

**RESOLUTION NO. 2014-049**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, PROVIDING FOR A FEE SCHEDULE FOR THE MITIGATION FEE PROGRAM ASSOCIATED WITH THE MITIGATION OF TRAFFIC IMPACTS FOR THE AREA WITHIN THE DANIA BEACH REGIONAL ACTIVITY CENTER ("RAC"), DESIGNATED ON THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN, AS OUTLINED IN THE BROWARD COUNTY LONG RANGE TRANSPORTATION PLAN ("LRTP"); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, on December 8, 2009, the City Commission of the City of Dania Beach amended its Comprehensive Plan to adopt a Regional Activity Center ("RAC") for the area that is designated as the City's Community Redevelopment Agency redevelopment area; and

**WHEREAS**, on September 28, 2010, the City amended the RAC Plan to include the addition of thirty (30) acres of Commercial Land Use, and twenty (20) acres of Employment Center Land Use via Ordinance No. 2010-007; and

**WHEREAS**, as part of the Broward County Planning Council staff review of the amendment, adverse traffic impacts were identified on the Regional Transportation System that are estimated to increase the number of P.M. Peak Hour Vehicle Trips at the long term planning horizon (2020); and

**WHEREAS**, as a condition of the approval of the amendment, the Broward County Planning Council required the City to develop a traffic mitigation system for development within the RAC area; and

**WHEREAS**, in satisfaction of this traffic mitigation condition, the City Commission adopted Resolution No. 2010-114, which committed to the development of a transportation mitigation impact fee of up to \$1.8 Million Dollars for future development within the RAC area; and

**WHEREAS**, Ordinance No. 2014-005 amended Article 810 "Impact Fees" of the Land Development Code of the City's Code of Ordinances, to establish the fair share contribution payment schedule, which will be implemented for new development within the RAC area, after the effective date of this Resolution; and

**WHEREAS**, pursuant to Ordinance No. 2014-005, the payment schedule that has been developed for the procedure provides for a fee of \$21.26 per P.M. peak hour trip, as the fair share contribution payment for traffic mitigation for projects within the RAC area; and

**WHEREAS**, funds collected for purposes of traffic mitigation will be deposited into the RAC Transportation Special Revenue Fund No. 113, which fund was created upon the City Commission's approval of the above-referenced Ordinance; and

**WHEREAS**, a public hearing was held before the City Commission in accordance with Section 163.31801, Florida Statutes; and

**WHEREAS**, the City Commission finds that adoption of this Resolution through its police powers will protect the public health, safety, and welfare of the City's residents, and will further the purpose, goals, objectives, and policies of the City's Comprehensive Plan;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:**

**Section 1.** That the recitals contained in the preamble to this Resolution are made a part of and incorporated into this Resolution by this reference.

**Section 2.** That the City Commission establishes the following Regional Activity Center ("RAC") Transportation Mitigation Impact Fee Schedule, which shall be implemented in accordance with Section 810-70 of the City's Land Development Code:

**RAC Transportation Mitigation Impact Fee schedule**

**\$21.26 per P.M. peak hour trip**

**Section 3.** That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

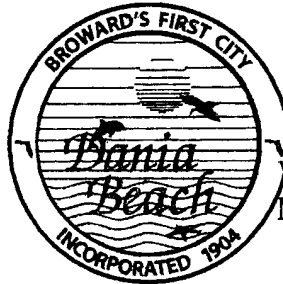
**Section 4.** That this Resolution shall become effective on September 13, 2014.

**PASSED AND ADOPTED** on June 24, 2014.

ATTEST:

*Louise Stilson*

LOUISE STILSON, CMC  
CITY CLERK



*Walter B. Duke, III*  
WALTER B. DUKE, III  
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

*Thomas J. Ansbrosio*  
THOMAS J. ANSBRO  
CITY ATTORNEY