



**FORWARD
PINELLAS**
Integrating Land Use & Transportation

Multimodal Impact Fee Ordinance (MIFO) Update

Phase 2 Next Steps

Forward Pinellas Board Meeting
September 10, 2025

Presentation Overview

- Review study background, scope, and goals
- Summary of Phase 1 recommendations
- Overview of Phase 2 tasks
- Discussion on Phase 2 next steps

Multimodal Impact Fee Ordinance (MIFO) Background

- The MIFO, as contained in [Chapter 150, Article II of the Pinellas County Land Development Code](#), was **adopted in 2016**.
 - It repealed and replaced the 1986 “Transportation Impact Fee” ordinance in response to changes in state law and to provide local governments with the means to fund multimodal improvements through impact fees.
- Purpose: To establish a **countywide system** for ensuring **new development** bears its **proportionate share of the costs to construct multimodal transportation improvements** made necessary by the development’s traffic impacts and **meet the mobility needs** identified in the Advantage Pinellas Long Range Transportation Plan (LRTP) and comprehensive plans of the municipalities.
- **Currently, all 25 local governments use the MIFO** to govern the calculation, collection, and expenditure of multimodal impact fees.

MIFO Update: Scope and Fee

- In January 2024, Forward Pinellas, in partnership with Pinellas County and the cities of Clearwater, Largo, and St. Petersburg, initiated an update to the countywide Multimodal Impact Fee Ordinance (MIFO), which had not been reviewed since its 2016 adoption.
- Each party contributed funding towards the **total project budget of \$429,790.**
- In July 2024, Forward Pinellas issued a Notice to Proceed to the selected consultant, Benesch, for the Phase 1 tasks.

Phase 1 Scope:

Policy Framework and Stakeholder Input

1. Review Current Fee Ordinance
2. Peer County Comparison
3. Countywide Trend Analysis
4. Stakeholder Meetings & Follow-Up
5. Policy Recommendations

Phase 2 Scope:

Technical Fee Study and Ordinance Update

1. Update Cost, Credit, and Demand Calcs.
2. Develop Policy Incentive Framework
3. Update Benefit District Boundaries
4. Develop Fee Schedules
5. Ordinance Support & Administrative Procedures

Goals for the MIFO Update

- Predictability for infrastructure funding; appropriate fee schedule
- Consistent administration across jurisdictions
- Update list of land uses
- Compliance with Florida Statutes
- Guidance for fee assessments, including change of use
- Guidance for managing impact fee credits
- Guidance for vested rights
- Efficient benefit districts
- Consider affordability (housing, small businesses)
- User-friendly
- Address growth and redevelopment
- Comprehensive outreach; consensus
- Reinforce Advantage Pinellas LRTP



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Summary of Phase 1 Recommendations

Recommendation: Fee Rates

- **Explore increasing fee rates pending outcomes from technical fee study**
 - Revise formula for fee calculation to consider person miles of travel and constructions costs for “complete streets” to create a better nexus between the fee charged and cost to mitigate impacts with multimodal improvements
 - Would be implemented in four incremental annual increases, consistent with [F.S. § 163.31801\(6\)\(c\)](#)
 - Consistent with stakeholder guidance for moderate increase in rates
 - Consistent with CS/SB 1080 (2025), which prohibits local governments from increasing impact fees by more than 50% if fees were not updated within the last 5 years

Recommendation: Benefit Districts

- **Evaluate 13 current primary benefit districts**
 - Mixed feedback on retaining 13 districts versus creating more localized districts
 - Desire to highlight connection between where fees are collected and what projects are constructed
 - Flexing to adjacent districts still possible with approval from all local governments in the fee district
- **Revisit approach to Downtown Districts**
 - Differentiate between thriving and “blighted” districts
 - Consider De minimis waivers or discounts for blighted districts
 - Could be partially addressed by affordable housing discounts/waivers

Recommendation: Revenue Sharing Model

- **Conduct analysis and explore options for an alternative MMIF revenue sharing model (50/50 split between municipalities and County)**
 - Several municipalities expressed the desire to negotiate the proportion of fee revenues retained by the municipality versus those remitted to the County
 - Benesch will conduct an analysis to evaluate the relative share of transportation capacity and travel demand by roadway jurisdiction and fee district
 - Any changes to the revenue sharing model will need to be evidence-based and should consider not just raw capacity (lane miles of roadway by jurisdiction), but also the proportion of vehicle miles traveled (VMT) that occurs completely within versus outside the district and the ownership of those roadways carrying the greatest number of trips
 - There is also a need to clarify the role of the county and municipalities' shares in funding improvements on the State Highway System (e.g., Gulf Blvd)

Recommendation: Land Uses

- **Update fee schedule to reflect projected development trends based on ITE's most current Trip Generation Manual**
 - Consider adding single-family attached categories
 - Consider tiered approach to multifamily fee rates based on unit size and building type (e.g. mid-rise residential with ground floor commercial)
 - Establish rate for accessory dwelling units (ADUs)
 - Create categories for new/modern commercial uses such as:
 - Neighborhood-scale small businesses with limited parking (e.g., bakery/cafe, boutiques)
 - Mega car washes
 - Commercial recreation/entertainment uses
 - Bars/lounges and breweries
 - Single-tenant office buildings
 - Urgent care clinics
 - Research & Development centers
- **Implement affordable housing discounts/waiver**
 - Consider waivers for projects based on area median income (AMI) and duration of affordability guarantee

Recommendation: Clarify Administrative Processes

- **Revise opt-out provision** ([Sec. 150-50, Pinellas County LDC](#))
- **Clarify eligible fee expenditures:** must add capacity to the transportation system
- **Clarify eligibility of developer contributions for impact fee credits** and consider establishing a saleable/tradeable credit system (*would require consensus on procedures for tracking credits and managing credit transfers between districts*)
- Clarify process for **assessing fees when an existing structure changes use**
- Recommend strategies for tracking vested rights and **calculating net fees for redevelopment projects**
- Outline process for **coordinating municipal-county project funding**
- **Highlight/promote MIFO projects** to increase awareness of how funds are being spent (similar to Penny for Pinellas)
- Consider establishing a **countywide fee advisor role**



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Overview of Phase 2 Tasks & Discussion on Next Steps

Phase 2: Technical Fee Study and Ordinance Update

Tasks/deliverables include:

- **Technical Fee Study:** Statutory requirement for updating impact fee rates
 - An inventory of current and planned multimodal transportation facilities and LOS standards
 - Analysis of the cost to construct capacity-adding projects
 - Revision of land uses and corresponding trip generation rates in the fee schedule
 - Options for strategic variation in fee levels by area and/or land use
 - Evaluation of benefit district boundaries with options for consolidating versus subdividing
- **Strikethrough/Underline of the MIFO:** Revise ordinance to reflect outcomes of Phase 1 and the technical fee study, as well as address recent statutory changes
- **Fee Calculator Workbook and Administrative Manual:** To support local governments in consistent implementation of the MIFO

Why can't we complete Phase 2 as anticipated?

- One of the key recommendations is to increase fee rates based on the outcomes of the technical fee study. State law mandates that **the technical fee study must be adopted within 12 months** of its initiation if the fee will increase ([F.S. § 163.31801\(4\)\(a\)](#)).
- **Senate Bill (SB) 180** prohibits local governments from proposing or adopting “more restrictive or burdensome” land development regulations before **October 1, 2027**.
- The Multimodal Impact Fee Ordinance (MIFO) is contained within Pinellas County's Land Development Code and cannot be moved out of the LDC. Therefore, any proposed increase to multimodal impact fees could be argued as a “more restrictive or burdensome” land development regulation.
- **Given the above, the County Attorney's Office advised that we do not initiate the technical fee study at this time.**

What can we move forward with in Phase 2?

Restricted by SB 180	Grey Area	Likely Safe to Update <i>(pending final review from CAO)</i>
Requiring the MMIF in situations currently exempt from fee payment	Adding new land use categories to the fee schedule <i>(cannot result in increased fee rates)</i>	Municipality-County revenue sharing model
Increases to fee rates	Benefit District boundaries <i>(cannot eliminate/contract discounted downtown fee districts)</i>	Affordable housing waivers/discounts <i>(as long as it expands opportunities for a discount or waiver)</i>
New restrictions/limitations on calculating or using impact fee credits	Clarification of developer contributions eligible for impact fee credits	Clarification of eligible fee expenditures
	Creation of saleable/tradeable credit system	Any administrative processes/procedures that do not impact the developer

Summary and Phase 2 Next Steps

- Due to SB 180, we cannot increase fee rates before October 1, 2027.
- Given that the technical fee study must be adopted within 12 months of its initiation if we are going to increase fees, we cannot conduct the technical fee study at this time.
- However, we can still move forward with updates on “safe” topics in Phase 2 that will improve the efficacy and administration of the multimodal impact fee program without running afoul of SB 180.

Summary and Phase 2 Next Steps

- Staff directed the consultant to break up the Phase 2 scope and fee into a Phase 2A and 2B, as follows:

Phase 2A – Ordinance updates to improve daily administration and respond to local governments' needs

- Options for an alternative revenue sharing model
- Clean up of benefit district boundaries
- Preliminary look at modernizing land use categories
- Affordable housing waivers/discounts
- Clarification of eligible fee expenditures
- Guidance for consistent implementation of the fee program

Phase 2B – Technical fee study and corresponding updates to the fee schedule

- Revised fee calculation formula (updates to construction costs, capacity, and trip characteristics)
- Options for flexible fee schedules
- Evaluation of downtown “discounted” benefit districts
- Updates to land uses, developer contributions eligible for impact fee credits, and other items that could not be made in Phase 2A due to statutory limitations

Summary and Phase 2 Next Steps

- The proposed approach to Phase 2 allows us to maintain forward momentum on improving the ordinance, while remaining within the original project budget and complying with the limitations imposed by SB 180.
- **We are seeking support from the Board to, in coordination with the County Attorney's Office and project partners, continue the Phase 2 work with the understanding Phase 2A will focus on updates that will improve the efficacy and administration of the MIFO and Phase 2B will be undertaken at a time permissible by state law.**



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