

Office of Facilities Design & Construction
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SUBJECT: ACCEPTANCE AND TRANSMITTAL OF THE EDUCATIONAL FACILITIES IMPACT FEE STUDY, INCLUDING UPDATED FEE SCHEDULE AND REVISED BENEFIT DISTRICTS, PURSUANT TO STATE LEGISLATION AND PRIOR BOARD ACTION

COMMITTEE: FACILITIES AND CONSTRUCTION

LINK TO STRATEGIC PLAN: EFFECTIVE & SUSTAINABLE OPERATIONAL PRACTICES

Background

On April 19, 2023, the School Board adopted Agenda Item H-11, proffered by Board Member Dr. Steve Gallon III, directing the Superintendent to initiate a comprehensive review of the District’s Educational Facilities Impact Fee (“EFIF”) schedule. This action responded to the need to modernize a fee structure that had not been updated since 1995. In late 2023, Miami-Dade County Public Schools (“M-DCPS” or “the District”) engaged Alfred Benesch & Company to conduct the EFIF Study. Early in the process, the District began collaborating with Miami-Dade County (“County”) staff to gather data. These efforts laid the groundwork for the formal adoption of County Resolution No. R-122-24 by the Miami-Dade County Board of County Commissioners in February 2024, which affirmed the County’s commitment to working with the District on the review and potential ordinance revisions. Since that time, M-DCPS and County teams have met regularly to share data, coordinate legal and technical review, and develop a shared recommendation. This represents a significant shift from a prior 2006 attempt to revise the EFIF structure, which was indefinitely deferred by the Board of County Commissioners.

Stakeholder and Community Engagement

The EFIF Study was developed through an inclusive and collaborative process, which included:

- Convening of a Technical Advisory Group (“TAG”) to guide analysis;
- Consistent engagement with the Builders Association of South Florida (“BASF”) and Latin Builders Association (“LBA”);
- Countywide focus groups representing a range of stakeholders and geographic communities;
- Virtual and in-person public hearings;
- Outreach through District advisory committees such as the Staff Working Group and Joint Planning Forum, public FAQs, and a dedicated online feedback platform.

Stakeholder feedback was reviewed, documented, and integrated where feasible. The final study reflects input from across the community and multiple layers of public oversight.

Methodology and Recommended Fee Structure

The EFIF Study uses a consumption-based methodology, the statewide standard for legally defensible impact fee models. It calculates the net cost of facilities needed to serve students generated by new development, factoring in:

- Local student generation rates by unit size;
- Actual cost of constructing student stations;
- Offsetting revenue from local and state sources.

This method meets Florida’s “dual rational nexus” legal test and ensures proportionality and fairness.

The current EFIF formula, outlined in Section 33K-6 of the County Code, uses a linear calculation: \$0.90 per square foot (capped at 3,800 sq. ft.), plus \$600 plus a 2% administrative fee. This structure does not reflect variations in student generation or development impact. The study recommends a shift to a tiered structure, where fees are set by square footage ranges (e.g., 0–600 sq. ft., 601–900 sq. ft., etc.). This model better reflects how housing size correlates with student demand and aligns with peer practices statewide. The study also found that the full cost of serving students from new development exceeds current fees. While current legislation limits increases to 50%, the study provides a long-term roadmap to align revenues with actual need.

Legislative Compliance and Phase-In

Florida law allows local governments and school districts to adopt impact fee increases above 50% or implement full calculated fees immediately only under limited “extraordinary circumstances.” Absent such circumstances, Section 163.31801, Florida Statutes, requires that any increase be based on the currently adopted fee and be phased in evenly over four years, with a cap of 50%. Amendments passed in 2025, effective January 1, 2026, narrow the definition of “extraordinary circumstances” by prohibiting their use if the impact fee has not been updated within the past five years. As the District’s current impact fee structure has remained unchanged since 1995, it does not meet the conditions to apply the extraordinary circumstances exemption.

4-Year Phase-In of 50% Increase Over Current Adopted Fee

Residential Unit Size (Sq. Ft.)	Calculated Fee from May 2025 Study	Current Fee Range since 1995 - based on formula 0.90 x sq.ft.+600	Year 1 Average Increase/Total Increased Fee	Year 2 Average Increase/Total Increased Fee	Year 3 Average Increase/Total Increased Fee	Year 4 Average Increase /Current Fee + 50% Capped Fee
600 or less	\$3,698	Up to \$1,041	\$130.13	\$260.25	\$390.37	\$520.50
			\$1,171.13	\$1,301.25	\$1,431.37	\$1,561.50
601 to 900	\$6,543	\$540.90 to \$1,410 (average value \$1,293)	\$161.63	\$323.25	\$484.87	\$646.50
			\$1,454.63	\$1,616.25	\$1,777.87	\$1,939.50
901 to 1200	\$8,641	\$1,410.90 to \$1,680 (average value \$1,590)	\$198.75	\$397.50	\$596.25	\$795.00
			\$1,788.75	\$1,987.50	\$2,186.25	\$2,385.00
1201 to 2600	\$9,210	\$1,680.90 to \$2,940 (average value \$2,121)	\$265.13	\$530.25	\$795.37	\$1060.50
			\$2,386.13	\$2,651.25	\$2,916.37	\$3,181.50
2601 to 3700	\$7,966	\$2,940.90 to \$3,930 (average value \$3,282)	\$410.25	\$820.50	\$1,230.75	\$1,641.00
			\$3,692.25	\$4,102.50	\$4,512.75	\$4,923.00
3701 or more	\$5,192	Up to \$4,020	\$502.50	\$1,005.00	\$1,507.50	\$2,010.00
			\$4,522.50	\$5,025.00	\$5,527.50	\$6,030.00

Note: calculated fee and current fee exclude the 2 percent administrative fee (per Miami-Dade County Public Schools Educational Facilities Impact Fee Update Study – Draft Report May 16, 2025, Table ES-1 p. ES-3)

Updated Benefit Districts

Currently, EFIF revenues are allocated across three geographic districts (East, Northwest, and Southwest), with spending restricted to each district. The current distribution no longer aligns with development activity or student enrollment trends. The EFIF Study recommends consolidating the three districts into two updated areas, divided at SW 8th Street (US 41): a North District and a South District. This change maintains legal compliance, while allowing more flexibility to respond to emerging capacity needs.

Rationale

While overall enrollment has declined, new development continues to drive local capacity pressure in areas such as Aventura, Hialeah Gardens, Coral Gables, South Dade, and Miami Beach. The EFIF remains a critical tool to ensure that growth contributes to the cost of infrastructure it generates. By updating the methodology, structure, and benefit districts, and aligning with state law, the District strengthens its long-term planning and fiscal stewardship.

This item has been reviewed and approved by the Office of General Counsel as to form and legal sufficiency.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida:

- 1) accept the Educational Facilities Impact Fee (EFIF) Study dated May 16, 2025;
- 2) approve the updated tiered EFIF structure, based on residential unit size and a consumption-based methodology;
- 3) approve the implementation of a 50% increase over the current adopted fee, to be phased in over four years, in accordance with 2025 state legislation;
- 4) approve the consolidation of benefit districts from three to two (North and South);
- 5) authorize the Superintendent to transmit the EFIF Study and approved fee schedule to Miami-Dade County, within 45 days, pursuant to Resolution No. R-122-24, for ordinance revision and implementation; and
- 6) affirm the continued importance of EFIFs as a tool to support school infrastructure in areas of new residential growth.