

WALTON COUNTY MOBILITY PLAN & MOBILITY FEE OVERVIEW

In 2007, the Florida Legislature introduced the concept of Mobility Plans and Mobility Fees. In 2011, the Legislature eliminated state mandated transportation concurrency and made it optional for local governments. In 2013, the Legislature, through an update of the Community Planning Act, encouraged local governments to adopt alternative mobility funding systems, such as Mobility Plans and Fees, as an alternative to transportation concurrency, proportionate share and impact fees. In 2019, the Legislature required the procedures for developing mobility fees be consistent with Florida Statute 163.31801, otherwise known as the Impact Fee Act.

The integration of land use, transportation and parking in the 2040 Mobility Plan allows Walton County, over the next 20 years, to transition from a transportation system focused primarily on moving cars towards a multimodal transportation system focused on safely providing mobility and accessibility for people of all ages and all abilities consistent with Florida Statute 163.3180 (5)(f).

The 2040 Mobility Plan can be used as an effective tool move people and meet future travel demand need within the County through encouraging mixed-use, infill, redevelopment, and activity centers, creating park once environments along Scenic 98 and 30A and designing complete streets that promote people walking, bicycling, riding transit, using shared mobility and new mobility technology, along with driving shorter distances.

Elements of the 2040 Mobility Plan include establishment of mobility standards intended to proactively plan for sidewalks, paths, trails, micromobility lanes, multimodal ways, mobility hubs, dedicated transit lanes, intersection and road improvements; as opposed to reactively regulating development through transportation concurrency. The Mobility Plan will also intergrate autonomous transit shuttle, shared multimodal mobility programs, and new mobility technology into the future multimodal transportation system.

The enactment of a Mobility Fee in the County is intended to provide a simplified, streamlined and equitable process that allows new development and redevelopment to mitigate its multimodal transportation impact through a one-time payment to the County to fund the mobility projects established in the 2040 Mobility Plan.

A Mobility Fee provides the County with a funding source that repurposes revenues away from solely funding road capacity through transportation concurrency to a revenue source that funds the multimodal projects included in a Mobility Plan. The intent of a Mobility Fee, per Florida Statute 163.3180 (5)(i), is to fund projects for the movement of people and to serve as an alternative and replacement of transportation concurrency and proportionate share, which are primarily focused on funding motor vehicle capacity.

The County may still require developments to provide site access assessments, (fka traffic impact analysis) to determine the need for site related improvements such as turn lanes, traffic signals and safety improvements, as well as to evaluate the need for site related pedestrian, bicycle and transit improvements and multimodal connectivity.

PROPOSED WALTON COUNTY MOBILITY FEE OVERVIEW

A Mobility Fee is a funding source available to the County that repurposes revenues away from funding road capacity to one that funds the multimodal projects included in a Mobility Plan.

The intent of a Mobility Fee, per Florida Statute 163.3180 (5)(i), is to serve as a replacement of an existing transportation concurrency and proportionate share system focused on adding capacity for motor vehicles, with a mobility fee systems focused on funding multimodal projects, such as sidewalks, paths, trails, micromobility lanes, multimodal ways, and autonomous transit shuttles intended to provide people with increased mobility options beyond just driving a motor vehicle.

The enactment of a Mobility Fee is intended to provide a simplified, streamlined and equitable process that allows new development, and redevelopment that generates person travel demand above and beyond the existing use of land, to mitigate its impact to the transportation system through a one-time payment to the County to fund the projects included in a Mobility Plan.

Mobility Fees are only assessed on new development and redevelopment that generates person travel demand above and beyond the existing use of land. Mobility Fees are not assessed on existing homes or businesses, unless the size of an existing home or business is increased, or there is a change of use for an existing business that results in an increase in person travel demand.

Mobility Fees are assessed at the time of a building permit application. Florida Statute allows for the County to collect Mobility Fees with the issuance of a building permit. Some communities elect to collect Mobility Fees prior to the issuance of a certificate of occupancy.

Florida Statute requires a 90-day implementation period between when a mobility fee is adopted and when the mobility fee is assessed at building permit. Thus, if the County adopted a mobility fee on July 31st, 2020, the earliest the fee could go into effect would be October 1st, 2020. If the County adopted a mobility fee on September 30th, 2020, the earliest the fee could go into effect would be January 1st, 2021.

Mobility Fee offsets maybe available for the redevelopment of existing developed properties based on the last known use of the land.

Mobility Fee credit maybe available for previous proportionate share payments, for dedication of right-of-way above and beyond that needed for the development, and for the construction of multimodal transportation improvements that serve more than just the development and are included in the Mobility Plan or Capital Improvements Program.

The County may include an administrative charge with the mobility fee to offset the cost associated with a mobility fee program. Florida Statue limits the fee to the actual cost associated with administering a mobility fee program. Typical administrative charges range between 3% and 5% of the assessed mobility fee. The actual administrative charge will be based upon a technical report that evaluates the cost associated with administering the mobility fee program.



WALTON COUNTY MOBILITY FEE OPTIONS

The Florida Legislature have significantly changed the rules that govern transportation concurrency over the last twenty years. The primary issues with transportation concurrency was it limited development in urban areas and it required that the last developer to trigger a deficiency or make a road over capacity had to pay for both past impact from other developments and essentially provide capacity for future development that did not have to pay. Transportation concurrency exception areas and proportionate share changed many of the inequalities in the system. However, proportionate share has become such a convoluted process that local governments across Florida are choosing to replace transportation concurrency and proportionate share with Mobility Fees.

The Legislature developed Mobility Fees to allow new development and redevelopment to equitably mitigate its impact to the transportation system and replace transportation concurrency and proportionate share, which is the system currently in place in Walton County. Florida Statute does not establish or require a uniform way to calculate a mobility fee, impact fee or developer mitigation other than the proportionate share formula in F.S. 163.3180.

Communities throughout Florida have adopted various systems to calculate Mobility Fees to be paid by new development and redevelopment that generates additional impact beyond the current use of property. Some of the systems are still focused on vehicular impact and identify multimodal improvements to offset the impact from motor vehicles; others have evolved to evaluate person travel demand and to identify multimodal improvements to provide mobility options and meet the demand for the travel and movement of people, not just motor vehicles.

Several of the systems still require a detailed traffic study to determine impact to the transportation system, others have adopted a more streamlined process with a predetermined mobility fee schedule of land uses and fees that allow a proposed development to know up front what their transportation mitigation cost will be and allow them to prepare a development pro-forma based on that knowledge. The following is a broad summary of different mobility fee approaches:

Developer Traffic Study: One approach is to require a developer to perform a detailed traffic analysis to determine a net peak hour or daily trip generation and then to apply a fixed per trip mitigation rate to the net trips and determine the mitigation or mobility fee to be paid. The pro is there is a direct relationship to the proposed development impact and the fee due. The con is that there is still a methodology that has to be agreed to, still the potential for debate on how the study should be conducted, and the developer does not know the mitigation due until the study is completed and the final fee is acceptable to all parties involved.

Local Government Study: Another approach is for a local government to review a proposed development, calculate a net trip generation, net vehicle miles of travel or net person miles of travel impact, and then apply a fixed mitigation rate to the net impact and determine the mitigation or mobility fee to be paid. The pro is there is a direct relationship to the proposed development impact and the fee due. The con is that there is potential for disagreement and challenge with the proposed development on the methodology used, and the developer does not know the mitigation due until the study is completed and the final fee is calculated.



WALTON COUNTY MOBILITY FEE OPTIONS

Predetermined Mobility Fee Schedule: The recommended approach for Walton County is to adopt a predetermined mobility fee schedule based on the person travel demand from new development and the person miles of capacity provided by projects identified in the County’s Mobility Plan. The pro is there is a direct relationship between the projects identified in the mobility plan and the impact from new development and that the fee is determined upfront; thus, a development knows its mitigation requirements before it ever moves forward with the development. The con is that there is not a direct correlation to a specific development based on a detailed traffic study or a detailed analysis conducted by local government. However, for unique developments the mobility fee ordinance will allow for an individual study to be conducted by a developer if they do not concur with the predetermined mobility fee schedule. The following is an example mobility fee schedule, the unit of measure for each land use, and a placeholder for the mobility fee, which would be determined once a Mobility Plan is adopted:

Land Use	Unit of Measure	Fee
Residential / Lodging Uses		
Residential	per sq. ft.	TBD
Hotel / Motel	per room	TBD
Mobile Home / Recreational Vehicle / Tiny Home Park	per space / lot	TBD
Institutional Uses		
Place of Worship / Private School / Day Care	per sq. ft.	TBD
Assisted Living / Congregate Care / Nursing Facility	per sq. ft.	TBD
Industrial Uses		
Manufacturing / Warehousing / Utility / Industrial	per sq. ft.	TBD
Mini Warehouse / Boat / RVs & Other Outdoor Storage	per sq. ft.	TBD
Recreational Uses		
Marina	per berth	TBD
Outdoor Commercial Recreation	per acre	TBD
Indoor Commercial Recreation / Health Club / Fitness / Yoga	per sq. ft.	TBD
Community Center / Civic / Gallery / Lodge	per sq. ft.	TBD
Office Uses		
Office / Financial Service / Higher Education	per sq. ft.	TBD
Medical / Clinic / Hospital / Emergency Care	per sq. ft.	TBD
Retail Uses		
Local Independent Business / Personal Service (Non-Chain / Non-Franchisee)	per sq. ft.	TBD
Retail / Entertainment / Personal & Business Service	per sq. ft.	TBD
Local Independent Bar / Food Truck / Restaurant (Non-Chain / Non-Franchisee)	per sq. ft.	TBD
Sit Down Bar and / or Restaurant	per sq. ft.	TBD
Fast Casual / Fast Food	per sq. ft.	TBD
Motor Vehicle & Boat Sales	1,000 sq. ft.	TBD
Motor Vehicle & Boat Service / Repair	1,000 sq. ft.	TBD
Motor Vehicle & Boat Cleaning / Detailing / Wash	1,000 sq. ft.	TBD
Bank Drive-Thru Lane or Free Standing ATM	per lane / ATM	TBD
Fast Food / Fast Casual Food Drive-Thru Lane	per lane	TBD
Pharmacy Drive-Thru Lane	per lane	TBD
Vehicle Fueling Position	per fueling position	TBD



NUE URBAN CONCEPTS Land Use • Transportation • Parking • Impact & Mobility Fees • Traffic • Funding

WALTON COUNTY MOBILITY FEE CREDIT

Florida Statute and case law require that a local government that enacts a fee or exaction, through either a monetary contribution or the construction of a physical improvement, is required to provide a credit against assessed Mobility Fees to the developer to the extent the contribution or construction of an improvement is consistent with an adopted Mobility Plan or the County's Capital Improvement Program.

Developers that have made a proportionate share payment to the County would receive a dollar for dollar credit against any Mobility Fees assessed on the development. For example, if a developer made a proportionate share payment of \$50,000 to the County and the development's Mobility Fee assessed at the time of building permit was \$75,000, then the developer would pay the difference of \$25,000 ($\$75,000 - \$50,000$).

Developers that have constructed a multimodal improvement identified in either the adopted Mobility Plan or the Capital Improvements Program would receive a credit for construction of the improvement.

For roadway and intersection improvements, the credit may be reduced by the percentage of new capacity used by the development. For example, if a development built a portion of a roadway included on the mobility plan and consumed 25% of the new capacity created through projected trips from the development, then the developer would receive a credit of 75% of the cost to plan, design, engineer, construct and inspect the improvement. If the roadway improvement cost \$1,000,000 and added 10,000 trips of capacity and the development generated 2,500 daily trips, then the total credit to be provided would be \$750,000 ($(2,500 / 10,000) \times \$1,000,000$).

After adoption of a Mobility Plan, the County will be required to update its Comprehensive Plan to include the Mobility Plan. In addition, each year during the budgeting process, the County will prioritize Mobility Plan projects and include the prioritized projects to be funded in the Capital Improvements Program.

For a development to receive mobility fee credit for construction of a multimodal improvement, the improvement must either be identified on the Mobility Plan or included in the County's Capital Improvements Program. It shall be at the discretion of the Board of County Commissioners to add multimodal projects to either the Mobility Plan or the Capital Improvements Program. If a multimodal improvement is not added to either the Mobility Plan or the Capital Improvements Program, the development would not receive a Mobility Fee credit.

If the County added a large-scale project to the Mobility Plan, defined initially as a project costing more than \$5 million, then the County may need to update the Mobility Fee technical report to include the project. The need to update the Mobility Fee technical report would ultimately depend on the added capacity and the cost of the multimodal improvement. The Mobility Fee should be re-evaluated every three to five years, depending on growth, the economy, construction cost, and updates to data used to calculate the mobility fee. Each year the County will be required to prepare an audit of the mobility fees collected, expended and mobility credits granted.



WALTON COUNTY MOBILITY FEE OFFSETS

Mobility fee offsets differ from mobility fee credits. A credit is provided when a development either makes a monetary contribution or constructs a multimodal improvement. An offset is provided for an existing use of land that is redeveloped to a more intense use or the change of an existing use to a more intense use.

A mobility fee offset occurs when an existing use of land is redeveloped. For example, if a 2,500-square foot office is demolished and a 5,000-square foot retail building is constructed, the development would receive a mobility fee offset for the 2,500-square foot office. This amount of the mobility fee credit would be determined by multiplying the per square foot mobility fee rate for an office use by 2,500. This amount would then be subtracted from the mobility fee due for the 5,000-square foot retail use.

A mobility fee offset may also occur when there is a change in use to a more intensive land use. The determination of a more intensive land use, for the purposes of mobility fees, occurs when the proposed use of land has a higher assessed mobility fee than the current use of land. For example, if a 2,500-square foot office is converted into a 2,500-square foot retail use, the mobility fee would be based on the difference between the mobility fee assessed for the retail use minus the mobility fee associated with the existing office. If the mobility fee offset is the same or greater than the calculated mobility fee for the new use of land, then the developer would not be required to pay a mobility fee for the new land use.

The offset provided is based on the current use of the land, not prior uses. For residential uses, the offset is provided so long as the residential use has not been demolished or relocated. Some local governments allow up to a five-year period after a use has been demolished or relocated to provide an off-set. Other local governments do not establish a time frame for residential uses. It is the responsibility of an individual seeking a mobility fee offset to provide documentation on the prior square footage of a residential use that no longer exist.

For non-residential uses, some local governments will only provide offsets for existing active non-residential uses and do not provide an offset for a non-residential land use that is no longer in operation. Other local governments allow for an off-set to be provided for up to five years after a non-residential use has closed, typically based on business tax receipts, business license or a demolition permit. Some local governments do not establish a time limit, they provide an offset based on the last known use of the non-residential building. It is the responsibility of an individual seeking a mobility fee offset to provide documentation on both the square footage of a non-residential use and the function or use of property before the non-residential use closed.

Offsets run with the land, they cannot be transferred to other properties or sold to another entity. There is also no off-set credit provided if the redevelopment or change of use results in a higher fee than the new use of land. Florida Statute does not directly address offsets and there is little case law related to offsets. The provision of an offset is generally seen as a way to encourage infill and redevelopment. More local governments are restricting offsets to currently occupied uses, or establishing time frames for offsets to be used and not allowing for them in perpetuity.

