

EVALUATION OF THE MOBILITY FEE CONCEPT

FINAL REPORT

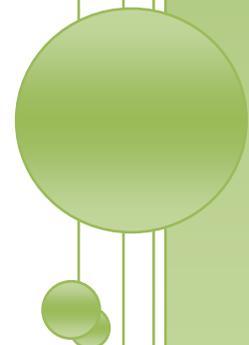
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EVALUATION OF THE MOBILITY FEE CONCEPT

INTRODUCTION

An alternative to transportation concurrency has long been desired in Florida, one that equitably charges all new development for its impacts and results in growth that is consistent with growth management goals. A principal goal is the desire to reduce urban sprawl and promote urban infill, redevelopment, and mixed-use development. A related goal is to enhance economic vitality and support job creation through improved mobility while reducing greenhouse gas (GHG) emissions. Since mandating transportation concurrency, the Florida Legislature has provided several concurrency alternatives to better accommodate growth in urban areas where capacity is more constrained. However, development continues to be attracted to "greenfield" areas due to lower land costs and available roadway capacity.

A proportionate share/proportionate fair-share mechanism was also added to Florida's concurrency process to enable development to "pay and go." However, the high cost of improving transportation facilities and the underlying inequities of the transportation concurrency system make this an unpopular method for addressing transportation impacts. Considerable interest has been expressed in Florida in the concept of a transportation mobility fee system to mitigate impacts to the transportation system while encouraging urban infill and redevelopment. In the 2008 legislative session, a statewide "flat" fee was considered for this purpose. However, concerns were raised as to the basis for a single flat fee given the variation in transportation system needs, and costs as well as land use and development patterns across the state. It also became clear that the nature and goals of such a fee are subject to a variety of interpretations.

In June 2009, the Florida Community Renewal Act was enacted providing more specific legislative direction for the mobility fee. It calls for the State to evaluate and consider implementation of a mobility fee to replace the existing transportation concurrency system. The Act directs that the mobility fee approach should "provide for mobility needs, ensure that development mitigates its impacts on the system in approximate proportionality to those impacts, fairly distribute the fee among the governmental entities responsible for maintaining the impacted roadways, and promote compact, mixed-use, and energy-efficient development."

The Florida Departments of Community Affairs and Transportation were instructed to develop and submit a joint report to the Florida Legislature on the mobility fee methodology study no later than December 1, 2009. The report is to include recommended legislation, a plan to implement the mobility fee as a replacement for local transportation concurrency management systems (TCMS), and an economic analysis of implementation of the mobility fee. The purpose of this research is to assist the agencies with their responsibilities for developing the joint report.

Overview of Previous Studies

Two studies were commissioned in 2008 relative to a mobility fee in Florida. One study, commissioned by the Florida Department of Transportation (FDOT) with the University of Florida Center for Multimodal Solutions for Congestion Mitigation (CMS), focuses on developing techniques for measuring vehicle miles of travel (VMT) that are more sensitive to community type and land use mix. It is scheduled for completion in 2010 and should provide valuable refinements to contemporary methods of measuring VMT.

A second study was commissioned by the Florida Department of Community Affairs (DCA) with the University of South Florida Center for Urban Transportation Research (CUTR). The CUTR study explored policy options for a mobility fee and set forth a conceptual methodology for a mobility fee that is sensitive to VMT. Phase 2 of the study involved testing and refinement of the working concept through hypothetical application in Alachua County, Florida. Two reports were prepared: 1) Florida Mobility Fee Study, Phase 1 Report – Policy Analysis and Methodology, March 2009; and 2) Florida Mobility Fee Study, Final Report, June 2009.¹

The CUTR mobility fee study for DCA was completed in June 2009. As the study was being completed, the Community Renewal Act was enacted, adding new considerations relative to a mobility fee concept. DCA and FDOT concluded that further research on the mobility fee was needed to address these considerations. FDOT contracted with CUTR in July 2009 to address research needs relative to the directives of the Community Renewal Act.

A technical working group of individuals with

2009 COMMUNITY RENEWAL ACT

SECTION 13. (1)(A) THE LEGISLATURE FINDS THAT THE EXISTING TRANSPORTATION CONCURRENCY SYSTEM HAS NOT ADEQUATELY ADDRESSED THE TRANSPORTATION NEEDS OF THIS STATE IN AN EFFECTIVE, PREDICTABLE, AND EQUITABLE MANNER AND IS NOT PRODUCING A SUSTAINABLE TRANSPORTATION SYSTEM FOR THE STATE. THE LEGISLATURE FINDS THAT THE CURRENT SYSTEM IS COMPLEX, INEQUITABLE, LACKS UNIFORMITY AMONG JURISDICTIONS, IS TOO FOCUSED ON ROADWAYS TO THE DETRIMENT OF DESIRED LAND USE PATTERNS AND TRANSPORTATION ALTERNATIVES, AND FREQUENTLY PREVENTS THE ATTAINMENT OF IMPORTANT GROWTH MANAGEMENT GOALS.

(B) THE LEGISLATURE DETERMINES THAT THE STATE SHALL EVALUATE AND CONSIDER THE IMPLEMENTATION OF A MOBILITY FEE TO REPLACE THE EXISTING TRANSPORTATION CONCURRENCY SYSTEM. THE MOBILITY FEE SHOULD BE DESIGNED TO PROVIDE FOR MOBILITY NEEDS, ENSURE THAT DEVELOPMENT PROVIDES MITIGATION FOR ITS IMPACTS ON THE TRANSPORTATION SYSTEM IN APPROXIMATE PROPORTIONALITY TO THOSE IMPACTS, FAIRLY DISTRIBUTE THE FEE AMONG THE GOVERNMENTAL ENTITIES RESPONSIBLE FOR MAINTAINING THE IMPACTED ROADWAYS, AND PROMOTE COMPACT, MIXED-USE, AND ENERGY-EFFICIENT DEVELOPMENT.

2) THE STATE LAND PLANNING AGENCY AND THE DEPARTMENT OF TRANSPORTATION SHALL CONTINUE THEIR RESPECTIVE CURRENT MOBILITY FEE STUDIES AND DEVELOP AND SUBMIT TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, NO LATER THAN DECEMBER 1, 2009, A FINAL JOINT REPORT ON THE MOBILITY FEE METHODOLOGY STUDY, COMPLETE WITH RECOMMENDED LEGISLATION AND A PLAN TO IMPLEMENT THE MOBILITY FEE AS A REPLACEMENT FOR THE EXISTING LOCAL GOVERNMENT ADOPTED AND IMPLEMENTED TRANSPORTATION CONCURRENCY MANAGEMENT SYSTEMS. THE FINAL JOINT REPORT SHALL ALSO CONTAIN, BUT IS NOT LIMITED TO, AN ECONOMIC ANALYSIS OF IMPLEMENTATION OF THE MOBILITY FEE, ACTIVITIES NECESSARY TO IMPLEMENT THE FEE, AND POTENTIAL COSTS AND BENEFITS AT THE STATE AND LOCAL LEVELS AND TO THE PRIVATE SECTOR.

¹ Both reports are available at <http://www.dca.state.fl.us/fdcp/dcp/MobilityFees/index.cfm>

expertise in impact fees, concurrency management, and transportation impact assessment was assembled to provide input into the study, many of whom participated in the initial CUTR/DCA study. A diverse Stakeholders Group formed by DCA and DOT during the FY 2008/09 study was also continued to elicit feedback on the study concepts.

Throughout this research, the concept for a mobility fee has evolved taking into consideration the recommendations of the technical working group and in response to the issues raised by the Stakeholders Group. *In addition, many observed that transportation throughout the state lacks adequate funding and although a mobility fee on all new development would be beneficial, other funding mechanisms, such as an increase in the motor fuel tax, reduced constraints on enactment of local option taxes, or possible new funding mechanisms should also be considered.*

Focus of this Report

This technical memorandum describes a mobility fee approach as it could be applied to meet the requirements of the Community Renewal Act. It reviews issues relative to replacing concurrency, describes a conceptual mobility fee approach, addresses methods for determining the mobility fee, and sets forth implications of the proposed approach relative to the goals of the Community Renewal Act. The report concludes with selected case examples illustrating various aspects of the approach in current practice and an overview of potential economic considerations of the proposed mobility fee approach.

CONSIDERATIONS WITH REPLACING TRANSPORTATION CONCURRENCY

The Community Renewal Act included considerations not addressed by the previous mobility fee research. Among them is a requirement “that the state shall evaluate and consider the implementation of a mobility fee to replace the existing transportation concurrency system.” This section reviews issues surrounding existing transportation concurrency management systems and corresponding implications of the mobility fee approach.

What is the transportation concurrency system?

Transportation concurrency is a growth management strategy aimed at ensuring that transportation facilities and services are available “concurrent” with the impacts of development. Concurrency in Florida is enacted in state growth management act provisions (Chapter 163, Part II, Florida Statutes) requiring that “...transportation facilities needed to serve new development shall be in place or under actual construction within 3 years after the local government approves a building permit or its functional equivalent that results in traffic generation.”²

To carry out concurrency, local governments must define what constitutes an adequate level of service for the transportation system, adopt a plan and capital improvement program to achieve and maintain adequate level of service standards, and measure whether the service needs of a new

² Chapter 163.3180(1)(c) Florida Statutes

development exceed existing capacity, including capacity from scheduled improvements. If adequate capacity is not available, then the developer must provide the necessary improvements, provide a monetary contribution toward the programmed improvements, or wait until government provides the necessary improvements.

DCA's implementing rule (Rule 9J-5.0055, F.A.C.) establishes minimum requirements for satisfying concurrency, including a requirement for local governments to develop and implement a transportation concurrency management system. Through this system, the local government must demonstrate that the necessary transportation facilities and services to maintain the adopted level of service standards will be available and adequate to address the impacts of development within three years of issuing a building permit or its functional equivalent. Developers may satisfy the concurrency requirement through proportionate share or proportionate fair-share mitigation³ (pay and go) or development agreements.

In 2009, the legislature exempted "dense urban land areas" (DULAs) from transportation concurrency, with the intent of reinforcing urban growth. The development of regional impact program, which provides a process for multi-agency review of large developments, was also suspended in these areas, as was the requirement for local governments to adopt and maintain state level of service standards for the strategic intermodal system. DCA has issued the interpretation that a local government must amend its comprehensive plan to establish the TCEA.

In addition, within 2 years of establishing a TCEA, local governments are required to adopt into their local comprehensive plan land use and transportation strategies to support and fund mobility within the exception area, including alternative modes of transportation. All local government comprehensive plans also must comply with HB 697 regarding reduction of GHG emissions and energy efficient land use. This legislation requires local governments to achieve more energy efficient land use patterns in their comprehensive and long range transportation plans and to enact transportation strategies to address greenhouse gas reductions. HB 7135 was also enacted, imposing similar requirements relative to greenhouse gas reductions on metropolitan planning organizations in long range transportation planning. These new local planning requirements reinforce the need for a multimodal approach to local and regional transportation planning.

What is wrong with the transportation concurrency system?

Widespread dissatisfaction has been expressed with local transportation concurrency management systems that rely on roadway level of service standards – particularly as they impact development

³ Proportionate share is a term that applies only to developments of regional impact (DRI); proportionate fair-share applies to all other (sub-DRI) developments. This is the amount of mitigation a development that triggers a level of service deficiency is expected to contribute. Proportionate share and proportionate fair-share contributions "shall be calculated based upon the cumulative number of trips from the proposed development expected to reach roadways during the peak hour from the complete buildout of a stage or phase being approved, divided by the change in the peak hour maximum service volume of roadways resulting from construction of an improvement necessary to maintain the adopted level of service, multiplied by the construction cost, at the time of developer payment, of the improvement necessary to maintain the adopted level of service."

in metropolitan areas. The focus on achieving and maintaining state roadway levels of service for automobile mobility has promoted multi-lane, congested roadways in urban areas to the exclusion of other modes. The resulting environment is unsafe and unfriendly to both bicycles and pedestrians.

A related problem is the difficulty in meeting established level of service standards on a facility-by-facility basis during the PM peak hour. This has contributed to transportation backlogs (facilities on which the adopted level-of-service standard is exceeded) across the state, because the cost of providing facilities to maintain adopted standards is often well beyond the capacity of existing transportation funding mechanisms. This practice has also impeded urban redevelopment and infill.

Another concern is the inequity of a system that requires payment only where level of service standards have been exceeded. New development freely consumes available road capacity, thus encouraging development in outlying areas. This places a disproportionate financial responsibility on developers seeking concurrency approval after available capacity has been consumed, resulting in market inequities. These and other unintended consequences, such as the regional transportation impact of local land use decisions, have surfaced over the years regarding the implementation of transportation concurrency in Florida.⁴

The 2009 Community Renewal Act characterized the existing transportation concurrency system as “complex, inequitable, lacking uniformity among jurisdictions, too focused on roadways to the detriment of desired land use patterns and transportation alternatives, and frequently preventing the attainment of important growth management goals.” Any change to transportation concurrency policy should address these issues, while ensuring that adequate transportation facilities and services are provided to support development.

Can the goals of the transportation concurrency system be accomplished with a fee?

A fee alone will not achieve the intent of transportation concurrency or all of the goals for a mobility fee expressed in the Community Renewal Act. However, a mobility fee approach that builds on existing comprehensive planning efforts to coordinate land use planning with the provision of adequate transportation facilities and services may be a suitable alternative. The goal of such an approach is to produce a sustainable transportation system in an effective, predictable, and equitable manner.

Ideally, the approach would advance the following principles:

1. Provide for mobility needs through an interconnected and accessible transportation system that considers all modes of travel;
2. Discourage urban sprawl and reduce greenhouse gas emissions by providing incentives to promote compact, mixed-use, and energy efficient development;

⁴ Chapin, “Rethinking the Florida Concurrency Mandate,” 2008.

3. Coordinate the planned transportation system with growth areas defined in the future land use element;
4. Ensure that development provides mitigation for its impacts on the transportation system in approximate proportionality to those impacts; and,
5. Offer flexibility to target public funding and mobility fees to planned transportation facilities and services based upon a prioritized improvement schedule that fairly distributes the fee among the governmental entities responsible for maintaining the system.

How does the mobility fee approach relate to transportation concurrency?

The mobility fee approach described in this report has the potential to be more equitable than existing transportation concurrency management systems and proportionate fair-share mitigation. Under existing transportation concurrency, new development is required to mitigate its impacts on a facility by facility basis *only when capacity has been exceeded*. Alternatively, a mobility fee would recoup the cost of transportation system demand generated by all new development. Each new development would be charged a mobility fee based upon the transportation service it consumes, treating capacity as a commodity.



A MOBILITY FEE WOULD RECOUP THE
COST OF TRANSPORTATION SYSTEM
DEMAND GENERATED BY NEW
DEVELOPMENT

The mobility fee approach would advance the intent of transportation concurrency, which is to coordinate the provision of transportation facilities and services with the rate, timing, and location of development.⁵ This intent could be accomplished by allowing development to fully satisfy its mitigation requirements with a mobility fee *only in areas designated by a local government in the comprehensive plan where adequate transportation facilities and services exist or are planned*. Improved coordination of local government future land use plans with local and countywide transportation improvement plans and capital improvement schedules would result. Improved cross-jurisdictional coordination in mobility plans and fees is a key tenet of the mobility fee approach.

Rather than the relatively short timeframes imposed by existing concurrency requirements, it could be accomplished over the planning horizon of the comprehensive plan (e.g., 10 or 20 years). In so doing, the approach would shift the focus of providing transportation facilities and services for new development away from development permitting for concurrency onto *the local and countywide mobility planning process*.

Also key to the success of the mobility fee approach is a change in how government measures the quality of service of the transportation system.⁶ The peak hour roadway level of service measures

⁵ See for example, *Golden v. Planning Board Town of Ramapo*, New York, 285 N.E.2d 291 (1972).

⁶ Level of service (LOS) standards in local government comprehensive plans establish a minimum performance measure for transportation facilities and services and are currently used to determine whether available transportation capacity is adequate for new development. They are required pursuant to Chapter 163.3180 F.S. for local facilities and Rule 14-94 F.A.C. for the Strategic Intermodal System, Florida Intrastate Highway System, and roadways funded through the Transportation Regional Incentive Program.

used to manage concurrency cause FDOT and local governments to focus on increasing roadway capacity to the exclusion of other transportation modes. Different measures should be developed that address network performance from a transportation system perspective, regardless of mode. The Florida Department of Transportation's Quality/Level of Service Handbook details appropriate alternatives for measuring multimodal transportation service. In addition, NCHRP Project 08-67,⁷ currently underway, is focused on integrating transportation system-level performance programs to determine network performance. Such measures can be used to monitor system performance and identify needed transportation facilities and services.

MOBILITY FEE APPROACH

The mobility fee approach is designed to build upon the existing framework for planning and growth management in Florida and to meet specific legislative requirements of the Community Renewal Act. The legislation calls for a mobility fee process designed to:

- provide for mobility needs,
- ensure that development provides mitigation for its impacts on the transportation system in approximate proportionality to those impacts,
- fairly distribute the fee among the governmental entities responsible for maintaining the impacted roadways, and
- promote compact, mixed-use, and energy-efficient development.

In addition, this approach seeks to:

- Focus the provision of transportation facilities and services on planning and improvement schedules;
- Improve coordination of land use decisions with transportation improvement decisions;
- Increase the level of cross-jurisdictional coordination in providing transportation facilities and services; and,
- Minimize the need for lengthy and complex transportation impact studies in the development review process.

To accomplish these goals, the mobility fee approach involves establishing cooperative agreements among local governments and area transportation providers to coordinate cross jurisdictional transportation planning efforts and supporting future land use strategies. To



THE MOBILITY FEE APPROACH INVOLVES
ESTABLISHING COOPERATIVE
AGREEMENTS AMONG LOCAL
GOVERNMENTS AND AREA
TRANSPORTATION PROVIDERS

⁷ Cambridge Systematics, *NCHRP Project 08-67: Integrating Individual Transportation System-Level Performance Programs to Determine Network Performance*, Transportation Research Board, in progress.

advance the legislature’s goal to “provide for mobility needs and promote compact, mixed use, and energy-efficient development,” fees collected will help to fund mobility needs in support of planned future land use.

This approach helps to overcome two key issues in contemporary transportation planning that impede effective multimodal solutions: 1) land use and transportation plans are often developed independently; and 2) funding is often compartmentalized and applied only to improvements related to specific modes.⁸ Below are additional details of the proposed mobility fee approach.

What is the mobility fee?

The mobility fee is a transportation system charge to recoup the proportionate cost of transportation demand generated by all new development. It focuses on new development due to its association with transportation concurrency systems and is used to fund planned transportation facilities and services. It is also sensitive to the vehicle miles of travel (VMT) generated by new development. Each new development will pay the fee in proportion to the new travel demand it creates.

Who establishes the mobility fee?

For ease of administration and predictability, mobility fee programs and corresponding rate schedules should be established on a countywide or, at the option of participating local governments, at a multi-county level. Local governments could jointly conduct the countywide fee study with the assistance of a consultant or selected agency staff. The mobility fee schedule would identify appropriate variations in rate by area type (e.g. urban, suburban fringe, transitional, rural) and service area, as discussed under “How will fees be assessed and expended?”. The resulting mobility fee would be adopted by local ordinance.



MOBILITY FEE PROGRAMS AND
CORRESPONDING RATE SCHEDULES
SHOULD BE ESTABLISHED ON A
COUNTYWIDE LEVEL

To achieve an equitable mobility fee system, it is important that all local governments within a county participate in a mobility fee program through the execution of an interlocal agreement among all local governments within a single county. These interlocal agreements would specify the partners in adopting the fee, which would include the Florida Department of Transportation and other key transportation planning agencies, such as metropolitan planning organizations (MPOs), and transportation providers, such as transit agencies. Other partners, such as port or aviation authorities may also be included. Local governments would have full authority to establish, collect, and distribute the mobility fee in accordance with the procedures included in the agreement(s).

⁸ J. Fernandez and L. Marcus, “Network Planning: Developing a Multimodal Approach,” ITE Journal, September 2009.

Does this approach allow different areas to tailor the mobility fee to their needs?

The mobility needs of large metropolitan areas, like Miami-Dade or Jacksonville, differ greatly from those of rural counties and their municipalities. Therefore, the approach for establishing the fee is designed to accommodate the diverse needs and levels of planning sophistication across the state. Each area will have the ability to define its own needs and improvement priorities. In addition, each area can determine how best to proceed in developing and implementing the fee. For example, rural counties may choose to enact the fee with technical assistance from the regional planning council or DOT District and may choose to join together to form a multi-county rather than countywide approach. The fee in rural areas and small cities could be administered using a simple look up table and easy to use

worksheet (see Woodinville, WA example in Case Examples). Major urban counties may choose to develop the fee through their MPO, regional transportation authority (RTA), or other existing collaborations or join together to form new multi-county or MPO collaborations that reflect the area's travel patterns.⁹

BENEFITS OF A COUNTYWIDE FEE SYSTEM

IMPLEMENTING A MOBILITY FEE AT A COUNTYWIDE OR MULTI-COUNTY LEVEL ESTABLISHES A FORUM FOR LOCAL GOVERNMENTS TO COOPERATIVELY PLAN AND FUND MOBILITY, WHICH IS KEY TO ECONOMIC VITALITY AND ENERGY EFFICIENCY. IT RESULTS IN A MORE PREDICTABLE AND LESS COMPLEX APPROACH FOR BOTH LOCAL GOVERNMENTS AND THE DEVELOPMENT COMMUNITY IN IMPLEMENTING CONCURRENCY. ESTABLISHING A COMMON APPROACH TO FEE CALCULATION ENSURES THAT EACH LOCAL GOVERNMENT IS CHARGING DEVELOPMENT FOR ITS IMPACTS ON THE SYSTEM AND AVOIDS USE OF THE FEE FOR TAX BASE COMPETITION. IT ALSO REDUCES THE FINANCIAL INCENTIVE FOR LEAPFROG DEVELOPMENT.

What planning activities are needed for the mobility fee?

A mobility fee must be accompanied by an effective mobility plan. A mobility plan includes the adopted transportation and land use strategies and capital improvement projects for transportation facilities and services contained in the local government comprehensive plan. It also includes supporting data and analysis for establishing the basis of the mobility fee. In addition, accomplishing mobility between jurisdictions requires intergovernmental coordination in planning and priority setting among local governments and with other transportation planning agencies and modal providers. The resulting mobility plan should focus existing local, state, regional, and modal planning efforts toward achieving a coordinated and efficient multimodal transportation system within and across jurisdictions in a county or multi-county area.

Many of the requirements for mobility planning are currently contained in Chapter 163, Part II, F.S. and Rule 9J-5, F.A.C. Additional requirements may be needed to fully implement the mobility fee

⁹ Possibly pursuant to Section 339.155 (5) c,d,e), F.S., Chapter 343, F.S., or Chapter 349, F.S.

approach – particularly as it relates to countywide coordination and prioritized improvement schedules. Below are key considerations relative to the planning framework for the fee.

What is a mobility plan?

Those portions of existing local government comprehensive plans that contain land use and transportation strategies and capital improvements projects to support and fund mobility constitute a mobility plan. Strategies for mobility associated with dense urban land areas (DULAs)¹⁰ through transportation concurrency exception areas (TCEA) and other alternatives to transportation concurrency, such as multimodal transportation districts and transportation concurrency management areas, would also be considered mobility plans. These plans establish transportation improvement priorities for expenditure of the mobility fee.

Each mobility plan should include a prioritized schedule of transportation improvements that is implemented in concert with planned growth areas in the adopted comprehensive plan. The schedule should include the financially feasible five-year capital improvement schedule as well as define mid-term (6-10 years) and long range (20+ years) transportation projects, programs, strategies, and funding needs and reasonably anticipated funding alternatives, including mobility fees. Where applicable, the schedule of improvements should include projects identified in the adopted MPO long range transportation plan and any adopted transit development plan.

The mobility plan should be based on planned future land uses and a vision for the future transportation system and be supported by complementary land use strategies. To ensure multimodal network continuity within and across jurisdictions, local mobility planning programs should include a means to coordinate land use and transportation planning among local governments and across the various transportation planning agencies. This would be accomplished through the execution of an interlocal agreement among the county and the municipalities within the county, along with the applicable MPO and transit agency, and the Florida Department of Transportation.

MOBILITY PLANNING FOR DENSE URBAN LAND AREAS

THE COMMUNITY RENEWAL ACT DESIGNATED DENSE URBAN LAND AREAS AS TRANSPORTATION CONCURRENCY EXCEPTION AREAS (TCEAs), OVER 240 IN ALL. PURSUANT TO SECTION 163.3180 (5) A.4., EACH LOCAL GOVERNMENT ESTABLISHING A TRANSPORTATION CONCURRENCY EXCEPTION AREA MUST “ADOPT INTO ITS LOCAL COMPREHENSIVE PLAN LAND USE AND TRANSPORTATION STRATEGIES TO SUPPORT AND FUND MOBILITY WITHIN THE EXCEPTION AREA, INCLUDING ALTERNATIVE MODES OF TRANSPORTATION. LOCAL GOVERNMENTS ARE ENCOURAGED TO ADOPT COMPLEMENTARY LAND USE AND TRANSPORTATION STRATEGIES THAT REFLECT THE REGION’S SHARED VISION FOR ITS FUTURE.” §. 163.3180(5)(D)(1)(2).

¹⁰ §163.3164(34), F.S. defines "dense urban land area" as: (a) A municipality that has an average of at least 1,000 people per square mile of land area and a minimum total population of at least 5,000; (b) A county, including the municipalities located therein, which has an average of at least 1,000 people per square mile of land area; or (c) A county, including the municipalities located therein, which has a population of at least 1 million.

The agreement would establish the specific ways and processes by which the applicable MPO cost feasible plan, transit development plan, and local government comprehensive plans are to be coordinated. The fact that different agencies have different planning horizons complicates coordination and should be addressed in the interlocal agreement. The interlocal agreement should also address the prioritized schedule of transportation improvements and include procedures for amending the improvement program.

Future Land Use Element

Existing future land use element requirements address many factors relevant to the mobility fee approach. The future land use element is required to include an adopted future land use map representing the amount, distribution and extent of future growth and development for each local government. Additionally, the future land use element must address planned densities and intensities of development, energy efficient land uses, greenhouse gas reduction strategies, and is encouraged to designate areas for future planned development involving combinations of types of uses for which special regulations may be required. Such regulations may address transit oriented development, traditional neighborhood development, and other supporting land use types.

Chapter 163, Part II, F.S. and Rule 9J-5, F.A.C. further requires that the planned transportation system must accommodate planned future land uses and that the future land use map must be supported by the amount of land required to accommodate anticipated growth and the projected population of the area. The future land use map must be supported by realistic population projections and amended only with a clear demonstration of need.

In addition to current requirements, the future land use element should clearly designate areas where mobility improvements are planned within the planning horizon. These area designations should be closely coordinated with the densities and intensities of development in the adopted future land use plan. For example, the mobility fee approach envisions that the comprehensive plan would designate planning areas for coordinating transportation facilities and services, such as urban, suburban fringe, transitional, and rural and conservation areas. The terms used to describe the planning areas will vary according to countywide land use characteristics and planning objectives (see for example the Charlotte County and Jacksonville approaches in Case Examples).

New transportation system capacity to address growth in the various planning areas can be funded in part through the mobility fee charged to all new development. The planning areas represent different needs and issues with regard to mobility planning. Transportation facility and service improvements focused in urban areas would serve redevelopment and infill and address all modes of transportation including transit. Growth in suburban fringe and transitional areas would need to be guided into designated areas to coordinate with planned future improvements and could also be phased to correspond with plans for improving transportation facilities in those areas.

Development in transitional or rural areas may place a greater burden on the transportation system by requiring improvements where none have been planned. While the actual trip generation of residential subdivisions in rural areas may be less than those in suburban areas, trip length is longer

as residents in outlying areas seek access to local and regional activity centers. These variations in transportation demand by planning area can be addressed through the average trip lengths used in calculating the mobility fee. A complicating factor in determining average trip length is that travel on interstates is excluded from the calculation; however, this portion of the trip length is essential to calculating VMT for the mobility fee program and fees.

Providing incentives for development in designated growth areas may reduce pressures for future land use amendments in outlying areas in advance of planned improvements. For this to be effective, planning area definitions would need to be consistent throughout the countywide or larger planning area. In addition, amendments to the future land use maps typically involve an increase in the density or intensity of use. Therefore, it will also be important to establish the need for additional development area in light of the existing future land use map along with the impacts of those proposed land use changes on the planned transportation system on a cumulative basis. Failure to analyze cumulative impacts can result in inadequate planning for future transportation system needs and improvements.

The future land use element should also include specific land use strategies and incentives to support mobility in planned growth areas. For example, incentives could be established for certain types of development in specified locations as a means to support the mobility plan (e.g. mode share and internal capture allowances as well as fee credits and/or expedited approval for transit oriented development along transit corridors). In addition, local government comprehensive plans and land development regulations can support mobility by requiring basic features of multimodal facilities, such as high levels of network connectivity, sidewalks, transit stops, bicycle racks, sidewalks, and shade trees as part of site development. Form-based codes that address the size and scale of buildings can also be used to foster an attractive, mixed-use, and walkable environment.

Transportation Element

The transportation element defines the multimodal transportation system needed to support the planned future land uses. Capital and operating needs must be identified, as well as transportation strategies to reduce greenhouse gas emissions in compliance with § 163.3177(6). Prioritized projects are further reflected in a financially feasible five- year schedule of improvements and in longer-term improvements schedules.

The transportation element must be closely coordinated with the future land use plan, demonstrating how land use and transportation will work together to accomplish desired mobility and growth management objectives. Quality/level of service standards should be established for transportation facilities and services to be provided; these may vary according to established planning areas. In addition, standards for countywide or regional transportation facilities established through interlocal agreements should be reflected. A transportation analysis, at a countywide level, should document how future travel demand will be accommodated by the proposed transportation system using professionally accepted techniques. In some areas, such as downtown cores or regional activity centers, some level of congestion will be anticipated, particularly during peak travel times.

To implement the mobility fee approach, transportation elements would need to include all planned facilities and services, regardless of mode or maintaining agency. This would include elements of the countywide transportation system (e.g. state roads, county roads, regional transit service, multi-use corridors) as well as elements of the local transportation system (e.g. collector and local roads, localized transit routes and circulator systems, bicycle and pedestrian facilities). Existing modal plans such as the MPO cost-feasible plan, transit plans, congestion management plans, bicycle and pedestrian plans, or trailways plans should also provide guidance for developing the multimodal mobility plan.

How is cross-jurisdictional mobility achieved?

Mobility between jurisdictions requires intergovernmental coordination in the planning and funding of major roadways or transit systems that serve the broader region. The mobility fee approach envisions a countywide or multi-county coordination process that would provide a framework for cross-jurisdictional mobility planning. A prioritization process will also be needed to establish priorities for the countywide or regional transportation system.

Many areas are already engaged in developing conceptual plans for mobility through regional visioning or land use scenario planning for MPO long range transportation plans as a means to coordinate future land use decisions and transportation system investments. One example of such an approach is the scenario planning process used by the Gainesville Metropolitan Transportation Planning Organization (see Case Examples). These planning efforts could be a means to coordinate local mobility planning in some areas; areas without a scenario plan could be encouraged to develop one on at least a countywide basis.

Some local governments and established transportation planning agencies may hesitate to embrace the cross jurisdictional elements of this approach. The benefit of such cooperation is an improved ability to address mobility needs across a common economic region – an issue essential to the economic vitality of every community in the area. Other benefits include improved ability of local governments and MPOs in meeting statutory requirements for planning related to reduction of greenhouse gas emissions and promotion of energy efficient development contained in HB 697 and HB 7135. The rise in regional visioning initiatives in Florida and legislation establishing regional transportation authorities reflect a growing recognition of the need for increased regional coordination on land use and transportation planning efforts. Figure 1 provides an overview of this conceptual mobility fee implementation process.

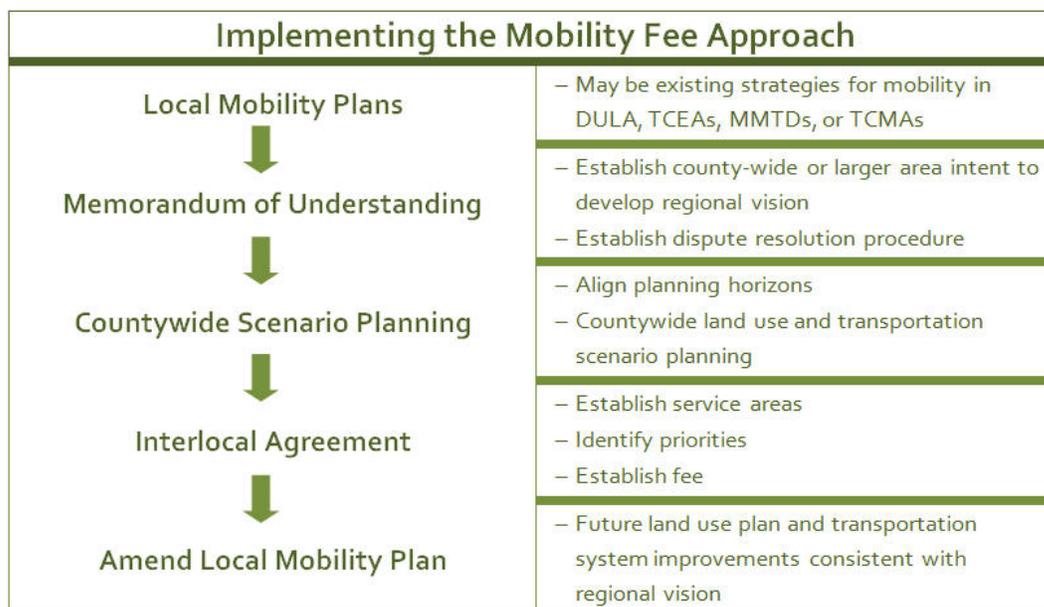


Figure 1: Overview of mobility fee implementation process.

The following are considerations for achieving cross-jurisdictional mobility in the planning process. These criteria may be appropriate for statute or rule.

1. The prevailing principles to be considered in advancing cross-jurisdictional mobility are:
 - a. establishing and implementing a multimodal transportation system and supporting land uses that improve travel choices to ensure mobility;
 - b. incorporating the plans of participating agencies, jurisdictions, and modal providers;
 - c. coordinating the multimodal transportation system across jurisdictions through the execution of an interlocal agreement; and
 - d. integrating transportation and land use strategies to ensure sustainable and energy-efficient development patterns, reduce the growth of vehicle miles of travel, and reduce greenhouse gas emissions.
2. Identify transportation facilities that serve countywide or regional mobility functions, including, but not limited to, major roadways, airports, seaports, high-speed and/or commuter rail systems, transit systems, and intermodal or multimodal terminals.
3. Identify transportation-related facilities that support the countywide network including, park and ride lots and multi-use trails.
4. Identify existing and planned land use densities, building intensities and development types consistent with the planned countywide or multi-county transportation system and reasonable growth estimates.
5. Identify corridors to encourage population densities sufficient to support transit and identify density guidelines along the designated corridors.

6. Identify desired land use types, growth and development patterns that promote compact, mixed use and energy efficient development, such as transit oriented development or employment-based development in rural areas of critical economic concern, consistent with the planned countywide or multi-county transportation system.
7. Identify performance or quality of service measures to be used to evaluate transportation system performance and guide improvement planning.
8. Identify and prioritize transportation projects, programs, and strategies that will advance the planned countywide or multi-county transportation system.
9. Coordinate with the mobility plans of adjacent counties.
10. Prepare a financial strategy that demonstrates how the improvement priorities can be implemented, including public and private resources reasonably expected to be available, and any additional financing strategies (including the mobility fee) for needed projects and programs. Prepare a capital improvements program including a short-term financially feasible schedule (five year); a mid-term (6-10 year) schedule of improvements; and a long-term (20 year) vision for incorporation into local government comprehensive plan.
11. Establish guidelines and procedures for updating and amending the countywide or multi-county transportation improvement priorities.

Determining transportation projects to accommodate planned growth areas will require a balance between mobility plan performance/quality of service standards and available transportation funding to achieve a financially-feasible plan. To do so, the amount of funding anticipated from mobility fees must be determined.

If transportation revenues are less than projected, then the transportation project schedule of the mobility plans will need to be amended. Procedures for any such amendments should be addressed in interlocal agreements establishing the mobility plan priorities. Certain projects may need to be redefined or dropped entirely, to ensure the planned transportation improvements can be achieved. Alternatively, the schedule of improvements may need to be extended to reflect the slower revenue stream. Delays in authorization of federal funding can be particularly problematic as federal funds may comprise a large portion of the committed revenue anticipated in the improvement plan. Such changes may require adjustments to future land use plans along affected corridors.

What is the MPO role in mobility planning?

MPOs, established by federal and state law, are composed of representatives from local governments within the area. The metropolitan planning organization (MPO) process includes a well-established long-range transportation planning and prioritization process for developing a cost feasible long range transportation plan (LRTP) in collaboration with member local governments. Florida MPOs typically fall within a single county, but approximately one-third cross county boundaries. The MPO process may be a logical way to proceed in establishing countywide or cross jurisdictional priorities in metropolitan areas with an MPO. The resulting prioritized improvement schedule could then be implemented through amendments to local government comprehensive plans and coordination procedures in an interlocal agreement that also establishes a mobility fee.

Can the MPO long range transportation plan be the mobility plan?

MPOs develop long range transportation plans (LRTPs) based on growth reflected in local government comprehensive plans. Few MPOs incorporate land use planning considerations into their LRTPs primarily because they have no authority over land use decisions. Existing MPO long range transportation plans (LRTP) or other regional transportation plans that address regional transportation facilities and services regardless of mode may be considered the mobility plan when underlying local government future land use elements reasonably reflect future land uses and are clearly coordinated with the cost feasible long range transportation plan.

A step in developing the cost feasible MPO long range transportation plan is the needs plan. This plan identifies all projects needed to address anticipated travel demand within the MPO planning area and is often well beyond projected revenues. Some believe that the needs plan constitutes little more than a wish list and have raised concerns as to whether the mobility fee is anticipated to pay the entire funding gap between the needs plan and the cost feasible LRTP. The Florida Metropolitan Planning Organization Advisory Council produced financial guidelines for LRTPs to address this and other issues.¹¹

In addition, a strong relationship between local government future land use plans and the socio-economic data used for travel demand modeling is essential to the mobility fee approach. Generally land use projections taken from local comprehensive plans are adjusted by the MPO to conform to Bureau of Economic and Business Research (BEBR) projections when modeling future transportation demand in the LRTP process. This is because the comprehensive plans often overestimate future land use in each jurisdiction which would result in unrealistic levels of travel demand. These overestimations may result from annexations, antiquated plats, vested development, and a lack of attention to the cumulative impacts of future land use map amendments. In addition, the density of land allowed by the future land use map is frequently greater than what is ultimately built.

What is often missing is scenario planning for coordinating land use and transportation plans. This may be accomplished by analyzing land use alternatives for the region and coordinating infrastructure decision-making to support the region's land use scenario. The resulting scenario plan would need to be integrated into the future land use, transportation, and capital improvement elements of each applicable local government comprehensive plan.

DETERMINING THE MOBILITY FEE

As a charge on all new development, the mobility fee has characteristics of an impact fee. Therefore, implementation of a mobility fee could involve adherence to the dual rational nexus test established in Florida case law. This test requires that there be: 1) a reasonable connection between

¹¹ *Financial Guidelines for MPO Long Range Plans*, Florida Metropolitan Planning Organization Advisory Council, October 2008. <<http://www.mpoac.org/documents/AdoptedGuidelines.pdf>>

the anticipated need for transportation system improvements and the growth generated by new development; and, 2) a reasonable connection between the expenditure of fees collected and the benefit to the development. Other guiding principles established by the courts and considered in the development of the mobility fee approach include:¹²

1. Impact fees should not exceed the cost of needed facilities;
2. Fees should be proportional to the demand generated by the development;
3. New development should not be required to pay for a higher level of service than existing development; and
4. New development should not have to pay twice for the same level of service both through impact fees and through other taxes or fees.



Methods used to accomplish these principles have been widely documented in impact fee literature. These principles are reflected in the mobility fee legislation and in Florida statutes relating to proportionate fair-share and proportionate share mitigation calculations. Specifically, development can be charged to mitigate its impact on the transportation system, but is not responsible for the additional cost of reducing or eliminating backlogs (163.3180(4) and (16)).

These principles were carefully considered in development of the mobility fee approach. Yet certain applications of the mobility fee approach differ from conventional practice and therefore may diverge from widely held legal tenets. For example, legal guidelines typically limit the use of impact fees to capital expenditures. The mobility fee approach envisions flexible use of the fee for mobility needs, including system-wide operational enhancements, congestion management strategies, and transit operating expenses (considered only a short-term, erratic source of operating funds). In addition, many areas have administered impact fees in relatively small service areas and avoided impact fee expenditures for alternative modes of transportation due to difficulties in demonstrating adherence to the dual rational nexus test.

Transportation impact fee practices have evolved considerably over the years and continue to evolve in response to public policy directions.¹³ It is important that a legal analysis be conducted to clarify the limitations on the mobility fee approach under current law and identify how those limitations may be addressed. The legislature may need to enact special provisions for the mobility fee that overcome these identified limitations to achieve its public policy goals.

¹² http://www.impactfee.org/proceedings/2007_proceedings/mullen_principles.pdf

¹³ A. Nelson, J. Nicholas, and J. Jurgensmeyer, *Impact Fees: Principles and Practice of Proportionate-Share Development Fees*, American Planning Association, 2009.

How might the mobility fee be determined?

Two basic methods may be used to calculate the mobility fee – consumption-based and improvements-based. The consumption-based method charges each new development the value of the increment of transportation facilities or services needed to serve that development. The value of each increment is determined based on recent transportation improvements and is typically reflected as an average cost per unit of transportation service (e.g. a lane mile of roadway, unit of transit service). The improvements-based method charges each new development its proportionate share of the cost of a specific set of improvements deemed necessary to accommodate future growth at an adopted quality of service.

Either method is acceptable and can be designed to result in fees that avoid double-charging and are proportionate to development impact. In both cases, costs are adjusted to account for existing deficiencies and the mobility fee makes up only that portion of funding not provided through other funding sources.

The primary difference is that one is a cost per person miles of travel (PMT) or vehicle miles of travel (VMT) based on the incremental value of the facility or service used and the other is a cost per PMT or VMT based on a specific list of improvements.



THE MOBILITY FEE MAY BE
CALCULATED USING A CONSUMPTION-
BASED METHOD OR AN
IMPROVEMENTS-BASED METHOD

The PMT or VMT used in calculating the fee can be determined based upon typical average trip lengths in specified planning areas such as urban, suburban fringe, transitional, and rural preservation, and conservation areas. Longer trip lengths in transitional and rural areas will likely result in a somewhat higher fee for a development located in these areas compared to the same development within an urban area. Two accepted methods for determining average trip lengths are available regardless of which mobility fee calculation approach is used. One method uses a travel demand model which, in Florida, is the Florida Standard Urban Transportation Model Structure (FSUTMS) and the other method uses travel survey data.

Trip lengths to determine vehicle miles of travel may be obtained by running FSUTMS for the planning area. Several land use scenarios may be run to generate average trip lengths within designated planning areas. Average trips lengths per land use may be compiled in tables for use in estimating trip length for a proposed development. Trip length tables will simplify administration of the fee by minimizing the need to use the travel demand model for estimating development VMT. Trip length tables should be updated using FSUTMS at least every five years.

Trip length may also be determined from travel surveys of the population in the planning area. It is important that the data analysis methodology be clearly specified and valid for these estimates to be accepted. The University of Florida study, noted earlier in the report, is studying the use of this method to develop estimates of VMT based on the National Household Travel Survey.¹⁴ This

¹⁴ http://www.bts.gov/programs/national_household_travel_survey/

technique is still in an early phase of development, but holds promise for application to the mobility fee.

How might fees be assessed and expended?

The mobility fee approach envisions a two-tiered fee – countywide and local – with the option to establish additional tiers. The optional local tier of the fee will address localized transportation improvement priorities identified in local mobility plans. Examples might include collector roadways, local transit routes or circulators, and bicycle and pedestrian facilities.

The fee for the countywide tier will address transportation improvement priorities of countywide or multi-county benefit as identified through interlocal agreements. Each jurisdiction within the county would charge the same mobility fee rate for this tier. Priorities might include improvements on the state highway system, county and local arterial roadway system, regional transit corridors, intermodal hubs, and system-wide operational enhancements, such as signal coordination systems. While the fee may not be sufficient to improve major fixed rail transit systems, it will be key to assist in funding a supportive local transit network.

Because each new development will impact both local and countywide transportation facilities and services, its mobility fee will need to contribute to both. The mobility fee for a new development equals the sum of the countywide or multi-county and local tiers of the fee as shown below:

$$\text{Mobility fee} = \text{countywide or multi-county tier fee} + \text{local tier fee}$$

To avoid the potential for double-charging and complexity of competing fee systems, it is best if the local tier of the mobility fee be considered as a full replacement of local transportation impact fees. Additional mitigation may still be necessary in areas not designated for growth in the planning horizon. To be consistent with rational nexus principles or to respond to travel patterns, each countywide or multi-county area may need to be divided into service areas for the purpose of assessing and expending fees. These areas must be reasonably large to enable the expenditure of mobility fees on transportation service according to travel demand, regardless of jurisdiction. They should also be defined based on sound planning criteria (e.g. cross-jurisdictional travel patterns). Local service areas may be local jurisdictional boundaries or some other logical subarea based upon local planning objectives.

Fees collected in a service area must be spent on improvements in that service area. An exception may be where agreements are established across service area boundaries to address cross-area transportation impacts. In addition, major urban employment and/or activity centers should be able to

Local tier

Such as collector roadways, network connections, local transit routes or circulators, and bicycle and pedestrian facilities



Countywide tier

Such as SIS facilities, arterial corridors, parallel relievers, interstate crossings, regional transit, regional multiuse trails, system-wide operational enhancements (i.e., signal coordination), intermodal hub

receive mobility fees collected from any service area, where it is shown that travel into these areas flows from outlying regions and benefits from additional transportation service (mobility) within these centers.

Exemptions to the mobility fee, such as employment-based development in rural areas of critical economic concern, may also be established if authorized by legislation.¹⁵ These elements would need to be a part of the interlocal agreement.

In addition to the mobility fee, some off-site mitigation may still be required from the developer for site-related impacts to the localized network (e.g. intersection improvements). Such improvements would be identified through the local traffic impact assessment process during the site plan review and access permit process. The assessment should ensure the site can be accessed safely and efficiently through various modes.

How could the mobility fee be calculated?

Either a consumption-based or improvement-based method may be appropriate for calculating the local tier of the fee; local governments shifting their local improvement priorities from roadways to transit may find the improvements-based method more practical. Given the magnitude of regional transportation improvement costs, a consumption-based method may be more appropriate for calculating the fee for countywide or multi-county transportation improvements.

Consumption-based Mobility Fee

The consumption-based method charges each new development the value of the increment of transportation facilities or services needed to serve that development. The value of each increment is determined based on recent transportation improvements and is typically reflected as an average cost per unit of transportation service (e.g. a lane mile of roadway, unit of transit service).

Calculations are provided for both roadway and transit consumption-based fees. The calculation for roadway consumption may be used for all person or vehicle miles of travel generated by the development and the mobility fee collected may be expended on transportation priorities regardless of modes. The Broward County Transit Concurrency Assessment approach summarized in the Case Examples section provides an example of expenditure solely on transit within a specified area. In areas where there is established transit and measurable transit use, it may be appropriate to use both the roadway and transit calculations. Other calculations, such as for bicycle and pedestrian facilities, may also be appropriate. Where a variety of planning areas have been established such as urban, suburban fringe, transitional, and rural and conservation areas, average trip lengths will vary.

¹⁵ Georgia's impact fee act (Ga. Code Ann., Section 36 71 1 et seq,) authorizes transportation impact fee exemptions for affordable housing and economic development pursuant to replacement from non-impact fee revenues.

1. Roadways

1.1. Determine the cost per vehicle mile of travel (CPVMT)

1.1.1. Establish the cost per lane-mile (CPLM) of adding one additional lane-mile of capacity

Establish the average cost (including design, engineering, right-of-way, and construction) of one lane mile of road using one or more representative roadway(s) that reflect the characteristics of planned road improvements. These characteristics include quality/level of service standards and type of road.

1.1.2. Establish the new capacity of roadways in terms of vehicles per day (VPD) per lane

Establish the new capacity of each type of roadway based on adopted quality/level of service standards.

1.1.3. Calculate the cost per vehicle mile of travel (CPVMT)

$$\text{Cost per VMT (CPVMT)} = \frac{\text{Cost per lane mile (CPLM)}}{\text{Vehicles per day (VPD)}}$$

This calculation results in the cost per vehicle mile of travel (CPVMT) for roadways which becomes a portion of the mobility fee charged to each new development for the VMT it is estimated to generate.

1.2. Calculating the consumption-based roadway mobility fee for a new development

1.2.1. Calculate the development's projected vehicle miles of travel (PVMT)

$$PVMT = \frac{1}{2} (TGR \times NTF \times ATL \times MS_{Auto})$$

Where,

PVMT: Projected vehicle miles of travel

TGR: Trip generation rate (per ITE Trip Generation¹⁶)

NTF: New travel factor. Percentage of a development's net new travel excluding pass-by trips and internal capture

ATL: Average trip length by planning area¹⁷

MS_{Auto}: Modal split. Percentage of vehicle trips

Note: Multiplying by ½ divides the trip between each end resulting in net new one-way trips thus allocating responsibility to the development at each end.

1.2.2. Calculate credits per vehicle mile of travel (DPVMT)

Credits per vehicle mile of travel for motor fuel taxes and other fees for transportation are usually about 20-30% of the fee.¹⁸

$$DPVMT = GT / MPG \times 365 \times NPVF$$

Where,

GT: Gas tax. Capacity-expanding funding for roads per gallon of motor fuel consumed (include all other fees collected for transportation such as sales tax, license fees, etc.)

MPG: Average fuel efficiency (miles per gallon)

365: Factor to convert daily VMT in annual VMT

NPVF: Net present value factor representing the life cycle for a road expansion project

1.2.3. Calculate mobility fee (MF) for road consumption

¹⁶ Refers to the latest edition of the Institute of Transportation Engineers *Trip Generation*.

¹⁷ Impact fee calculations often exclude travel on the freeway system from this value. However, an accurate estimation of all new development VMT is essential to the mobility fee program and fees collected from freeway travel may be spent on reliever projects.

¹⁸ Discussion with Bill Oliver, Tindale-Oliver & Associates, Inc., August 2009.

The fee rate is determined by subtracting the cost of providing transportation facilities and services minus credits the new development is expected to produce through existing revenue sources.

$$\text{Road consumption mobility fee rate} = \text{Costs} - \text{Credits}$$

This equation may be expressed as:

$$MF_{Auto} = (PVMT \times CPVMT) - (PVMT \times DPVMT)$$

Where,

MF_{Auto} : Mobility fee rate for road consumption (auto use)

$PVMT$: Project vehicle miles of travel

$CPVMT$: Cost per vehicle mile of travel

$DPVMT$: Credit per vehicle mile of travel

Using equations from the previous steps, the resulting equation follows:

$$MF_{Auto} = \frac{1}{2} (TGR \times NTF \times ATL \times MS_{Auto}) \times \left[\frac{CPLM}{VPD} - \frac{GT}{MPG} \times 365 \times NPVF \right]$$

Where,

MF_{Auto} : Mobility fee rate for road consumption (auto use)

TGR : Trip generation rate (per ITE Trip Generation)

NTF : New travel factor. Percentage of a development's net new travel excluding pass-by trips and internal capture

ATL : Average trip length by planning area¹⁹

MS_{Auto} : Modal split. Percentage of vehicle trips

$CPLM$: Cost of adding one lane mile of capacity

VPD : Vehicles per day

GT : Gas tax. Capacity-expanding funding for roads per gallon of motor fuel consumed (include all other fees collected for transportation facilities such as sales tax, license fees, etc.)

MPG : Average fuel efficiency (miles per gallon)

$NPVF$: Net present value factor representing the life cycle for a road expansion project

1.3. Optional: Calculate mobility fee for road consumption by planning areas

Planning areas may have different quality/level of service standards for transportation facilities and services. In this case, the fee rate may vary by planning area. In this case, the projected VMT would be split by the percentages of vehicle miles of travel in each planning area. This may be determined by individual travel demand model runs for each development or estimated in a table using model averages as discussed in "How might the mobility fee be determined?" The mobility fee (before credits) would be calculated as follows:

$$\text{Cost} = PVMT (CPVMT_{PA1} \times \%VMT_{PA1} + CPVMT_{PA2} \times \%VMT_{PA2} + \dots + CPVMT_{PA_n} \times \%VMT_{PA_n})$$

Where,

$PVMT$: Projected vehicle miles of travel

$CPVMT$: Cost per vehicle mile of travel

PA : Planning area

VMT : Vehicle miles of travel

¹⁹ Impact fee calculations often exclude travel on the freeway system from this value. However, VMT is essential to the mobility fee program and fees collected from freeway travel may be spent on reliever projects.

Table 1: Example Application of the Consumption-based Mobility Fee for Roads

Example Application of the Consumption-based Mobility Fee (Roadway) (Countywide Tier)		
Example development:		
<ul style="list-style-type: none"> • 120 single family dwelling units (land use code 210) • Trip generation: 1,230 daily trips (per <i>ITE Trip Generation</i>) 		
CALCULATING THE MOBILITY FEE	ASSUMPTIONS	EXAMPLE
<p>Calculate the cost per vehicle mile of travel (CPVMT)</p> $\text{Cost per VMT (CPVMT)} = \frac{\text{Cost per lane mile (CPLM)}}{\text{Vehicles per day (VPD)}}$	<p>Cost per lane-mile = \$2,175,676 Vehicles per day = 4,518</p>	<p>2,175,676/4,518 = Cost per VMT = \$481.56</p>
<p>Calculate the development's projected vehicle miles of travel (PVMT)</p> $PVMT = \frac{1}{2}(TGR \times NTF \times ATL \times MS_{Auto})$	<p>TGR = 1,230 NTF = 1 MS_{Auto} = 0.95 ATL = 6.5</p>	<p>1/2 (1230 x 1 x 6.5 x 0.95) = Project VMT = 3,797.63</p>
<p>Calculate credits per vehicle mile of travel (DPVMT)</p> $DPVMT = GT/MPG \times 365 \times NPVF$	<p>GT = \$0.133 MPG = 17 NPVF(25 years, 4.3%) = 15.14</p>	<p>0.133/17 x 365 x 15.14 = Credit per VMT = \$43.45</p>
<p>Calculate mobility fee (MF) for road consumption</p> $MF_{Auto} = (PVMT \times CPVMT) - (PVMT \times DPVMT)$	<p>PVMT = 3,797.63 CPVMT = \$481.56 DPVMT = \$43.45</p>	<p>(3,797.63 x 481.56) - (3,797.63 x 43.45) = MF_{Auto} for development = \$1,663,779.68 OR \$13,864.83 per SFDU</p>

2. Consumption-based fee for transit

The following procedure may be used to calculate transit consumption. This procedure was adapted from methods used for the transit circulator proposed for Aventura, Florida.²⁰

2.1. Determining the transit cost per capita (TCPC)

2.1.1. Calculate the quality of service per capita per day for the existing transit service (TQOS)

The number of seats per day (TQOS) and the functional population²¹ served are the variables used to assess the transit quality of service per capita.

$$TQOS = \frac{\text{avg number of buses dispatched per day} \times \text{avg number of seats per bus}}{\text{functional population}}$$

2.1.2. Calculate the transit cost per capita (TCPC)

The transit cost per capita may be calculated by dividing the annual cost of providing the existing transit quality of service by the population served. Then, apply any

²⁰ Aventura Transportation Mitigation Impact Fee. City of Aventura, Florida Code of Ordinances Article IV: Finance, Division 2: Fees and Charges. Sec. 2-302. Transportation mitigation impact fee. (Ord. No. 2008-08, Sec. 2, 4-8-08)Secs. 2-303—2-310. Reserved.

²¹ The functional population concept has been applied in the Aventura, Florida transportation mitigation impact fee by James C. Nicholas, Ph.D., Emeritus Professor of Law and Urban and Regional Planning, University of Florida. It is also described in Florida Mobility Fee Study, Phase 1 Report – Policy Analysis and Methodology, March 2009.

available funding mechanism as a percent of the cost per seat and the appropriate net present value factor.

$$TCPC = \frac{\text{Avg annual transit cost per route}}{\text{Avg number of seats per route per day}} \times (1 - \%funded) \times TQOS \times NPVF$$

Where,

TCPC: Transit cost per capita

TQOS: Quality of service expressed as seats per day

NPVF: Net present value factor representing the life cycle for a transit expansion project

% funded: Revenue provided from other sources

2.2. Calculating the consumption-based transit mobility fee for a new development

Multiply the number of new person trips anticipated by the development by the transit cost per capita. Since the transit cost per capita already includes committed funding, it can be applied directly to the new development to calculate the mobility fee for transit ($MF_{Transit}$).

$$MF_{Transit} = \text{New development population} \times TCPC$$

Where,

MF_{Transit}: Mobility fee for transit

TCPC: Transit cost per capita

New development population: The population within the new development to be served over the course of a day.

Table 2: Example Application of the Consumption-based Mobility Fee for Transit

Example Application of the Consumption-based Mobility Fee (Transit) (Countywide Tier)		
Example development: <ul style="list-style-type: none"> 120 single family dwelling units (land use code 210) 		
CALCULATING THE MOBILITY FEE	ASSUMPTIONS	EXAMPLE
Calculate the quality of service per day for the existing transit service (TQOS) $TQOS = \frac{\text{avg number of buses dispatched per day} \times \text{avg number of seats per bus}}{\text{functional population}}$	Avg #of buses dispatched per day = 250 Avg # of seats per bus = 35 Functional population = 180,000	$(250 \times 35) / 180,000 =$ Transit quality of service expressed in seats per capita per day = 0.049
Calculate the transit cost per capita $TCPC = \frac{\text{Avg annual transit cost per route}}{\text{Avg number of seats per route per day}} \times (1 - \%funded) \times TQOS \times NPVF$	Annual avg transit cost per route = \$8,760,000 Avg # of seats per route per day = 875 Funded = 85% TQOS = 0.049 NPVF (25 years, 4.3%) = 15.14	$(\$8,760,000 / 875) \times (1 - 0.85) \times 0.049 \times 15.14 =$ Transit cost per capita = \$1,114.06
Calculate the mobility fee for transit $MF_{Transit} = \text{New development pop.} \times TCPC$	New development population = 114 TCPC = \$1,114.06	$114 \times 1,114.06 =$ MF_{Transit} for development = \$127,002.84 OR \$1,058.36 per SFDU

Improvements-based Mobility Fee

The second method that may be used to calculate the mobility fee is the improvements-based method developed through previous mobility fee research for the Florida Department of Community Affairs.²² The cost of planned improvements in the countywide and local mobility plans are pro-rated across development anticipated during the planning period. To ensure that development provides mitigation (mobility fee) for its impacts on the transportation in approximate proportionality to those impacts, the fee should not exceed the amount that would be charged for a consumption-based fee. Planned improvements in adopted mobility plans that address all modes of transportation serve as the cost basis for the fee.

1. Calculate the target funding level (TFL) for the mobility fee

The target funding level (TFL) is the amount of funding that the fee will need to generate to fund planned mobility improvements unfunded by other committed revenue sources. These include motor fuels taxes, local option taxes, development agreements, and general revenue. The portion of planned projects that will address existing backlogs, rather than new capacity, should be treated separately to remove concerns that new development is being charged for existing backlogs. The target funding level is calculated using the following equation:

$$\begin{aligned} \text{Target Mobility Fee Funding Level (TFL)} \\ &= \text{Cost of Mobility Plan (excluding backlog capacity)} \\ &\quad - \text{Committed Revenue} \end{aligned}$$

Where

Committed revenue = gas tax revenue, revenue from pre-existing development agreements, etc.

2. Estimate VMT growth

Estimate the expected growth in vehicle miles of travel within the planning area between the base year and the planning horizon year using a travel demand model (FSUTMS/CUBE). This application of FSUTMS/CUBE can be readily accomplished in areas that have an established travel demand model and corresponding long range transportation plan (LRTP). The difference between VMT estimates for the planning horizon and the base year represents the growth in VMT. A correction factor is applied to account for growth in background traffic and pass-by trips. This number may be from 20-40% of the estimated VMT growth.

$$\text{New VMT}_{\text{Growth}} = (\text{VMT}_{\text{Horizon Year}} - \text{VMT}_{\text{Base Year}}) \times CF$$

Where,

New VMT_{Growth} = Increased VMT within the planning horizon attributable to new development
VMT_{Horizon Year} = Estimated vehicle miles of travel in the planning horizon year
VMT_{Base Year} = Estimated vehicle miles of travel in the base year
CF = Correction factor in percent VMT attributable to new development discounts background traffic and pass-by trips

3. Establish the mobility fee rate

The target funding level (TFL) and the new growth in vehicle miles of travel (VMT) are used to calculate the average mobility fee rate. Because it is closely tied to the planned land use

²² Seggerman, Karen et al. *Florida Mobility Fee Study Phase I Report – Policy Analysis and Methodology*. Florida Department of Community Affairs, March 2009 and *Florida Mobility Fee Study Final Report*. Florida Department of Community Affairs, June 2009.

scenario and corresponding transportation system, *the mobility fee rate should be recalculated every time mobility plans are amended or updated.*

This mobility fee rate is a fixed rate that relies solely on vehicle miles of travel as the controlling factor. The same rate is charged for each estimated vehicle mile of travel regardless of the development’s location. The rate is calculated by dividing the target funding level (TFL) by total VMT growth within the planning horizon as follows:

$$\text{Mobility Fee Rate} = \text{TFL} \div \text{New VMT}_{\text{Growth}}$$

Where,

New VMT_{Growth} = Increased VMT within the planning horizon attributable to new development

TFL = Target mobility fee funding level

4. Determine the improvements-based mobility fee for a new development

To determine the mobility fee for a new development, the mobility fee rate is multiplied by the estimated vehicle miles traveled of a proposed new development.

$$\text{Mobility fee} = \text{Mobility fee rate} \times \text{VMT}$$

5. Example of improvements-based mobility fee for a new development

Table 3: Example of Improvements-based Mobility Fee for Local Tier

Example Application of the Improvements-Driven Mobility Fee (All Improvements) (Local Tier)		
Calculations assume this for a local mobility plan (local tier) Example development: <ul style="list-style-type: none"> • 120 single family dwelling units (land use code 210) • 10 trips per day with an average trip length of 7 miles 		
CALCULATING THE MOBILITY FEE	ASSUMPTIONS	EXAMPLE
Calculate the target funding level (TFL) <i>Target Mobility Fee Funding Level (TFL) = Cost of Mobility Plan – Committed Revenue</i>	Cost of Mobility Plan = \$45 million Committed Revenue = \$30 million	\$45 million – \$30 million = TFL of \$15 million
Estimate VMT growth <i>New VMT_{Growth} = (VMT_{Horizon Year} – VMT_{Base Year}) × CF</i>	VMT _{Horizon Year} = 11,545,000 VMT _{Base Year} = 10,077,000 CF = 65%	(1,154,500 – 1,007,700) × 65% = 1,468,000 × 65% = New VMT _{Growth} = 954,200
Establish the mobility fee rate <i>Mobility Fee Rate = TFL ÷ New VMT_{Growth}</i>	TFL = \$15 million New VMT _{Growth} = 954,200	\$15 million / 954,200 = Mobility Fee Rate = \$15.72 per VMT
Determine the improvements-based mobility fee for a new development <i>Mobility fee = mobility fee rate × VMT</i>	Mobility Fee Rate = \$15.72 per VMT VMT = 120 × 10 × 7 = 8,400	\$15.72 × 8,400 = Local tier mobility fee for development = \$132,048 OR \$1,100.40 per SFDU

Tiered Mobility Fee

Table 4: Example of Two-Tiered Mobility Fee

Example Application of Tiered Mobility Fee			
Example development:			
<ul style="list-style-type: none"> 120 single family dwelling units (land use code 210) 			
TIER	FEES		
County (Consumption-based method)		Roadway	Transit
	Development	\$1,663,779.68	\$127,002.84
	SFDU	\$13,864.83	\$1,058.36
Local (Improvements-based method)		All Planned Improvements	
	Development	\$132,048	
	SFDU	\$1,100.40	
<i>Mobility fee = countywide or multi-county tier fee + local tier fee</i>			
<p>Mobility fee for new development = (\$1,663,779.68 + \$127,002.84) + \$132,048 = \$1,922,830.52</p> <p>Mobility fee for SFDU = (\$13,864.83 + \$1,058.36) + \$1,100.40 = \$16,023.59</p>			

The mobility fee will need to cover the cost of transportation needs attributable to new development; this cost may be quite high when compared to current impact fee rates. Studies to date indicate that current transportation impact fees do not cover the cost of transportation needs attributable to new development.

Actual costs per vehicle mile of travel (VMT) may be as high as \$500.²³ Single family dwelling unit example: Assuming 10 trips per day, an average of 7 VMT per trip: $(10 \times 7) / 2 \times \$500 = \$17,500$ per single family home. This amount is usually credited 20-30% to account for other revenue (i.e., motor fuel taxes) that may be attributed to the development over time. Assuming a 25% credit, the transportation costs for a single family home in some areas of Florida may be \$13,125.

How might mobility fees be collected and distributed?

Each local government would administer the mobility fee during the development permitting process, as is the case with current impact fee or concurrency mitigation. The collected fees would be placed in special accounts to be expended in accordance with the procedures identified in the interlocal agreements.

The payment process for phased development will be similar to that for payment of impact fees or proportionate share mitigation by developments of regional impact. Mobility fees will typically be assessed separately for each phase of a proposed development at the time of the development application. A local government and developer may agree to a single up-front payment for several

²³ Discussion with Bill Oliver, Tindale-Oliver & Associates, Inc., August 2009.

phases in accordance with a development agreement. In such cases, monitoring agreements will be needed to ensure that each phase is completed in accordance with the agreement.

The mobility fee legislation specifies that the fee must be “fairly distributed among the entities responsible for maintaining the impacted roadways.” Although the legislation refers to “impacted roadways”, it also indicates that the current system “is too focused on roadways to the detriment of desired land use patterns and transportation alternatives...” In addition, the Community Renewal Act requires local governments in designated “dense urban land areas” to prepare a mobility plan that address alternative modes of transportation. Therefore, to ensure a mobility fee system that includes alternative modes of transportation, transit facilities maintained by transit agencies should be considered in the fee methodology.

Areas may choose to expend fees on countywide or multi-county priorities in a variety of ways as established in the interlocal agreements. One way may be to spend fees on transportation projects within service areas in order of priority. Another way may be to proportionately distribute collected fee to agencies responsible for maintaining the facilities based on the amount of travel demand anticipated (% state, % county, % transit agency). The fees would then be spent on each agency’s relative priorities established in the interlocal agreement. Typically, vehicle travel occurs 40-70% on state roads, 15-20% on county roads, and 8-10% on local roads. Note, however, that improvements that benefit state roads may be made off of the state system. The Tallahassee-Leon County “Significant Benefit Areas” program in the Case Examples is illustrative of how one area accomplished a countywide prioritization process in collaboration with the FDOT and transit provider.

How might fluctuations in other transportation revenue affect the mobility fee?

The method used for calculating the mobility - consumption-based or improvements-based will determine whether fluctuations in other transportation revenue would affect the mobility fee. The first method is based on consumption of the transportation system and average unit costs for planned improvements. Therefore, the fee is not influenced by fluctuations in other transportation revenues. The second method is based on specific planned projects in which the mobility fee makes up a portion of funding that is not provided through other funding sources; a decrease in other funding sources could cause the fee to increase.

A fee developed using either method is influenced by fluctuations in improvement costs, such as the cost of right-of-way, changing design standards, and materials. For example, increased demand for concrete and steel in China earlier in the decade resulted in dramatic increases in the cost of materials to build transportation facilities in the U.S. The cost used to calculate the fee would need to be periodically updated to ensure it is realistic in light of cost fluctuations in the market.

MOBILITY FEE IMPLICATIONS

Will the mobility fee approach promote compact, mixed use, energy efficient development?

A fee alone is unlikely to influence development patterns. To accomplish this goal, the mobility fee approach calls for increased coordination of the location of transportation improvements with growth areas identified in the future land use element as well as the use of development incentives in designated growth areas. This may include policies adopting development controls, such as phasing of development or urban service area boundaries to guide development patterns. New developments outside of designated growth areas that require a future land use map amendment may be required to fund the cost of additional transportation facilities and services that may be necessary. Amendments may also be required to the mobility plan and cross-jurisdictional agreements as part of the plan amendment approval process.

Adherence to such a plan will influence the location of new growth over time. It will reduce development pressure in areas planned for conservation and preservation and guide development into areas where growth is desired and mobility improvements are planned. In addition, the mobility fee approach rewards development that locates within designated growth areas with expedited review due to the lack of need for complex traffic studies and lower fees based on fewer vehicle miles of travel. Single use developments that locate farther from urban centers will have higher fees based on their higher VMT compared to mixed use developments and those that locate closer to urban centers. This approach is more likely to promote compact, mixed use, and energy efficient development than the current system, which charges the most in areas where growth is desired and subsidizes sprawl development with free transportation system capacity.

Local government comprehensive plans (including local mobility plans) and land development regulations should incorporate policies to reinforce the desired growth pattern, such as establishing minimum land use densities and intensities in designated growth areas. In addition, new development that minimizes new travel demand using identified strategies (e.g. transit-oriented development, or traditional neighborhood development) may be eligible to pay a reduced mobility fee based on anticipated reduction in travel demand. Other possible incentives include mobility fee reductions for:

- 1) New development or redevelopment within areas with adopted and implemented area-wide parking strategies (i.e., downtowns or regional activity centers);
- 2) New office buildings that restrict or reduce parking in areas served by adequate transit and/or commit to participation in van-pooling or ride-sharing programs; and,
- 3) New residential development or redevelopment that supplies residents with free transit passes for a prescribed period of time in areas served by adequate transit.

Alachua County provides three incentives for transit-oriented development (TOD) and traditional neighborhood development (TND) within its planned urban cluster. One incentive allows for greater development density and intensity. Another incentive is the lack of requirement for future land use

amendments or additional zoning approvals. Finally, the multimodal transportation fee methodology will recognize the lower external vehicular impact of these developments resulting in a lower fee. (The Alachua County's Mobility Plan is discussed in Case Examples.)

Such reductions are premised on the potential for such development to promote the use of alternative modes and to reduce vehicular trips on the major thoroughfare system. . Fee reductions should generally be consistent with anticipated reductions in VMT. Mobility plans should include a clear public policy objective for adjusting mobility fees and clearly identify the relationship between the objective and the fee being reduced.

Any fee reduction will lower the amount of fees collected thus possibly impacting the financial feasibility of planned improvements. Therefore, fee reductions should be weighed carefully in light of their potential effectiveness in achieving the desired planning outcomes. Alternatively, the county or multi-county area and local governments could address the fiscal impact of fee reductions by adopting a policy to make up that portion of the reduced mobility fee out of the general fund or other funding sources (see discussion of Atlanta, Georgia impact fee program in Case Examples).

How will future land use map amendments affect mobility plans?

The mobility fee approach is highly dependent upon coordinated land use and transportation planning to ensure that transportation facilities are available to accommodate mobility for new growth. A complicating issue is the willingness of local governments to amend their future land use elements and map in response to development proposals in areas not yet planned for growth or planned for growth at lower intensities. Historically, transportation improvements needed to accommodate such development cannot be funded. Even where the developer may be willing to pay proportionate fair-share mitigation, local and state governments are often unable to fund the balance of the improvement need.

The mobility fee approach attempts to address this issue by requiring applicants seeking development approval within the parameters of existing comprehensive plans to no longer be required to achieve or maintain level of service standards or to address deficiencies through proportionate fair-share mitigation. Rather, they will pay the mobility fee. However, a proposed development outside of designated growth areas that involves a future land use map amendment will be subject to thorough analysis of its impacts to the transportation system. If estimated travel demand requires transportation facilities and services not provided in the adopted mobility plan, then the developer would be responsible for providing the necessary (unplanned) transportation service in addition to the mobility fee. As noted above, amendments may also be required to the mobility plan and cross-jurisdictional agreements as part of the plan amendment approval process.

Will the mobility fee address all transportation needs?

Florida's transportation financing needs include three components, which apply to roads, transit, and other modes: 1) funding transportation services to accommodate new development; 2) funding backlogs and transportation improvements for existing development; and 3) funding

system maintenance and operation. The mobility fee is a transportation system charge to recoup the proportionate cost of transportation system demand generated by new development only; therefore, its role in the transportation funding context is limited.

New development can be required to cover the cost of the travel demand that it creates. However, once systems are provided, stable funding sources are needed to operate, maintain, repair, and replace those systems. Transit systems are minimal or non-existent in many jurisdictions, and establishing or substantially improving a transit system is difficult and costly to accomplish. In addition, no development-related funding mechanisms, including the mobility fee discussed herein, have proven a stable source of operating funds, which is the greatest need for transit systems.

In light of this funding need, an optional transportation utility charge on the system user is also suggested.²⁴ Such a charge could be made available only to local governments that had exhausted all other local infrastructure funding options provided by statute. This charge would enable local governments to recoup a proportionate share of the ongoing cost of providing, operating, maintaining, rehabilitating, and replacing the transportation system apportioned based on use or a proportionate-share factor. It could also be used to make up any mobility fee reductions, such as those noted above, that a local government may wish to offer as incentives for desired development. Such a charge would need to be clearly authorized in legislation as past efforts to apply such a charge have been deemed an unconstitutional tax under Florida law.

CASE EXAMPLES

The mobility fee approach combines a variety of current and emerging best practices related to transportation and land use planning and local government development fees. This section explores examples of these practices in action. These examples illustrate only components of the mobility fee approach, as the complete approach has not yet been implemented in Florida or elsewhere.

Mobility Plans and Fees that Address VMT

A number of local governments in Florida are developing fees with a specific focus on vehicle miles of travel. Below are selected examples of local government mobility plans and fee structures sensitive to VMT that were in progress at the time of this research. Also included are a few local government examples from other states. *None fully represent the mobility fee approach, particularly as it relates to intergovernmental agreements and cross-jurisdictional coordination.* Nonetheless, they provide effective illustrations of various aspects of the approach presented in this report.

Alachua County Mobility Plan

²⁴ See <http://www.dca.state.fl.us/fdcp/dcp/MobilityFees/Files/FloridaMobilityFeeStudyPhase1.pdf> for a detailed discussion of transportation utility fees.

Alachua County is in the process of amending its comprehensive plan through *Mobility: Alachua County's Plan to Effectively Link Land Use and Transportation*. The plan proposes "to reduce vehicle miles travelled and greenhouse gas emissions per capita by providing for enhanced transportation mobility options in conjunction with land use changes that bring services closer to residents and provide for development densities and intensities that are transit supportive."²⁵ The plan is complemented by incentives and standards for mixed use development to support transit and involves development of several BRT corridors and stations within the County that would eventually link outlying areas to Gainesville.

The County's mobility plan:

"is intended to produce [a] transportation and land use system within the Urban Cluster of Alachua County that reduce[s] vehicle miles of travel and per capita greenhouse gas emissions through development of an interconnected multimodal transportation system and makes transportation mode choice a reality by providing for bicycle and pedestrian friendly communities that have the densities and intensities of land use that can be effectively and efficiently served by mass transit."²⁶

The County Staff Report and accompanying exhibits, available on the Alachua County Growth Management website, provide a detailed description of the plan.²⁷ The plan amendment establishing the mobility plan contains changes, additions, and deletions to the capital improvements element, the future land use element, the transportation mobility element, and the intergovernmental coordination element as well as numerous illustrative maps.

The Staff Report categorizes the mobility plan into several key areas:

- Establishing Urban Cluster Transportation Mobility Districts within the Urban Cluster of Alachua County to provide a multi-modal transportation network that reduces vehicle miles of travel and per capita greenhouse gas emissions as required in HB 697 and F.S.163.3177 (6) (b) and to form the basis of a fee based concurrency system inside the Urban Cluster replacing traditional concurrency and proportionate fair share.
- Design standards for Traditional Neighborhood Developments and Transit Oriented Developments to provide for compact, mixed-use development patterns, that will result in a reduction in vehicle miles of travel and per capita greenhouse gas emissions, encourage walking and biking and provide the densities and intensities needed to support transit consistent with the requirements of HB 697 and F.S.163.3177 (6) (a).

²⁵ Mobility. Alachua County's Plan to effectively link Land Use and Transportation. <http://growth-management.alachuacounty.us/TPIF/Mobility%20Brochure.pdf>

²⁶ Alachua County, Office of Planning and Development Staff Report, Application Number: CPA-01-09. April 8, 2009.

²⁷ Alachua County. CPA 01-09 Mobility: Alachua County's Plan to Effectively Link Transportation and Land Use <http://growth-management.alachuacounty.us/TPIF/cm_docs.php> (04 Jun. 2009).

- A multimodal mobility fee structure that is sensitive to VMT and will incentivize developments such as Traditional Neighborhood Developments and Transit Oriented Developments by recognizing their reduced impact on the major roadway network.
- Identifying the multimodal transportation infrastructure needs that can be reasonably anticipated by the land uses prescribed in the current Comprehensive Plan.
- Shifting infrastructure plans from being solely automobile-oriented so that they also include pedestrian, bicycle and transit infrastructure in a manner that positions those modes to be viable means of mobility in the future.
- Require the establishment of a multi-modal mobility fee as a means to fund the capital costs of the proposed multimodal infrastructure plan.
- Enhanced intergovernmental coordination.

The Future Land Use Element enhances existing policies regarding traditional neighborhood development (TND) and introduces the transit oriented development (TOD) concept. Such developments are granted more units per acre and must be mixed use in nature with emphasis on walking, bicycling, and transit use. Several incentives are offered to encourage TODs and TND recognizing the increased cost of creating these mixed use developments. In particular, policies require that the multimodal transportation fee established in the plan be lower for TODs and TNDs.

The Transportation Mobility Element includes principles to discourage sprawl and encourage efficient use of the urban cluster (urban growth boundary). It also recognizes that congestion may be acceptable in growing urban areas “so long as viable alternative modes of transportation are provided that serve travel demand along the corridor.” Various policies in the element address among other things level of service, roadway parameters, guidance for developing transit, and specific plans for each facility on the Strategic Intermodal System (SIS).



Figure 2: Alachua County mobility plan.

Charlotte County Mobility Planning

Charlotte County, Florida is considering a tiered VMT-based impact fee to complement its mobility planning efforts. The Charlotte County approach involves establishing three zones: urban, rural 2, and rural 1. Total transportation improvement costs for each zone are calculated based on the long range transportation plan. Committed funding is subtracted. Daily VMT is established based on land use and by zone. Net transportation system capacity costs are then calculated for each zone using: a) the capacity of a new facility or expansion of an existing facility, b) the improvement cost by type of improvement and zone, and c) the net transportation improvement cost by zone. The result is that fees outside of the urban zone would be higher by roughly 100% -200% in the rural 2 zone and 150% – 230% in the rural 1 zone. Both zones have outliers that are significantly lower.



Figure 3: Charlotte County mobility planning includes tiered impact fees.

Mobility Planning in Jacksonville

Jacksonville is undergoing a mobility planning process that illustrates selected aspects of the mobility fee approach. The plan addresses mobility service needs based on service to three basic areas:

1. Downtown – transit and pedestrian focused
2. Suburban – roadway focused with good connections for transit and pedestrian connectivity
3. Exurban – roadway focused with an emphasis on system management of major corridors connecting to the built up areas

The basic areas reflect general trip lengths measured in vehicle miles traveled (VMT). An analysis of trip lengths using the travel demand model found that VMT is less in the downtown area, higher in suburbs, and the highest in exurban areas.

The cost basis of the mobility fee will reflect the need for improvements to all modes and include transportation service improvements. The City is studying current conditions, determining future multi-modal needs, and identifying expected funding and what is unfunded. The concept is a fee that charges all new development based on that portion of the unfunded improvements they consume, with adjustments for desired development practices. The fee will also vary based on the VMT of the area type where a development locates.

Woodinville (WA) Impact Fee Program

The City of Woodinville, Washington (pop 9,900) north of Seattle has a transportation impact fee ordinance that includes a fee schedule reflecting varying VMT characteristics by region of the City. The City combined its traffic analysis zones (TAZs) into four separate service areas and used its transportation demand model to forecast the VMT created by each development that applied for a permit. The impact fee varies by service area based on the average VMT impact in that district.

The City also developed a simple transportation impact fee worksheet to assist applicants in determining their fee. This is also an example of the type of simple fee program that could readily be administered by a small town or rural county. Figure 4 illustrates the services areas along with an excerpt from the simple worksheet used for calculating the transportation impact fee.

Vehicle Miles Traveled (VMT) Impact Per Trip Generated:
 Select applicable Transportation Service Area (TSA) and Land Use Category
 Enter VMT value from the applicable column and row below:

TRANSPORTATION SERVICE AREA (TSA)	RESIDENTIAL DEVELOPMENT	RETAIL ACTIVITY	NONRETAIL NONRESIDENTIAL ACTIVITY
1 Leota	1.56	1.46	1.44
2 The Wedge	0.75	1.02	0.76
3 West Ridge Valley Industrial Tourist District	0.80	1.25	1.11
4 Town Center North Industrial	0.90	1.02	0.85

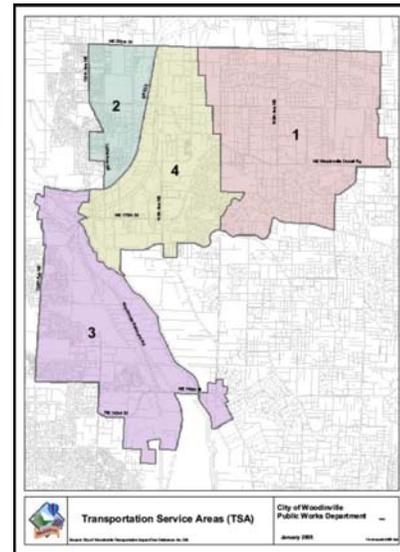


Figure 4: Simple service areas and VMT worksheet of the small town of Woodinville (WA).

Expenditure on Alternative Modes and Trip Reduction

In addition to implementing VMT-focused impact fees, some local governments spend development fee revenues on alternative modes and trip reduction strategies. California, in particular, has been a leader in this arena due to statutory requirements related to reducing greenhouse gas emissions. For example, a study of traffic impact fees by the Santa Barbara County Association of Governments (SBCAG) found that even in the mid-90s more than 10% of SBCAG

municipalities allocated a portion of transportation impact fee revenues for alternative transportation mode improvement.²⁸ Examples of alternative transportation modes funded by impact fee revenues include “new or upgrades of existing bicycle and pedestrian facilities, signage programs, transit capital improvements (new buses, shelters, terminals), bus pull-outs, rideshare/carpool and parking management programs, park and ride lots and light rail station improvements.”²⁹ This section explores examples of the use of fee revenues for alternative modes and trip reduction strategies.

Palo Alto Impact Fee and Expenditure Plan

The Palo Alto (CA) Transportation Impact Fee Ordinance and Expenditure Plan is an example of how a local government might invest impact fee revenues in accomplishing both multimodal improvements and advancing regional trip reduction targets. The impact fee program advances a policy in the City’s comprehensive plan to provide effective alternatives to automobile travel and reduce vehicle trips by 10% Citywide by the year 2010, in accordance with California law.

The City charges new development for 7.6% of the cost of the transportation expenditure plan. This represents the proportion of 2025 vehicle trips that are expected to be generated by new development. All trips that originate or terminate at a new development are counted excluding pass-by trips. Proceeds from the impact fee contribute toward expanding the person trip (as opposed to vehicle trip) capacity of the City’s multimodal transportation system. The impact fee revenue expenditure plan includes citywide transportation demand management, expanded shuttle service, bicycle facilities, and computerized traffic management.

Broward County’s Transit Concurrency Assessments

Broward County, Florida is working to advance transit through fees administered under a transportation concurrency management system in place from 2005-2009, revised in 2009. Within an established district, fees assessed are spent on transit. Specific justifications for the new system were that: (1) most non-vested new developments were having to mitigate for concurrency, unless within an exception area; (2) acceptable concurrency mitigation measures were becoming scarce in many areas, and (3) the standard concurrency system was not amenable to supporting transit improvements.

Broward County applied two types of concurrency districts—transit-oriented concurrency districts and standard concurrency districts. These districts are defined in the Broward County Code both geographically and conceptually. A Standard Concurrency District is defined as an area where roadway improvements are anticipated to be the dominant form of transportation enhancement. A Transit Oriented Concurrency District is a compact geographic area with an existing network of

²⁸ A. Lawler and M. Powers. *Traffic Impact Fees—Survey Results*. American Planning Association, California Chapter, undated (circa mid to late 90’s); Ann Lawler. *Traffic Impact Fees Survey*. Santa Barbara, CA: Santa Barbara County Association of Governments, May 1997.

²⁹ Lawler and Powers, 1997.

roads where multiple, viable alternative travel paths or modes are available for common trips (a Transportation Concurrency Management Area, or TCMA, under Florida Statutes).

The distinction is important, because each type of concurrency district carries with it a different set of standards for adequacy determination. The LOS standards for roadways are conventional, whereas, the relevant LOS standards for transit-oriented concurrency districts address transit headways and the establishment of neighborhood transit centers and additional bus route coverage, and are broken down on the individual district level. The transit quality/level of service standards are provided in Table 5.

Table 5: Broward County Transit Quality/Level of Service Standards

North Central District	Achieve headways of 30 minutes or less on 90% of routes. Establish at least one neighborhood transit center. Establish at least one additional community bus route. Expand coverage area to 53 percent.
Central District	Achieve headways of 30 minutes or less on 80% of routes. Establish at least one neighborhood transit center. Establish at least two additional community bus routes.
Port/Airport District	Establish at least one additional community bus route.
Overall	Increase number of bus stop shelters by 30 percent. Maintain the maximum service volumes on arterial roadways within each District.

The County charges an assessment, the Transit Concurrency Assessment, as a vehicle for meeting concurrency requirements in Transit Oriented Concurrency Districts. The Transit Concurrency Assessment is calculated as the total peak-hour trip generation of the proposed development, multiplied by a constant annual dollar figure for each District, that represents the cost per trip of all the enhancements in that District listed in the County Transit Program.

Revenues from the assessments are used to fund enhancements to the County Transit Program (established by the County Commission) located in the district where the proposed development will occur. The County also uses revenues to fund up to three years of operating costs for these enhancements.

Under certain circumstances, a developer may opt not to pay some or all of the Transit Concurrency Assessment, and may instead implement or participate in implementing an alternative transit improvement. This alternative improvement must be intended to enhance transit ridership, and cannot focus predominantly on the occupants or users of the applicant’s property. The alternative improvement must be determined to be beneficial to the regional transportation system within the relevant district.

Revisions made to the system in 2009 included renaming the districts from TOC Districts to Transportation Concurrency Management Areas (TCMAs). In addition, level of service standards in the TCMAs became a mixture of transit provision and transportation system management efforts.

Coordinating Land Use and Transportation through Scenario Planning

The Gainesville Metropolitan Transportation Planning Organization conducted land use scenario planning during their 2020 LRTP update. Four different land use scenarios were analyzed. The first assumed a continuation of the growth Gainesville had experienced over the last several decades, particularly to the west. The second assumed a compact growth scenario in which future growth was encouraged in the traditional urban core. The third assumed a town/village center growth pattern in which several relatively dense mixed-activity centers grew up in the region. And the fourth assumed a radial development pattern in which growth was promoted along predetermined corridors radiating out of the city center. The MTPO adopted a land use vision that was a hybrid of the land use scenarios considered and then developed a transportation plan that supported this community vision.

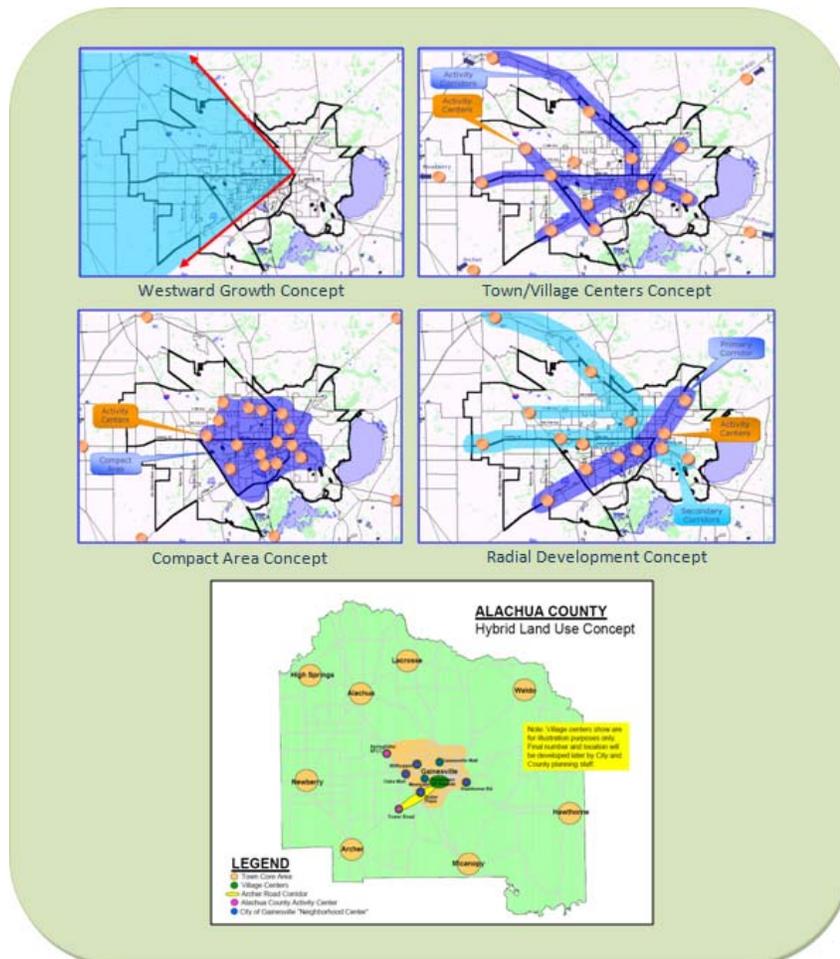


Figure 5: Scenario planning in the Gainesville metropolitan area.

Intergovernmental Agreements for Funding Project Priorities

Fee sharing arrangements and collaborative cross jurisdictional priority setting are other key elements of the mobility fee approach. The Tallahassee-Leon County Significant Benefits Zones procedure for administering proportionate fair share mitigation is one example of how this can be achieved. It also illustrates the concept of large service areas for administering mitigation fees and fee expenditure on alternative modes of transportation.

Leon County entered a Memorandum of Agreement (MOA) in January 2009 with the City of Tallahassee and Florida Department of Transportation on a common methodology for applying proportionate fair share funds to improvement projects on City, County, and SIS roadways.³⁰ The City of Tallahassee and Leon County are divided into five large zones for purposes of administering the program (Figure 6). The fifth zone, which represents the City of Tallahassee urban core area, was designated a multimodal transportation district by amendment to the comprehensive plan.

A tiered list of transportation projects were adopted within the agreement for each of the five zones. The top or first priority projects are designated as Tier A, and the second priority projects as Tier B. The roadway capacity projects in the list are to be included in a CIP approved by at least one of the parties within one year of the effective date of the MOA. Each party may add additional project priorities for future funding at any time, pursuant to the written approval of all parties to the agreement.

Each development's proportionate fair share contribution is based upon the impact the development has on deficient roadway segments. The proportionate fair share funds collected within each zone are pooled to be allocated to the tier project located within that zone. Where no roadway capacity projects are identified in the CIP to address the capacity deficiency of an impacted roadway segment, then all of the proportionate fair share funds generated within that zone will go to Tier A "substantial benefit projects" until 100% of the project funds are collected. At that point, a Tier B substantial benefit project for the zone may be moved to Tier A.

This cycle will repeat automatically with no approvals required by the City or the County, and no additional concurrence required by FDOT as long as the roadway capacity project is in a CIP approved by at least one of the parties. Addition of new roadway capacity projects to the list must be approved in writing by all parties to the MOA. Should 100% funding not be collected by any party for the top Tier A projects in each zone by the end of the tenth year, the CIP reflecting the Tier A projects must be extended another five years.

Upon approval of the MOA, the City and County will inform the Capital Region Transportation Planning Agency so that the 5-year Transportation Improvement Program will be updated as needed. Local proportionate share funds allocated for identified significant benefit transit, bicycle facilities, and sidewalks projects will be directed to the jurisdiction impacted by the proposed development. A provision is also made in the MOA for the City and County to enter into an

³⁰ *Memorandum of Agreement between City of Tallahassee and Leon County and Florida Department of Transportation*, October 2008.

interlocal agreement to jointly fund and prioritize transit, bicycle facilities and sidewalks within the applicable zones.

The City and County must provide an annual report to all parties by March 1st of each year, beginning March 1, 2009. The annual report must provide a detailed accounting of proportionate share funds collected, as well as a listing of all transit, transportation, bicycle facilities, and sidewalk capital projects added within each zone in which proportionate share funds are directed.

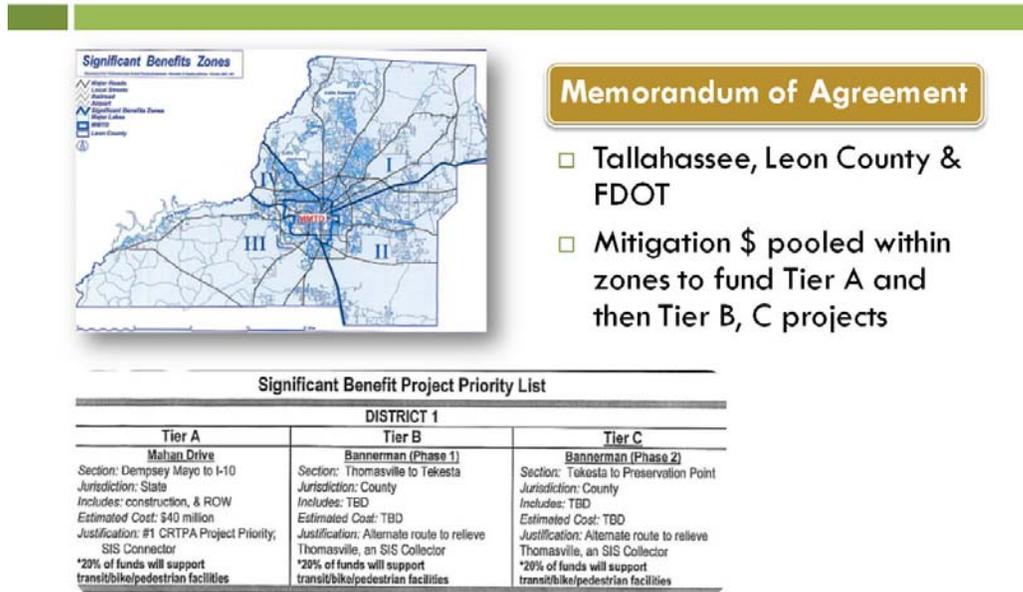


Figure 6: Tallahassee-Leon County Significant Benefits Mitigation Program.

Service Areas and Offsets

The mobility fee approach provides flexibility in administering fees related to major transportation facilities through the designation of large service areas for expenditure of fees. It also provides for the use of fee offsets as incentives for transit oriented development, job creation or other public policy objectives. In turn, it suggests the use of public revenues to “make up” for those offsets where they may not be directly proportionate to anticipated reduction in VMT. This section includes an example from Atlanta, Georgia that illustrates some aspects of these concepts.

Atlanta, Georgia Transportation Impact Fee Program

Atlanta, Georgia adopted a citywide impact fee service area for transportation. The service area and benefit district are the same, providing maximum flexibility for fee expenditures. The benefit link to fee paying developments is that fees are based on arterial roadways, which provide citywide transportation service. Fees may be expended on planning, design, or construction of arterial or collector roads designated in the long range road classification map, including bridges, rights-of-

way, traffic signals, sidewalks and landscaping, and any local components of state or federal highways.

The fee is determined based on the average cost to construct a lane mile of capacity at LOS D (\$14,95) and a VMT/VMC ratio of .75 rather than 1 is used in calculating the fee. Construction credits are provided for developers that construct programmed improvements used in calculating the fee. The City provides a 50% reduction in transportation impact fees for projects within 1000 feet of walking distance (measured by walking path or sidewalk) of a Marta rail station or bus stop to reflect the potential for increased transit usage and reduced travel demand.

Full exemptions are provided for Empowerment Zones and Linkage Communities – federal designations for economic development of low-income areas - and for projects that provide affordable housing (50% to 100% credit depending on ADA accessibility). The City may also designate a major job-creating development as an economic development project and exempt that project from impact fees as well, providing the required numbers of employees are hired from within the neighborhood or the City.

These exemptions are subject to a requirement that the City make up the difference in lost transportation impact fees through the capital improvement program somewhere in the City. The reduction for Marta area development is not subject to this reimbursement requirement as the property tax revenues from such transit-oriented development are anticipated to be sufficient to offset the loss of impact fee revenues.

ECONOMIC CONSIDERATIONS

The Community Renewal Act states “The final joint report shall also contain, but is not limited to, an economic analysis of implementation of the mobility fee, activities necessary to implement the fee, and potential costs and benefits at the state and local levels and to the private sector.” The economic impact of the mobility fee approach cannot be estimated precisely; however, the following possible impacts may be considered.

It is anticipated that the mobility fee approach will replace proportionate fair-share mitigation (sub-DRI) and proportionate share mitigation (DRI) where designated in local government comprehensive plans. Local transportation impact fees will become the local tier of the mobility fee when adjusted to avoid double-charging and increase sensitivity to VMT. It should be noted that mobility fees are only a portion of Florida’s transportation funding and existing sources will still be needed to address deficiencies, operate, maintain, repair, and replace the existing transportation system.

Also, unless the fees outside the areas of desired development accurately reflect transportation demand, coupled with strong comprehensive planning elements encouraging dense activity centers, then cheap land and easier to improve urban amenities (sewer, water, roads, etc.) will outweigh the incentives for desired growth patterns, and sprawl continues as before.

1. The mobility fee will need to cover the cost of transportation needs attributable to new development; this cost may be quite high when compared to current impact fee rates. Studies to date indicate that current transportation impact fees do not cover the cost of transportation needs attributable to new development.

Actual costs per vehicle mile of travel (VMT) may be as high as \$500.³¹ Single family dwelling unit example: Assuming 10 trips per day, an average of 7 VMT per trip: $(10 \times 7)/2 \times \$500 = \$17,500$ per single family home. This amount is usually credited 20-30% to account for other revenue (i.e., motor fuel taxes) that may be attributed to the development over time. Assuming a 25% credit, the transportation costs for a single family home in some areas of Florida may be \$13,125.

The state average county transportation impact fee for a single family unit (3 BR, 2,000 sf on 10,000 sf lot) was \$2,937. Collier County adopted the highest rate at \$8,884 and Monroe County the lowest at \$430.³²

2. The mobility fee would be adopted throughout the state resulting in an increase in funding available for transportation. Forty-one or 62% of Florida counties had adopted transportation impact fees as of 2007. Seventy-one of 408 municipalities reported transportation impact fee revenues in 2006.
3. The mobility fee is subject to market fluctuations. Any fee on new development will fluctuate with economic boom and bust cycles. Therefore, it will be difficult to rely on estimated revenue streams from the mobility fee. For example, during the current economic downturn, many local governments have suspended or reduced impact thus reducing the feasibility of assessing a onetime fee to pay for transportation infrastructure.
4. Local government will still need other transportation funding mechanisms particularly for a multimodal system. Mobility needs in Florida go beyond what is demanded by new development. Compact, mixed use development is dependent on alternatives to the single-occupancy vehicle such as various types of transit and transportation demand management strategies in addition to bicycling and walking.

Capital facilities as well as long term operating costs for transit cannot be funded through a onetime payment of a mobility fee that is dependent on new development. Therefore, local governments must have optional mechanisms for funding these mobility needs. The legislature has authorized a number of local option taxes for transportation purposes

³¹ Discussion with Bill Oliver, Tindale-Oliver & Associates, Inc., August 2009.

³² Antonio Apap and Dana L. Cicheskie, "Do Impact Fees pay for The Infrastructure Costs Required by New Developments?" *Journal of Business & Economic Research* 6.7 (2008), p. 73.

including motor fuels taxes and sales surtaxes as shown in the following tables and figure.³³ One reason more local governments do not implement local option taxes is the requirement for a referendum. An additional option may be allowing enactment of surtaxes by a majority or supermajority of the county commission, particularly the Charter County Transportation Surtax.

Table 6: Florida Counties Levying Optional Motor Fuel Taxes

	ELIGIBLE	LEVYING	PURPOSES	ADOPTION
Ninth Cent § 336.021(1)(a), F.S.	67	49	Transportation	Referendum/ Extraordinary vote
1 to 6 Cent § 336.025(1)(a), F.S.	67	67	Transportation	Referendum/ Majority
1 to 5 Cent § 336.025(1)(b), F.S.	67	21	Transportation Capital	Referendum/ Majority plus 1

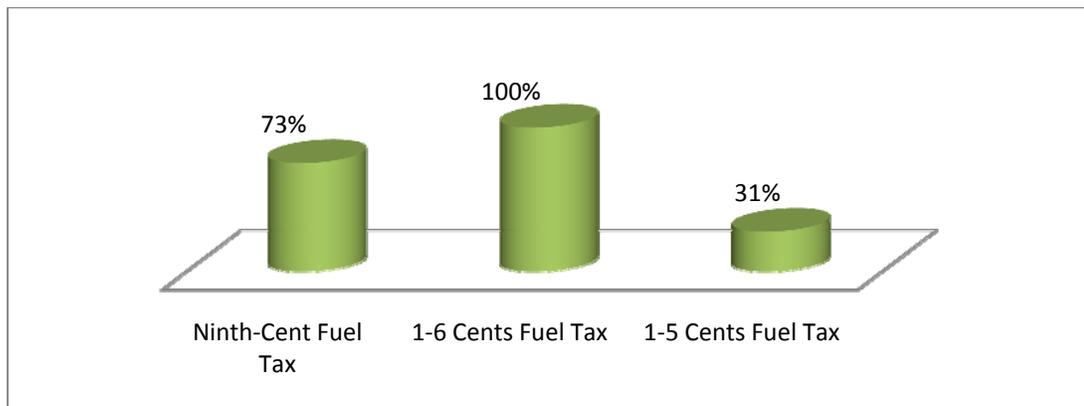


Figure 7: Use of local option fuel taxes by Florida counties.

Table 7: Florida Counties Levying Optional Sales Surtaxes

	ELIGIBLE	LEVYING	PURPOSES	ADOPTION
Charter County Transportation System §212.055(1),F.S.	7	2	Transit/Roads	Referendum
Local Government Infrastructure §212.055(2)	67	20	Infrastructure	Referendum
Small County (pop , 50,000) §212.055(3)	31	28	Any	Referendum

³³ Information from "Utilization of Local Option Fuel Taxes by Florida Counties in Fiscal Year 2009-10," Florida Legislative Committee on Intergovernmental Relations, November 2009.

Broward County and other urban counties that have fully exercised current local options still do not have adequate revenue for transit operating costs. When other mechanisms authorized by legislation have been exhausted, a transportation utility fee could offer additional transportation mobility funding in Florida. The resulting revenue may be used to fund all aspects of transportation mobility, including operations and maintenance. The utility fee could be structured to equitably reflect the average estimated use of transportation facilities and services by land use.

5. The flexibility to spend mobility fees on transportation improvement priorities, coupled with integrated land use and transportation plans and strategies offers, greater potential for improved mobility, reduced congestion, , and more efficient movement of people, goods, and services. Congestion management strategies (i.e., incident management, intersection operations improvements, service patrols, automated signing, etc.) can produce significant improvements in transportation system efficiency. For example, improvements made in 2005 to the SMART SunGuide Transportation Management Center (TMC) in Broward County, improved the average roadway clearance (the time between awareness of an incident and restoration of lanes to full operational status) by 18%.³⁴ Such improved mobility will translate into direct economic benefits for the public and private sector.

Potential Costs and Benefits

A revenue comparison of the amount currently collected through proportionate fair-share mitigation, proportionate share mitigation, and transportation impact fees and the amount anticipated to be collected through the mobility fee would be useful in determining the overall implications of the mobility fee in relation to mitigation fees collected through existing transportation concurrency management.

State Costs and Benefits

Potential state costs to implement the mobility fee approach include:

1. Developing implementation processes and procedures;
2. Performing mobility plan review and comprehensive plan reviews;
3. Developing public workshops and publishing and distributing policy guidelines containing criteria and options to assist local government in mobility planning;
4. Developing processes and procedures for monitoring mobility planning efforts;
5. Coordinating plan horizons of local governments and various transportation planning agencies; and
6. Re-assessing state level of service (LOS) standards and modifying Rule 14-94.

Potential state benefits of implementing the mobility fee approach include:

³⁴ Florida Department of Transportation District IV, *2006 Annual Report Smart SunGuide TMC*, undated, [<http://www.smartsunguide.com/PDF/Annual%20Report%20-%20screen%20V2.pdf>] Accessed October 14, 2009.

1. Mitigation funding would be more predictable;
2. An increase in mitigation funding would be spent on or toward relieving impacts to the state system; and
3. Coordination on transportation planning between state and local governments.

Local Government Costs and Benefits

The mobility fee will not reduce the percentage of a state tax shared with counties or municipalities. The bill does not reduce the authority that municipalities have to raise revenue. Administrative costs will likely be covered by the fee and should be nominal.

Extensive public and intergovernmental review and coordination will likely be necessary to achieve agreement on rates and processes. However, when systems are in place, ease of administration will increase over current transportation concurrency management.

Potential local government costs to implement the mobility fee approach include:

1. Coordinating and establishing countywide scenario planning, including cost of agreements;
2. Amending comprehensive plans to advance the regional vision through phasing of transportation facilities and services provision; including processes and procedures (may involve hiring of consultants);
3. Coordinating comprehensive planning horizons with various transportation planning agencies;
4. Performing updates every five years; and
5. Loss of proportionate fair share and proportionate share mitigation.

Potential local government benefits to implementing the mobility fee approach:

1. Common countywide or larger area fee structures may reduce need for individual fee studies and update (economies of scale);
2. Volume of plan amendments may decline in time due to increased mitigation costs for development requiring comprehensive plan amendments and unplanned transportation system improvements;
3. Decreased need for review of complex transportation studies associated with transportation concurrency management; and
4. Likely to increase fee revenues over existing impact fees.

Private Sector Costs and Benefits

The mobility fee approach favors development that locates in accordance with local government comprehensive plans. This should result in expedited local development approval within desired development locations.

Potential costs to the private sector include:

1. Some job loss may occur in the planning and engineering industry among consulting firms that devote large portions of their practice to transportation impact analysis associated with concurrency, particularly large-scale development and DRIs; and

2. Fee is assessed to all new development.

Potential benefits to the private sector include:

1. Increased equity of required mitigation (i.e., all new development is required to contribute its fair share rather than only when triggering a transportation system deficiency)
2. Increased predictability of mitigation costs; and
3. Decreased time associated with development approval when located within planned growth areas.

CONCLUSION

The mobility fee approach presented in this report builds on previous research for the Florida Department of Community Affairs and attempts to address the goals for a mobility fee contained in the Community Renewal Act. Because the mobility fee is designed to charge development only for the transportation service it will consume, it ensures “that development provides mitigation for its impacts on the transportation system in approximate proportionality to those impacts.” It also provides a more effective and predictable approach to addressing transportation system needs attributable to new growth in accordance with the Community Renewal Act Section 13. (1)(a). By charging all new development rather than only those that trigger deficiencies, it also provides a more equitable approach.

The approach would replace existing transportation concurrency management regulations with a countywide mobility plan that coordinates future land use plans with the provision of transportation facilities and services. The timing aspects of concurrency would be addressed in the context of a mobility plan that is integrated into the planning horizon of the comprehensive plan including future land use, transportation and capital improvements. Although the approach involves certain challenges, such as countywide or multi-county coordination on mobility planning and improvement priorities, it will result in a simpler and more streamlined development review and approval process. This benefits both local government and the development community.

However, statewide implementation of the mobility fee approach will require additional study, including one or more pilot programs. In addition, implementation tools to assist local governments should be developed. Areas for additional study and development include:

- Compare revenue collected for transportation system improvements under current transportation concurrency systems and local transportation impact fees with anticipated mobility fee revenue.
- Develop model interlocal agreements to clarify the role of local governments within established countywide or regional frameworks.
- Develop minimum best practices/standards for mobility plans, including supporting land use strategies.

- Develop training materials and provide training, technical assistance, and peer to peer technical support opportunities via webinars, workshops, and other means.
- Clarify specific aspects of the approach, in particular, the methodology for calculating and distributing the fee. Evaluate the use of FSUTMS in the methodology.
- Outline a pilot program for implementing the fee in different area types (e.g. multi-county, countywide urban, countywide rural).
- Reevaluate existing roadway level of service standards, particularly the reliance on peak hour analysis, and explore possibilities for more comprehensive performance/quality of service standards

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