

PLANNING AND ZONING COMMISSION WORKSHOP

MOBILITY FEES OVERVIEW

July 29, 2020

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PURPOSE OF MOBILITY FEES

New Development pays its appropriate share for needed improvements to the Mobility System to accommodate new transportation impacts created by the Development



DEFINITIONS

MOBILITY SYSTEM:

The multi-modal system of Major Roads, transit services, bicycle facilities, and pedestrian facilities on Major Roads or providing access to schools and transit routes, all of which are collectively intended to provide for the movement of people and goods throughout Seminole County.

MOBILITY PLAN:

The Mobility Plan is the Transportation Element of the Seminole County Comprehensive Plan.

- The 2040 Long Range Transportation Plan (LRTP) is consistent with the Goals, Objectives and Policies contained within the Transportation Element.

DEFINITIONS

MOBILITY FEE:

- The fee imposed by the County for the purpose of developing the County's Mobility System pursuant to Section 120.11 of the Ordinance associated with the Travel-Increasing Development in a fee district.
- One time charge on travel generating development to help fund needed transportation system capacity caused by the development.

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The LAW

Florida Statutes Section 163.3180 subsection (5)(i) provides that a mobility funding system is encouraged to use one or more of the tools and techniques identified in paragraph (f) and states:

....mobility funding system adopted may not be used to deny, time, or phase an application for site plan approval, plat approval, final subdivision approval, building permits, or the functional equivalent of such approvals provided that the developer agrees to pay for the development's identified transportation impacts via the funding mechanism implemented by the local government. The revenue from the funding mechanism used in the alternative system must be used to implement the needs of the local government's plan which serves as the basis for the fee imposed. A mobility fee-based funding system must comply with s. 163.31801 governing impact fees.

The LAW

Florida Statutes Section 163.3180(5)(f) encourages consideration of the following tools and techniques:

1. Adoption of long-term strategies to facilitate development patterns that support multimodal solutions, including urban design, and appropriate land use mixes, including intensity and density.
2. Adoption of an areawide level of service not dependent on any single road segment function.
3. Exempting or discounting impacts of locally desired development, such as development in urban areas, redevelopment, job creation, and mixed use on the transportation system.
4. Assigning secondary priority to vehicle mobility and primary priority to ensuring a safe, comfortable, and attractive pedestrian environment, with convenient interconnection to transit.
5. Establishing multimodal level of service standards that rely primarily on nonvehhicular modes of transportation where existing or planned community design will provide adequate level of mobility.
6. Reducing impact fees or local access fees to promote development within urban areas, multimodal transportation districts, and a balance of mixed-use development in certain areas or districts, or for affordable or workforce housing.

The LAW

Florida Statutes Section 163.31801(3) provides that an impact fee must satisfy all of the following conditions:

- (a) Calculation must be based on the most recent and localized date.
- (b) Provided for accounting of collections and expenditures in a separate accounting fund.
- (c) Administrative charges are limited to actual costs.

- (d) Must provide notice of not less than 90 days before effective date of new or increased fee.
- (e) Fee may not be required earlier than date of issuance of building permit.

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- (f) Fee must be proportional and reasonably connected to, or have a rational nexus with, the need for additional capital facilities and increased impact generated by new construction.
- (g) The fee must be proportional and reasonably connected to, or have a rational nexus with, the expenditure of funds collected and benefits accruing to new construction.

- (h) Specifically earmark funds for use in acquiring, constructing or improving capital facilities to benefit new users.
- (i) Revenues may not be used to pay existing debt or for previously approved projects unless expenditure is reasonably connected to, or has a rational nexus with, increased impact generated by new construction.

DUAL RATIONAL NEXUS TEST

- Fees in proportion to impact
Fee based on travel generated, now with trip length
...and reflects different geographic areas of County
- Fees expended to benefit payer
...expenditures to be used in district in which collected or show
proportional and reasonable connection between where funds
collected and where expended

TRANSPORTATION IMPACT FEE VS MOBILITY FEE

- Similar, in that they allow development to equitably help fund infrastructure needs
- “Transportation” used historically, but usually road-oriented
- “Mobility” used in legislation to imply:
 - Multi-modal
 - Possibly incentivized
 - Geographically stratified
 - Modified concurrency procedures
- Revenues of either are for capital purposes
- Mobility Fee is replacing Road Impact Fee
 - Road Impact Fees in place since 1987

HOW IS THE FEE CALCULATED?

Fee = Travel Generated x Cost of Capacity – Credits

Where:

Travel Generated: [# Trips x Trip Length x % New Trips / 2]

Cost of Capacity: Multi-modal, per LRTP, Quality of Service

Credits: Self-generated \$\$ for capacity (e.g. gas tax, P4P)

WHAT IS BEING CHANGED

- Unit costs (\$850/vmc now vs. \$169-\$253 In 1990)
- Trip generation rates (ITE 2017 vs 1987)
- Incorporated trip length (Sec. 120.41)
- “Self-Credits” (Gas Tax and Sales Tax)
- Other technical parameters (Interest rates, fuel efficiency, exclude Interstate and toll roads, etc.)

GUIDING PRINCIPLES

- Dual Rational Nexus Test
 - Proportionality
 - Payer is benefitted
- Charge fee to the extent the needs are not addressed by other revenue sources
- Fee rate cannot charge new growth to cure problems caused by predecessors
- Equal protection – incentive discounts must be “backfilled” from non-growth revenues

The County Mobility Fee System

- Three Mobility Fee Districts
 - Core (shortest trip length)
 - Suburban
 - Rural (longest Trip length)
- Longer trip length means more impact therefore higher fee in that District

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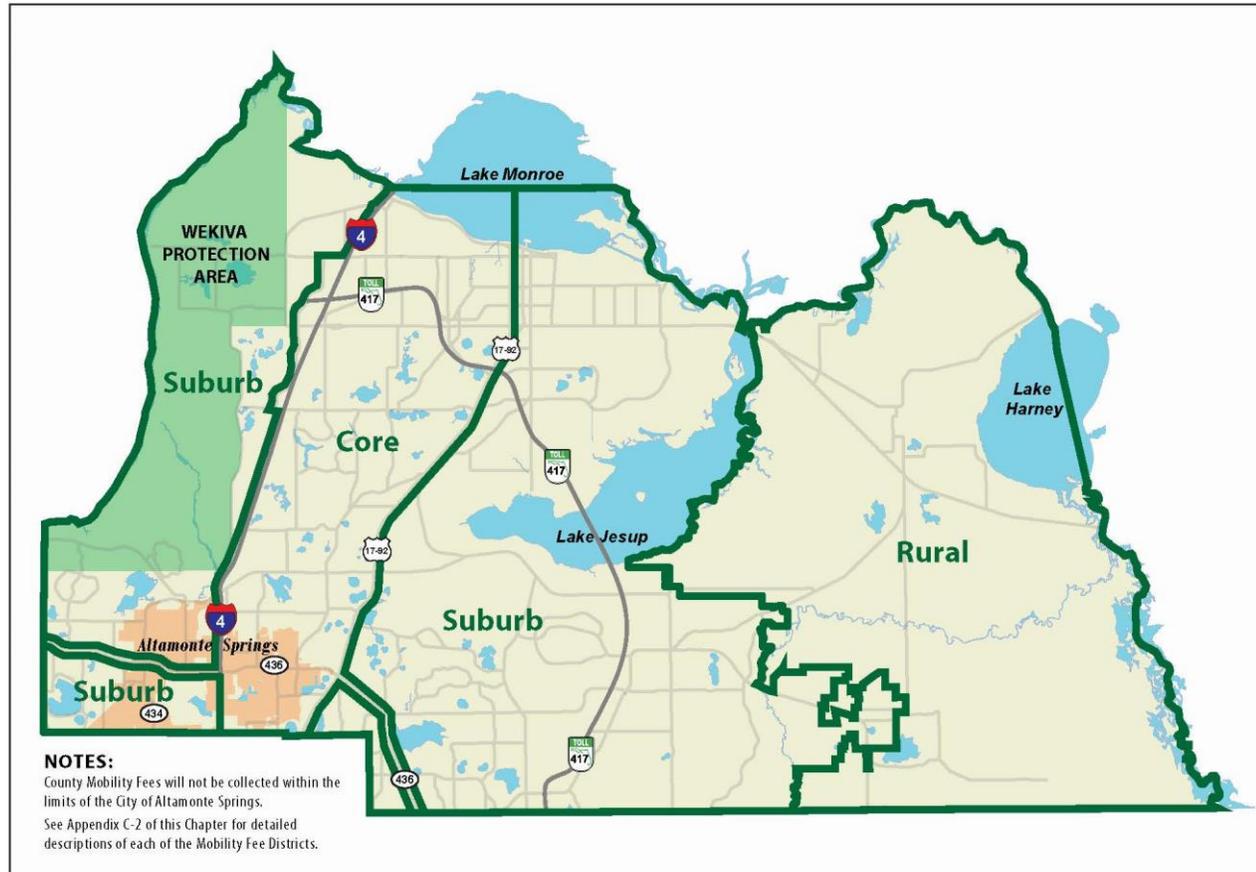


Figure C-2-1
General Location of Mobility Fee Districts