCE; REPEALING CHAPTER 33I POLICE SERVICES IMPACT FEE ORDINANCE; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY AS FOLLOWS:

Section 1. Adoption of Impact fees. The Town Council of the Town of Cutler Bay hereby amends the Town Code of Ordinances as follows¹:

A. Findings.

The Town Council makes the following findings in support of the creation of this Ordinance and the adoption and imposition of roads, police, fire/rescue, public buildings, and parks impact fees:

- (1) New development and growth in the Town can add to and help maintain the quality of life in the Town under a balanced growth management program.
- (2) Effective growth management is promoted when adequate public facilities are available to serve new growth coincident with the impacts of that growth.
- (3) The Town Council has caused an impact fee report, based upon the most recent and localized data, in support of the impact fee ordinance to be completed and submitted to the Town.
- (4) As set forth in the impact fee report:
 - a. New development should assume a fair share of the cost of providing adequate roads, police, fire/rescue, public buildings, and parks impact fees.
 - b. Impact fees are an equitable and appropriate means to help finance the capital costs of additional and expanded facilities needed to serve new development.

¹ Coding: underlined words are additions to existing text, ~~struck through~~ words are deletions from existing text, **shaded** text reflects changes made from First Reading.

(5) The implementation of roads, police, fire/rescue, public buildings, and parks impact fees, that requires new development to contribute its fair share of the cost of capital improvements necessitated by growth caused by such development, promotes the general welfare of all Town residents.

(6) The provision of roads, police, fire/rescue, public buildings, and parks facilities which are adequate for the needs of growth caused by new development promotes the general welfare of all Town residents and constitutes a public purpose.

(7) The imposition of roads, police, fire/rescue, public buildings, and parks impact fees, that requires new development to contribute its fair share of the cost of required capital improvements, serves as a regulatory tool that promotes the timing and management of growth in the Town.

(8) Ad valorem tax revenue and other revenues will not be sufficient to provide the additional capital improvements for the roads, police, fire/rescue, public buildings, and parks facilities which are necessary to accommodate new development.

(9) The impact fee report provides an adequate and lawful basis for the adoption and imposition of roads, police, fire/rescue, public buildings, and parks facilities impact fees in accordance with this Ordinance.

B. Established.

As a condition of the issuance of a building permit for new development, the person, firm or corporation who or which has applied for the building permit shall pay to the Town, the roads, police, fire/rescue, public buildings, and parks impact fees as set forth in the provisions of this Ordinance.

C. Definitions.

For the purpose of this Ordinance, certain terms and words are defined. Additionally, words used in the present tense shall include the future; the singular number shall include the plural, and the plural the singular:

Building permit shall mean a permit issued by the building official for the construction, enlargement, alteration, modification, repair, movement, demolition, or change in the occupancy of a building or structure.

Capital improvements shall mean physical assets constructed or purchased to provide, improve or replace a public facility and which are large scale, high in cost, and have an estimated useful life in excess of one year. The cost of a capital improvement is generally nonrecurring and may require multiyear financing.

Feepayer shall mean any person, firm, or corporation intending to commence new development and, during the life of the development, applies for the issuance of a building permit.

Impact fee report shall mean the Technical Memorandum on the Methods Used to Establish Road, Public Safety, Park, and Public Buildings Impact fees for the Town of Cutler Bay prepared by James C. Nicholas, Ph.D., dated August 7, 2009, which establishes the basis for the fair share of capital facilities costs attributable to new development based upon standard and appropriate methodologies, and a copy of which is attached to and incorporated by reference into this Ordinance.

New development shall mean the carrying out of any building activity or the making of any material change in the use or appearance of any building or structure or land, which results in an additional impact or demand on roads, police, fire/rescue, public buildings, and parks facilities.

D. Imposition of fees.

There is assessed, charged, imposed, and enacted roads, police, fire/rescue, public buildings, and parks impact fees on all new development occurring within the Town. These fees will be assessed, charged, or imposed in accordance with the fee schedule provided below:

	Roads	Police	Fire/ Rescue	Public Buildings	Parks	Total
Residential per FT ²	\$0.13	\$0.05	\$0.16	\$0.10	\$0.86	\$1.30
Non-Residential per FT ²						
Commercial	\$0.42	\$0.05	\$0.16	\$0.10	\$0.00	\$0.73
Office	\$0.17	\$0.05	\$0.16	\$0.10	\$0.00	\$0.48
Industrial	\$0.09	\$0.05	\$0.16	\$0.10	\$0.00	\$0.40
Institutional	\$0.20	\$0.05	\$0.16	\$0.10	\$0.00	\$0.51
Governmental	\$0.17	\$0.05	\$0.16	\$0.10	\$0.00	\$0.48
Hotel/Motel	\$0.16	\$0.05	\$0.16	\$0.10	\$0.43	\$0.90

E. Payment.

The impact fees shall be paid to the Town by the feepayer at the time the building permit is issued.

F. Disposition of fees.

All fees collected by virtue of this Ordinance and any interest earned on them shall be deposited in five (5) special and separate trust accounts to be designated, “roads impact fees account,” “police impact fees account,” “fire/rescue impact fees account,” “public buildings impact fees account,” and “parks impact fees account,” respectively. Funds from these accounts may be expended for land acquisition for the respective facilities. Funds from these accounts may also be expended for the construction of capital

improvements for the respective Town roads, police, fire/rescue, public buildings, and parks impact fees facilities, and the remodeling or enlargement of existing facilities and the equipping of same, all of which being necessitated by the impact of new construction and additional population. However, funds withdrawn from an account must be expended on the specific facilities for which the fees were collected.

In addition to the foregoing, funds from these accounts may be expended for retirement of loans and/or bonds that may be issued to finance the capital improvements herein contemplated. Furthermore, these funds may be expended for architectural, engineering, legal and other professional fees and expenses related to capital improvements. However, the Town shall not expend funds from any of these accounts for maintenance, repairs, salaries, or other noncapital or noncapital-related items. Each and every expenditure of funds from these accounts shall be authorized by the Town Manager.

G. Reporting, Collections, and Audits.

The Town's Finance Director shall keep an accurate accounting and reporting of impact fee collections and expenditures within the Town. The Town shall retain up to 3% of the impact fees collected to offset the costs of collecting the impact fees and administering the provisions of this Ordinance. Audits of the Town's financial statements which are performed by a certified public accountant pursuant to Section 218.39, F.S, as amended, that are submitted to the Auditor General must include an affidavit signed by the Finance Director stating that the Town has complied with Section 163.31801, F.S. as amended.

H. Refunds.

(1) Upon application of the property owner, the Town shall refund that portion of any impact fee which has been on deposit over six (6) years and which is unexpended and uncommitted, except as described in subsection (b) of this section. The refund shall be made to the then-current owner or owners of lots or units of the development project or projects.

(2) If fees in any impact fee account are unexpended or uncommitted during the sixth year, the fees are exempt from subsection (a) of this section if the Town Council makes the following findings:

(a) A need for the capital improvement still exists;

(b) The fees will be used for an identified purpose within two (2) years; and

(c) The purpose for which the fees will be used is substantially similar to the purpose for which the fees were collected.

(3) The Town may refund by direct payment, by offsetting the refund against other impact fees due for development projects by the owner on the same or other property, or otherwise by agreement with the owner.

Section 2. Repeal of Chapter 33H Park Impact Fee Ordinance. The Town Council hereby repeals Chapter 33H Park Impact Fee Ordinance of the Town Code of Ordinances in its entirety.

Section 3. Repeal of Chapter 33I Police Services Impact Fee Ordinance. The Town Council hereby repeals Chapter 33I Police Services Impact Fee Ordinance in its entirety.

Section 4. Severability. If any section, clause, sentence, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. Conflict. All Sections or parts of Sections of the Code of Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 6. Inclusion in the Code. It is the intention of the Town Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the Town of Cutler Bay; that the sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 7. Effective Date. This Ordinance shall become effective 90 days from the date of the first advertisement of this Ordinance.

PASSED on first reading this _____ day of _____, 2009.

PASSED AND ADOPTED on second reading this _____ day of _____, 2009.

PAUL S. VROOMAN, Mayor

Attest:

ERIKA GONZALEZ-SANTAMARIA, CMC
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN PASTORIZA
COLE & BONISKE, P.L.
Town Attorney

Moved By:
Seconded By:

FINAL VOTE AT ADOPTION:

Mayor Paul S. Vrooman _____

Vice Mayor Edward P. MacDougall _____

Councilmember Peggy R. Bell _____

Councilmember Timothy J. Meerbott _____

Councilmember Ernest N. Sochin _____

Technical Memorandum on the Methods Used to Establish Road, Public Safety, Park, and Public Buildings Impact fees for the Town of Cutler Bay

Prepared by

James C. Nicholas, PhD
Final Report
August 7, 2009

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I. INTRODUCTION

Florida prohibits the taxation of personal incomes and exerts all efforts to keep the taxes that are imposed as low as possible. At the same time Florida has been very rapidly growing, adding an average of 300,000 new people each year up until the present recession. While being quite young as a municipality, Cutler Bay has been growing at an average of over 1,300 persons per year since the 2000 census.¹ Growth in population and economic activity also require growth in infrastructure investment. The dilemma here is that the money to pay for these investments, if it comes at all, comes in after the improvement is needed. This results in an ever increasing backlog, with its associated congestion, or ever increasing tax burdens. The impact fee was turned to in order to address this dilemma.

While there is impact fee legislation in Florida, there is no general enabling act that sets standards for impact fees. Rather, impact fees evolved through the courts, ultimately being recognized as being within a local government's home rule authority. This method of evolution was perhaps the only option since Florida cities and counties were exploring new issues of governance and government finance following the adoption of the new constitution in 1968. The body of law that came out of this evolutionary process clearly established that:

- Impact Fees are permissible;
- Impact fees cannot exceed a pro rata share of the reasonably anticipated cost of expanding facilities required to serve new development;
- Impact fees cannot be imposed or structured to benefit or provide a "windfall" to existing residents;
- Impact fees must satisfy the dual rational nexus between the need for facility improvements and new development; and
- Local governments are required to show that developments paying impact fees will receive benefit from the expenditure of those fees.

The courts, beginning with *Contractors and Builders Association of Pinellas County v City Of Dunedin*, 329 So. 2d 314 (Fla. 1976), dealt first with the conditions under which impact fees may be utilized and then with the amounts that may be charged as impact fees. In *Dunedin* the Florida Supreme Court wrote:

Raising expansion capital by setting connection charges, which do not exceed a pro rata share of reasonably anticipated costs of expansion, is permissible where expansion is reasonably required, if use of the money collected is limited to meeting the costs of expansion. Users who benefit especially, not from the maintenance of the system, but by the extension of the system . . . should bear the cost of that extension. (citations *omitted*)

¹ Cutler Bay, Comprehensive Plan, Future Lane Use, page 16;

The *Dunedin* court also makes clear that such charges, impact fees, are not unlimited. Extending their rationale:

[t]he cost of new facilities should be borne by new users to the extent new use requires new facilities, but only to that extent. When new facilities must be built in any event, looking only to new users for necessary capital gives old users a windfall at the expense of new users.

New users can only be held responsible for the costs attributable to new use and not for other costs, especially any charge that would yield a “windfall” to the existing community.

Dunedin was a case involving a municipally owned water and sewer utility. It fell to *Hollywood Inc. v Broward County*, 431 So.2d 606 (Fla. 4th DCA 1983) to deal with the application of the *Dunedin* logic to parks, the facility that the cities of Gulf Breeze, Maitland and Hollywood unsuccessfully tried to fund with development charges. In *Hollywood Inc.* the court wrote:

[w]e discern the general legal principle that reasonable dedication or impact fee requirements are permissible so long as they offset needs sufficiently attributable to the subdivision and so long as the funds collected are sufficiently earmarked for the substantial benefit of the subdivision residents. In order to satisfy these requirements, the local government must demonstrate a reasonable connection, or rational nexus, between the need for additional capital facilities and the growth in 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 use in acquiring capital facilities to benefit the new residents.

The *Hollywood Inc.* Court provides the principles of the Dual Rational Nexus Test. Specifically, that:

- The local government must demonstrate a reasonable connection, or rational nexus, between the need for additional capital facilities and the growth generated by the development being charged the impact fees, and
- The government must specifically earmark the funds collected for use in acquiring capital facilities to benefit the development charged the impact fees.

The paramount issue with respect to impact fees is nexus. The local government must demonstrate that there is a nexus between new development and the need to expand infrastructure. This is to be accomplished in the consultant’s report. The second crucial issue is the identification of a pro rata share of the cost of expanding that infrastructure. This too is to be accomplished in the consultant’s report.

During the 2006 session, an act was passed in Florida that dealt with impact fees.² The only portions of this act that deal with the calculation of impact fees are the requirements that amount of impact fees be based on the most recent and localized data.

Impact fees in Florida must flow from the establishment of a nexus between new development and the need to expand infrastructure. This nexus is drawn from a community's comprehensive plan. The resulting impact fees may be no more than a pro rata share of the reasonably anticipated cost of expanding that infrastructure. Additionally, the calculation of impact fees must use the most recent and localized data.

The impact fees for Cutler Bay are set out in the body of this report. This report draws upon Cutler Bay data and plans to show that public capital improvements are needed in order to accommodate new development. As such, all items are localized to Cutler Bay. This report presents the need for improvements to Cutler Bay public facilities and the costs of those facility improvements on a per unit basis. These facility needs and costs set out herein are based upon 2008 plans for Cutler Bay, thus these data are the most recent.

The formulas for impact fees and all of the data used are contained in this memorandum. Florida law requires a demonstration that costs imposed as impact fees not exceed a *pro rata* share of the cost of road improvements in Cutler Bay. This demonstration is set out in this memorandum.

The resulting net costs shown in this report are the *pro rata* share of reasonably anticipated costs of improving Cutler Bay's public facilities to accommodate new development. They can be adopted as impact fees. These are the maximum amounts that the Town Council could adopt fees as impact fees.

² "The Florida Impact Fee Act," 163.31801, Florida Statutes.

II. DEMOGRAPHICS

The Town of Cutler Bay was recently incorporated, so there is little demographic history. The Town has provided some historic demographic data for the unincorporated area that was to become Cutler Bay before it was incorporated, and projections for the town to 2020. These data are shown in Table II-1.

**Table II-1
HOUSING AND POPULATION PROJECTIONS
TOWN OF CUTLER BAY**

	Housing Units	House Holds	Household Population	Total Population
2000	10,718	10,350	29,706	30,300
2004	11,291	10,904	31,294	31,920
2006	13,155	12,563	36,056	36,777
2007	14,112	13,548	38,881	39,659
2008	14,535	13,959	40,061	41,579
2009	14,972	14,383	41,278	42,481
2010	15,421	14,819	42,531	43,382
2011	15,937	15,315	43,855	44,834
2015	17,932	17,232	49,457	50,446
2020	22,793	22,223	59,114	60,296

SOURCE: Cutler Bay, Comprehensive Plan, Future Lane Use, page 16; and University of Florida, Bureau of Economic and Business Research, November 2008.

NOTE: Data for 2009 are interpolated.

Due to the current economic recession it is possible that the Town may not achieve the magnitudes shown at the dates projected. However, the history of Florida has shown that economic recessions result in postponement of growth and not cassation. The projections in Table II-1 are used only for the purpose of estimating the 2009 population of Cutler Bay.

Table II-2 shows the heated or air conditioned floor area by land use for Cutler Bay. The data for 2008 are from the Miami-Dade County tax rolls. The data for 2009 and 2020 were projected by increasing all floor areas in the same proportion that dwelling units are expected to increase, as shown in Table II-1.

**Table II-2
LAND USE IN CUTLER BAY**

	2008	2009	2020
Population	41,579	42,481	60,296
Dwelling Units	14,535	14,972	22,793
	Floor Area (FT)		
Residential	25,160,112	25,915,152	39,453,388
Commercial	2,634,921	2,692,050	3,821,044
Office	321,259	328,224	465,875
Industrial	10,569	10,798	15,327
Institutional	1,054,332	1,077,192	1,528,945
Governmental	73,521	75,115	106,617
Hotel/Motel	121,214	123,842	175,779
Total	29,375,928	30,222,374	45,566,975

SOURCE: Town of Cutler Bay, from Miami-Dade County Property Appraiser, January 2009, and Table II-1.

III. ROAD IMPACT FEES

A. Formula

The formula for calculating the proposed road impact fees is:

1. $\text{Attributable VMT} = \text{Trip Generation} * \text{Length of Trips} * \% \text{ New} * \frac{1}{2} * \% \text{ in Cutler Bay}$
2. $\text{Road Cost per VMT} = \text{Road Capacity Expansion costs} / \text{VMT in Cutler Bay}$
5. $\text{Attributable Cost} = \text{Attributable VMT} * \text{Road Cost per VMT}$

(VMT is an acronym for Vehicular Mile of Travel.)

This report will explain this formula and show how the data entered are derived.

B. Data and Parameters

The data presented in Tables III-1, III-2, III-3 & III-4 are the data and parameters used in calculating traffic impact on the Cutler Bay road system. The sources are listed. The formula for calculation was set out above. This section discussed the data and calculations.

VEHICULAR MILES OF TRAVEL – System. The total travel on roadways within the Town is set out in the Town of Cutler Bay, Comprehensive Plan, page T-15. The system-wide vehicular miles of travel within Cutler Bay for 2007 is 137,665 and it is projected to be 153,040 per day by 2020. This volume is on all roads, not just those maintained by the Town.

VEHICULAR MILES OF TRAVEL – Individual Land Use. The relevant travel, measured as vehicular miles of travel per day (VMT) by land use type and residential unit, is calculated by multiplying the number of trip ends (representing a start-to-finish vehicular journey from point A to point B, each of these being an “end”) per 24-hour day (ADT) by the average trip length, and then multiplying this product by the percentage of new trips.

The product is then reduced by one-half to adjust the number of trip ends to the number of travel trips (a travel trip, say from home to work, would have two ends, one leaving home and one arriving at work). This reduction is to correct for over-counting. Such over-counting is due to the fact that impact fees would be charged to both attractors and generators of traffic (or both ends of the travel trip).

Another adjustment is needed to fit the data to Cutler Bay. Much of the vehicular travel that begins in Cutler Bay ends elsewhere and much of the travel ending in Cutler Bay began elsewhere. Therefore it is necessary to adjust travel to Cutler Bay conditions. This is done by dividing vehicular travel in Cutler Bay by the total residential and business travel beginning or ending in Cutler Bay. The result is travel per unit of development within Cutler Bay.

The individual factors in this formula and their sources are:

TRIP GENERATION RATE. The Average Daily Travel (ADT), in trip ends per day, is taken from *Trip Generation*, (7th Ed), 2003, published by the Institute of Transportation Engineers (ITE). Note should be taken of the fact that two different editions of the ITE's *Trip Generation* are used, the 6th and the 7th. These two editions are used because various editions address particular items of relevance to this study and some of these items addressed in the 6th Edition are not re-addressed in the 7th Edition. The trip generation rates are to be found in Table III-6.

PERCENT NEW TRIPS. Many land uses, while attracting traffic, generate little, if any, new traffic (other than attracting existing traffic to a particular location). There are several reasons for this situation. First, the multiple purpose trips will tend to attract traffic to particular locations while generating little if any additional travel. Second, the capturing of existing trips, such as stopping for a quart of milk on the way home from work will result in little if any additional travel. Third, diverting a trip that already existed, such as taking the long way home from work to shop, will place limited new travel on the road system. Take, for example, the convenience store and the service (gas) station. The typical visits to these establishments, especially during the peak hour, are made by individuals who are going elsewhere such as home or work. An example may help. Let there be an individual driving from work to home (which would be two trip ends), a distance of 8 miles. Assume that this individual stops at the day care center to pick up a child, a convenience store to get milk and a service station for gasoline. How many trips have been made? According to the standard methodology of transportation engineering, a total of 8 trips have been made:

- leaving work
- entering the day care center
- leaving the day care center
- entering the convenience store
- leaving the convenience store
- entering the service station
- leaving the service station
- arriving home.

If we were to apply an average trip length of 5 miles to these trips, the result would be 40 miles, a vast overstatement of actual travel. This overstatement is corrected in two ways. First, to deduct, by a percentage reduction factor (% NEW TRIPS), for trips to particular land uses that do not place additional travel on the roads and, second, to adjust the trip lengths for non-residential land uses which more accurately reflect the travel patterns of individuals visiting those sites. The first, % NEW TRIPS, is set out in Table III-6 and used in Table III-8. The second, adjusted trip lengths, are included in Table III-8. The % NEW TRIPS is, ultimately, a professional judgment. Such judgments, however, are based upon several articles in the "ITE Journal" and specifically upon the "pass by" analysis set out in the 6th edition of the ITE's *Trip Generation* and Chapter 5 of *Trip Generation Handbook*, 2001, published by the Institute of Transportation Engineers.

AVERAGE TRIP LENGTHS. The trip lengths shown in Table III-7 are derived from the National Household Transportation Survey.³ These national studies are localized to Cutler Bay conditions, where it is expected that trip lengths will be shorter. The relative trip length, in Table III-7, will be used instead of the absolute trip length.

TOTAL AND ADJUSTED VEHICULAR MILES OF TRAVEL. Table III-10 calculates the total vehicular miles of travel for all developments in Cutler Bay. Table III-10 shows total travel within Cutler Bay and presents that travel in terms of the developments that were the source of the travel and also the travel per unit of development. Simple multiplication of trip rates by trip lengths tends to overestimate vehicular miles of travel. Therefore it is necessary to adjust VMT, which is shown in Table III-11. Table III-12 calculates adjusted VMT per unit of development.

ROAD CAPACITY EXPANSION COST PER VEHICULAR MILE OF TRAVEL. This is the road capacity expansion cost as set out in the Transportation Master Plan, pages 138-142. Cost per unit of travel is the total capacity expansion cost divided by the additional miles of travel (from Table III-1) to get road cost per unit of travel. This is found in Table III-4.

ROAD COST PER UNIT OF DEVELOPMENT. The cost per unit of development, which is the basis for any road impact fee, is the cost per unit of travel, Table III-4, times the Adjusted VMT per unit, Table III-12. This result is shown in Table III-13.

³ US Dept of Transportation, Bureau of Transportation Statistics, National Household Transportation Survey, 2001, www.bts.gov/programs/national_household_travel_survey/.

C. Existing Conditions

The Town currently has 46.84 lane-miles of roads within its boundaries. Table III-1 shows the usage of these roads for 2007, 2009, and 2015.

**Table III-1
TRAFFIC VOLUMES
TOWN OF CUTLER BAY**

Daily Traffic Volumes 2007	137,665
Daily Traffic Volumes 2009	141,893
Daily Traffic Volumes 2015	153,040

Town of Cutler Bay, Comprehensive Plan, page T-15.
NOTE: 2009 is interpolated.

The usage of these roadways per lane-mile is shown in Table III-2. As roadway usage increases there are needed improvements to the capacity of the roadway system. The Town has established Level of Service “D” as the adopted standard for Cutler Bay roadways.

**Table III-2
ROAD USAGE PER LANE-MILE**

Lane-Miles of Roadway	46.84
Daily Traffic Volume	
2007	137,665
2009	141,893
2015	153,040
Traffic per Lane-Mile	
2007	2,939
2009	3,029
2015	3,267

SOURCE: Tables 1 and 2.

Table III-4 shows the capacity expansions to Town maintained roads that are established in the Town’s Transportation Master Plan, pages 138-142.

**Table III-4
ROAD CAPACITY EXPANSIONS AND COSTS
TOWN OF CUTLER BAY**

Project Name	Planning	Design	Construction	Total
Signal Progression Analysis	\$130,000	NA	NA	\$130,000
Cutler Ridge Drive / Franjo Intersection Operation Analysis	\$8,500	NA	NA	\$8,500
Intersection Realignment on Caribbean	\$15,000	NA	NA	\$15,000
Add turn lanes at intersections south of Franjo	\$30,000	\$50,000	\$420,000	\$500,000
Total				\$653,500
New Vehicular Miles of Travel				11,147
Cost per VMT				\$58.63

SOURCE: Town of Cutler Bay, Transportation Master Plan, page 138-142.

D. Traffic Generation

Traffic to and from a particular site is determined by the number of vehicular trips per unit of development, either per day or per hour, the Trip Generation Rate, multiplied by the magnitude of the development at the site. For example, residences generate 8.86 vehicular trips per day. A development with 100 residential units would then generate an estimated 886 vehicular trips per day. Most of this report will deal with a single unit of development, which will be 1,000 square feet of residential or non-residential floor area.

1. Trip Generation

Table III-5 shows the land uses within the Town and their magnitude in terms of square feet of heated or air conditioned floor area. The trip generation rates are from the Institute for Transportation Engineers (ITE). These rates are the total vehicular movements into or out of a site during a week-day 24-hour period. Because these trips are average daily trips, both entering and leaving a site, they will have to be reduced to 50% when total travel is being projected. The trip

**Table III-5
LAND USE IN CUTLER BAY AND TRIP GENERATION**

	Units	Trip Rate
Residential:		
Dwelling Units	14,972	8.86
Residential Floor Area in Thousands of Square Feet	25,926	5.11
Floor Area per Unit	1.732	
Non-Residential Floor Area in Thousands of Square Feet		
Commercial	2,715	42.94
Office	331	11.01
Industrial	11	5.25
Institutional	1,086	17.57
Governmental	76	13.00
Hotel/Motel	125	6.90

SOURCES: Institute of Transportation Engineers (ITE), Trip Generation, 7th Edition, 2003; ITE, Trip Generation Handbook, 6th Edition, 1997, Chapter 5; Town of Cutler Bay, from Miami-Dade County Property Appraiser, January 2009.

..
generation rate for residential per 1,000 square feet is the result of multiplying the average residential trip rate, 8.86, by the number of dwelling units, 14,972, and then dividing by the thousands of square feet of residential floor area, 25,926:

Residential Trip Rate	8.86
Residential Units	14,972
Residential Trips	132,612
Residential Floor Area	25,926
Residential Trips per 1,000 feet	5.11

2. New Trips

Many vehicles going to non-residential sites were already on the road and passing by. Many others were existing trips, but diverted in order to visit a particular site. Stopping off on the way home from work to shop, or bank are examples of this phenomena. This means that non-residential trip generation rates must be adjusted for these “pass-by” trips in order to have a fair representation of their impacts on the road system. Data from the ITE suggest that approximately one-half of the shopping trips are pass-by trips. Applying these data to all non-residential land uses yields the percentages of new trips shown in Table III-6.

**Table III-6
PER CENT NEW TRIPS**

	Trip Rate	% New Trips
Residential:		
Per Dwelling Unit	8.86	100.0%
Per 1,000 FT ² of Floor Area	5.11	100.0%
Non-Residential Floor Area in Thousands of Square Feet		
Commercial	42.94	50.0%
Office	11.01	60.0%
Industrial	5.25	70.0%
Institutional	17.57	50.0%
Governmental	13.00	50.0%
Hotel/Motel	6.90	85.0%

SOURCES: Table 5 and ITE, Trip Generation Handbook, 6th Edition, 1997, Chapter 5.

3. Trip Lengths

Absolute and relative vehicular trip lengths are shown in Table III-7. The relative trip length is the length by trip purpose divided by the average trip length. The base data for the lengths used in Cutler Bay are nationwide norms as reported by the US Department of Transportation. Because trip lengths will vary by location, the relative trip length will be used for Cutler Bay. National travel data have thusly been localized to Cutler Bay.

**Table III-7
ABSOLUTE AND RELATIVE VEHICULAR TRIP LENGTHS
BY TRIP PURPOSE**

Trip Purpose	Trip Length (Miles)	
	Average	Relative
All Purposes	9.87	1.00
To or From Work	12.08	1.22
Shopping	6.74	0.68
Other Fam. & Personal Business	7.45	0.75
Social and Recreational	11.91	1.21

SOURCE: P. Hu and T. Reuscher, 2001 National Household Travel Survey: Summary of Trends, Federal Highway Administration, December 2004, page 16.

**Table III-8
TRIP LENGTHS BY LAND USE**

Residential	Units	Trip Rate	% New Trips	Relative Trip Length
Dwelling Units	14,972	8.86	100.0%	1.00
Floor Area in Thousands of Square Feet	25,915	5.12	100.0%	1.00
Floor Area per Unit	1.731			
Non-Residential Floor Area in Thousands of Square Feet				
Commercial	2,692	42.94	50.0%	0.75
Office	328	11.01	60.0%	0.99
Industrial	11	5.25	70.0%	0.99
Institutional	1,077	17.57	50.0%	0.87
Governmental	75	13.00	50.0%	0.99
Hotel/Motel	124	6.90	85.0%	1.03

SOURCES: Tables III-5, III-6, and III-7.

Table III-9 shows how the relative trip lengths by land uses were calculated.

**Table III-9
RELATIVE TRIP FACTORS**

	All	Work	Shopping	Other
Residential	100%			
Commercial		10%	70%	20%
Office	33%	33%		33%
Industrial		50%		50%
Institutional		25%		75%
Governmental	33%	33%		33%
Hotel/Motel	50%	20%	15%	15%

4. Vehicular Miles of Travel or Traffic

Multiplying the trip generation rate by the percent new trips, by the relative trip length and then dividing by 2⁴ yields unadjusted vehicular miles of travel.

**Table III-10
VEHICULAR MILES OF TRAVEL**

Residential	Units	Trip Rate	% New Trips	Relative Trip Length	VMT
Dwelling Units	14,972	8.86	100.0%	1.00	66,306
Floor Area in Thousands of Square Feet	25,915	5.12	100.0%	1.00	66,306
Floor Area per Unit	1.731				
Non-Residential Floor Area in Thousands of Square Feet					
Commercial	2,692	42.94	50.0%	0.75	21,714
Office	328	11.01	60.0%	0.99	1,076
Industrial	11	5.25	70.0%	0.99	20
Institutional	1,077	17.57	50.0%	0.87	4,126
Governmental	75	13.00	50.0%	0.99	242
Hotel/Motel	124	6.90	85.0%	1.03	374
TOTALS					159,790

The travel or traffic of concern is that occurring within the Town of Cutler Bay. The mathematical calculation in Table III-10 shows 159,790 miles of travel per day by all persons within Cutler Bay. Table III-1, above, showed an estimated 141,893 miles of travel on Cutler Bay arterial and collector roads. Therefore it is necessary to adjust the VMT in Table III-10 downward to fit with Cutler Bay conditions. This is done in Table III-11. The sum of the adjusted VMT by land use is equal to the total projected VMT in Cutler Bay.

⁴ To correct for counting both entrances and exists in the trip generation rate.

**Table III-11
ADJUSTED VEHICULAR MILES OF TRAVEL
TOWN OF CUTLER BAY**

Residential	Trip Rate	% New Trips	Relative Trip Length	VMT	VMT Adjusted
Dwelling Units	14,972	8.86	100.0%	1.00	58,879
Floor Area in Thousands of Square Feet	25,915	5.12	100.0%	1.00	58,879
Non-Residential Floor Area in Thousands of Square Feet					
Commercial	2,692	42.94	50.0%	0.75	19,282
Office	328	11.01	60.0%	0.99	956
Industrial	11	5.25	70.0%	0.99	17
Institutional	1,077	17.57	50.0%	0.87	3,664
Governmental	75	13.00	50.0%	0.99	215
Hotel/Motel	124	6.90	85.0%	1.03	332
TOTALS					141,893

E. Impact Cost

The Town of Cutler Bay received \$664,817 in motor fuel tax allocations.⁵ These funds must be used for transportation purposes, including constructing and maintaining roadways within Cutler Bay. These funds are committed to the maintenance of existing roads and are not available to finance capacity expansions.

Traffic per unit is calculated by dividing the adjusted VMT by the number of units.

**Table III-12
VEHICULAR MILES OF TRAVEL PER UNIT
TOWN OF CUTLER BAY**

Residential	Trip Rate	% New Trips	Relative Trip Length	VMT	VMT Adjusted	VMT per Unit
Dwelling Units	8.86	100.0%	1.00	66,306	58,879	
Floor Area in 1k FT ²	5.12	100.0%	1.00	66,306	58,879	2.27
Non-Residential Floor Area in Thousands of Square Feet						
Commercial	42.94	50.0%	0.75	21,714	19,282	7.16
Office	11.01	60.0%	0.99	1,076	956	2.91
Industrial	5.25	70.0%	0.99	20	17	1.61
Institutional	17.57	50.0%	0.87	4,126	3,664	3.40
Governmental	13.00	50.0%	0.99	242	215	2.86
Hotel/Motel	6.90	85.0%	1.03	374	332	2.68
TOTALS				159,790	141,893	

⁵ Town of Cutler Bay, FY08-09 Adopted Budget, page 46. This is down from \$675,287 in the prior year.

Table III-13 applies the cost per unit of traffic shown in Table III-4 to the travel per unit of land use shown in Table III-12. This is the net cost of roads for development within Cutler Bay.

**Table III-13
ROAD COST PER UNIT OF LAND USE
TOWN OF CUTLER BAY**

Residential	Trip Rate	% New Trips	Relative Trip Length	VMT	VMT Adjusted	VMT per Unit	Cost per FT²
Dwelling Units	8.86	100.0%	1.00	66,306	58,879		
Floor Area in 1k FT ²	5.12	100.0%	1.00	66,306	58,879	2.27	\$0.13
Non-Residential Floor Area in Thousands of Square Feet							
Commercial	42.94	50.0%	0.75	21,714	19,282	7.16	\$0.42
Office	11.01	60.0%	0.99	1,076	956	2.91	\$0.17
Industrial	5.25	70.0%	0.99	20	17	1.61	\$0.09
Institutional	17.57	50.0%	0.87	4,126	3,664	3.40	\$0.20
Governmental	13.00	50.0%	0.99	242	215	2.86	\$0.17
Hotel/Motel	6.90	85.0%	1.03	374	332	2.68	\$0.16
TOTALS				159,790	141,893		

IV. PARKS

Table IV-1 presents the inventory of Cutler Bay parks and recreation areas and calculates the existing level of service. The existing level of service is 0.79 acres of active park area per 1,000 population. The new park area to be added is the 8 acres of Lakes by the Bay Park, which are expected to be provided by Miami-Dade County at no cost to the Town.

**Table IV-1
PARK LAND INVENTORY AND COSTS
TOWN OF CUTLER BAY**

PARK OR RECREATIONAL FACILITY	Acres or Value	
	Acres	Value
PARK LAND		
Bel Aire Park Parcel	5.29	\$184,346
Cutler Ridge Park Parcel	10.88	\$1,458,000
Cutler Ridge Park Parcel		\$1,200,000
Cutler Ridge Park Parcel		\$607,138
Franjo Park Parcel	5.27	\$1,500,000
Franjo Park Parcel		\$185,236
Saga Bay Park Parcel	5.00	\$102,366
Saga Lake Park Parcel	5.00	\$100,000
Whispering Pines Park Parcel	1.37	\$524,005
Lincoln City Park	0.60	\$180,000
Lakes by the Bay Park	Not Included	Not Included
Misc Parcels (6)	Not Included	Not Included
Total Value		\$6,041,091
Total Area	33.41	Acres
Population Served	42,481	
Level of Service	0.79	per 1,000
Adopted Level of Service	1.20	per 1,000
Used for Impact Fees	0.79	per 1,000

SOURCE: Town of Cutler Bay, January 2009, and American Appraisal, September 30, 2008.

Table IV-2 shows the improvements and facilities provided in each park together with the value of those existing improvements or facilities. The total value of all existing parks as of 2009 is \$10,630,148.

**Table IV-2
PARK INVENTORY AND COSTS
TOWN OF CUTLER BAY**

PARK IMPROVEMENTS	VALUE
Bel Aire Park	\$183,107
Cutler Ridge Park	\$938,189
Franjo Park	\$343,717
Saga Bay Park	\$162,461
Saga Lake Park	\$25,761
Whispering Pines Park	\$98,459
Total Land Improvements	\$1,751,694
PARK BUILDINGS	
Bel Aire Park:	
Concession stand	\$214,000
Cutler Ridge Park:	
Recreation Center	\$1,483,000
Clubhouse	\$196,000
Pool Building	\$427,000
Franjo Park:	
Office/Concession	\$322,000
Storage	\$64,000
Whispering Pines Park:	
Picnic Pavilion	\$12,000
Total Park Buildings	\$2,718,000
OTHER	
Computers & Associated Equipment	\$16,676
Other Equipment	\$10,806
Building Improvements	\$71,027
Signage	\$20,854
Total Other	\$119,363
LAND	\$6,041,091
GRAND TOTAL	\$10,630,148

SOURCE: American Appraisal, April 7, 2009, and Table IV-1.

A park improvement program was adopted by the Town on February 18, 2009. The essence of this program is to add facilities and equipment to the existing parks and to develop Lincoln City Park, and Lakes by the Bay Park. The total cost of this adopted improvement program is \$16,227,226. These improvements will serve both the existing population and the population added by new development. Cutler Bay's total park system, after the improvement program, will be 41.41 acres with a total value/cost of \$28,303,949.

**Table IV-3
PARKS IMPROVEMENTS**

Existing Parks:	
Acres	33.41
Land Value	\$6,041,091
Facilities & Equipment	\$4,589,057
Total	\$10,630,148
To be Developed:	
Acres	8.00
Land Cost*	0.00
Facilities & Equipment	\$16,227,266
Total Park System:	
Acres	41.41
Land Value	\$7,487,626
Facilities & Equipment	\$20,816,323
Total	\$28,303,949
Town of Cutler Bay:	
Existing Population	42,481 (70.5%)
Growth	17,816 (29.5%)
Future - 2020	60,296 (100%)
PARK LEVEL OF SERVICE	
Existing	0.79
Future - 2020	0.69
Need for Parks by:	
Existing Population	
Acres	29.17
Land Value	\$5,275,277
Facilities & Equipment	\$11,432,639
Total	\$16,707,915
New Development	
Acres	12.24
Land Value	\$2,212,349
Facilities & Equipment	\$9,383,685
Total	\$11,596,034
Parks Provided by Existing Residents	
Acres	41.41
Land Value	\$7,487,626
Facilities & Equipment	\$4,589,057
Total Existing	\$12,076,683
Existing Deficiency	\$4,631,232

SOURCE: Urban Resource Group, Master Park Plan, Town of Cutler Bay, adopted February 18, 2009.

* Land from Miami-Dade County expected at no out of pocket cost to the Town.

The existing population of Cutler Bay is 70.5% of the projected 2020 population. It would follow that 70.5% of the 41.41 acres of parks (29.17 acres) would serve existing residents and 29.5% (12.24 acres) would serve new development. In assigning values of the parks serving existing and new residents, the land value, \$7,487,626, is divided 70.5% existing and 29.5% new. Likewise, the value of the future improvements is divided 70.5% to existing and 29.5% to new. The value of future parks serving existing residents amounts to \$16,707,915. The value of parks provided by existing residents amounts to \$12,076,683, leaving an existing deficiency of \$4,631,232. A recap of these numbers yields:

Value of Future Park System	\$28,303,949
Serving Existing Residents	\$16,707,915
Serving New Development	\$11,596,034

Total System	\$28,303,949
Incurred by Existing Population	\$12,076,683
Existing Deficiency	\$4,631,232
Cost of Growth	\$11,596,034

Table IV-4 shows the growth cost of parks and the residential development to be served by those parks. Here residential includes a portion of hotel/motel floor area. The result is a cost of \$.86 per square foot of residential floor area and \$.43 per square foot of hotel/motel floor area.

**Table IV-4
PARK COSTS OF GROWTH**

New Development Served	
Residential	
Existing Sq Ft of Floor Area	25,915,152
Future - 2020 Sq Ft of Floor Area	39,453,388
Change	13,538,235
Hotel/Motel	
Existing Sq Ft of Floor Area	61,921
Future - 2020 Sq Ft of Floor Area	87,890
Change	25,968
Total New Floor Area	13,564,204
Growth Cost for Parks	\$11,596,034
Cost per Foot of Floor Area	\$0.86

NOTE: Hotel/Motel entered at 50% to account for "business travelers."

V. PUBLIC SAFETY

Table V-1 shows the capital costs of police facilities. The same data for Fire and rescue are in Table V-2.

**Table V-1
VALUE OF POLICE CAPITAL FACILITIES
TOWN OF CUTLER BAY**

Vehicles:	No.	Cost per	Total
Marked Units	39	\$14,000	\$546,000
Unmarked Units	5	\$8,450	\$42,250
Rental Units	7	\$8,450	\$59,150
Motorcycles	3	\$10,000	\$30,000
PSA Units	2	14,000	\$28,000
Total:			\$705,400
Equipment			
Computers			\$13,901
Firearms			\$8,453
Office			\$106,018
Misc & Other			\$46,738
Communications			na
TOTAL CAPITAL FACILITIES VALUE			\$1,585,908
Population Served			42,841
Cost per Capita			\$37.02
Floor Area Protected			29,375,928
Cost per Foot of Floor Area			\$0.05

SOURCE: Town of Cutler Bay, January 2009.

The fire and rescue facilities are owned and operated by the Miami-Dade County Fire Department. Miami-Dade County has a Fire/Rescue impact fee that is not effective within the corporate limits of Cutler Bay. The calculations shown in Table V-2 would represent the gross and net costs to the Miami-Dade County Fire Department of development within Cutler Bay.

**Table V-2
VALUE OF FIRE/RESCUE CAPITAL FACILITIES
TOWN OF CUTLER BAY**

Stations	Sq Ft		Extension
Station 34	10,030		\$2,006,000
Station 55	6,400		\$1,280,000
Land			na
Vehicles	No.	Cost per	Extension
Aerials	1	\$750,000	\$750,000
Engine	1	\$550,000	\$550,000
Rescue	1	\$140,000	\$140,000
Communications			Not Available
Other Equipment			Not Available
TOTAL CAPITAL FACILITIES VALUE			\$4,726,000
Population Served			42,841
Cost per Capita			\$110.31
Floor Area Protected			30,270,724
Cost per Foot			\$0.16

SOURCE: Town of Cutler Bay, from Miami-Dade Fire Department, January 2009 and Miami-Dade County Fire Impact Fee Study, March 2005.

**Table V-3
PUBLIC SAFETY COST PER SQUARE FOOT OF DEVELOPMENT
TOWN OF CUTLER BAY**

Police Facility Costs	\$1,585,908
Floor Area Protected	30,270,724
Cost per Foot	\$0.05
Fire Facility Costs	\$4,726,000
Floor Area Protected	30,270,724
Cost per Foot	\$0.16
Total Public Safety Cost	\$6,311,908
Floor Area Protected	30,270,724
Cost per Square Foot of Floor Area	\$0.21

SOURCE: Tables V-1 and V-2.

VI. PUBLIC BUILDINGS

Table VI-1 contains the inventory of Cutler Bay public buildings. Table VI-2 the ancillary costs associated with the Town's public buildings. Table VI-3 shows the level of service, 0.24 square feet per capita, and the per capita and per foot of floor area cost.

**Table VI-1
PUBLIC BUILDINGS AREA AND VALUE
TOWN OF CUTLER BAY**

Suite	Use	Area	Annual Lease	Value
105	General Government	4,304	\$81,475	\$1,018,438
110	Planning/Building	1,240	\$23,473	\$293,413
115	Planning/Building	461	\$8,727	\$109,088
120	Planning/Building	830	\$15,712	\$196,400
125	Police	3,390	\$64,173	\$802,163
	TOTALS	10,225	\$193,560	\$2,419,500

SOURCE: Town of Cutler Bay, January 29, 2009.

Cutler Bay is currently leasing these spaces. A long term lease is an alternative way of meeting this public's need for public buildings. The annual lease payments are capitalized at 8% to arrive at the capitalized cost of those public buildings.

**Table VI-2
PUBLIC BUILDINGS EQUIPMENT, FURNISHINGS AND CONTENTS
TOWN OF CUTLER BAY**

Item	Value
Computers & Associated Equipment:	
Workstations & Associated Equipment	\$81,399
Other computer equipment	\$63,897
Other software	\$167,033
Furniture	\$179,278
Equipment	\$183,976
Leasehold Improvements	\$73,435
Signage	\$54,047
Lee Equipment Assigned to Police	(\$250,176)
Total	\$552,888

SOURCE: American Appraisal, April 7, 2009.

The building and ancillary costs are aggregated in Table VI-3 and unit costs calculated. The result is a public building cost of \$10 per 1,000 square feet of heated or air conditioned floor area. This rate would apply equally to residential and non-residential floor space.

**Table VI-3
PUBLIC BUILDINGS LEVEL OF SERVICE AND COST
TOWN OF CUTLER BAY**

Building Area	10,231
Population Served	42,481
FT ² per Capita	0.24
Building Value	\$2,419,500
Contents & Equipment	\$552,888
Total	\$2,972,388
Value per FT ²	\$290.53
Outstanding Debt	\$0.00
Net Value	\$2,972,388
Population Served	42,481
Value per Capita	\$69.97
Floor Area Served	30,222,374
Building Value per Foot of Floor Area Served	\$0.10

VII. SUMMARY

Table VII-1 summarizes the net costs determined above. These figures represent pro rata shares of reasonably anticipated costs of expansion to meet the needs of new development in Cutler Bay.

**TABLE VII-1
FACILITY COSTS PER SQUARE FOOT OF FLOOR AREA
TOWN ON CUTLER BAY**

	Roads	Police	Fire/ Rescue	Public Buildings	Parks	Total
Residential per FT ²	\$0.13	\$0.05	\$0.16	\$0.10	\$0.86	\$1.30
Non-Residential per FT ²						
Commercial	\$0.42	\$0.05	\$0.16	\$0.10	\$0.00	\$0.73
Office	\$0.17	\$0.05	\$0.16	\$0.10	\$0.00	\$0.48
Industrial	\$0.09	\$0.05	\$0.16	\$0.10	\$0.00	\$0.40
Institutional	\$0.20	\$0.05	\$0.16	\$0.10	\$0.00	\$0.51
Governmental	\$0.17	\$0.05	\$0.16	\$0.10	\$0.00	\$0.48
Hotel/Motel	\$0.16	\$0.05	\$0.16	\$0.10	\$0.43	\$0.90

Tables VII-2 through VII-4 present some comparative impact fee data.

**TABLE VII-2
COMPARATIVE IMPACT FEES FOR A SINGLE FAMILY HOME**

	Roads	Police	Fire/ Rescue	Public Buildings	Parks	Total
Cutler Bay	\$260	\$100	\$320	\$200	\$1,720	\$2,600
Miami-Dade County	\$1,307	\$482	\$370	no fee	\$2,424	\$4,582
Florida Average	\$3,628	\$379	\$394	\$493	\$852	\$5,745
Miami	no fee	\$164	\$704	\$413	\$6,818	\$8,099
Homestead	no fee	\$940	no fee	\$200	\$4,340	\$5,480
North Miami	\$280	\$635	no fee	\$1,306	\$8,391	\$10,332

NOTE: The size of home used is 2,000 square feet of heated or air conditioned space.

**TABLE VII-3
COMPARATIVE IMPACT FEES FOR A 75,000 FT² GENERAL OFFICE**

	Roads	Police	Fire/ Rescue	Public Buildings	Parks	Total
Cutler Bay	\$12,750	\$3,750	\$12,000	\$7,500	\$0	\$36,000
Miami-Dade County	\$165,450	\$25,095	\$22,020	no fee	\$0	\$212,565
Florida Average	\$293,550	\$18,975	\$19,875	\$25,875	\$0	\$358,275
Miami	no fee	\$15,450	\$25,200	\$10,500	\$0	\$51,150
Homestead	no fee	\$28,500	no fee	\$7,500	\$0	\$36,000

**TABLE VII-4
COMPARATIVE IMPACT FEES FOR A 75,000 FT² GENERAL RETAIL STORE**

	Roads	Police	Fire/ Rescue	Public Buildings	Parks	Total
Cutler Bay	\$31,500	\$3,750	\$12,000	\$7,500	\$0	\$54,750
Miami-Dade County	\$98,775	\$25,095	\$29,640	no fee	\$0	\$153,510
Florida Average	\$459,525	\$32,550	\$28,500	\$46,125	\$0	\$566,700
Miami	no fee	\$45,675	\$17,025	\$7,125	\$0	\$69,825
Homestead	no fee	\$28,500	no fee	\$7,500	\$0	\$36,000