

# OVERVIEW OF MOBILITY & IMPACT FEES



TREASURE COAST REGIONAL PLANNING COUNCIL  
SEPTEMBER 2016

# What is an Impact Fee?

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## Typical Impact Fee Categories:

- Roads (or Transportation)
- Libraries
- Schools
- Parks & Recreational Facilities
- Emergency Service Facilities
- Law Enforcement Facilities
- Solid Waste Facilities
- Public Buildings & Facilities

# History of Impact Fees in Florida

- Emerged in the 1960s along with “user charges” (not taxes)
- Initially for parks then roads, schools, etc.
- Considered extension of home rule authority



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- Fla. 4<sup>th</sup> DCA (1983) required “dual rational nexus”:
  - (1) *Local government must demonstrate reasonable connection or “rational nexus” between fee and impact of development*
  - (2) *Funds must be specifically earmarked for use to benefit development charged the impact fee*
- Later rulings added:
  - (3) *Fees cannot exceed pro rata share of cost of expanding facilities to serve new development*
  - (4) *Fees cannot provide “windfall” to existing residents*



# Road Impact Fees in the Region

	<b>SINGLE-FAMILY UNIT (1800 SF)</b>	<b>MULTI-FAMILY UNIT (1000 SF)</b>	<b>GENERAL OFFICE (10,000 SF)</b>	<b>SIT-DOWN RESTAURANT (5,000 SF)</b>
<b>Palm Beach</b>	\$ 7,280	\$ 4,841	\$ 49,493	\$ 61,120
<b>Martin</b>	\$ 2,815	\$ 2,293	\$ 21,983	\$ 52,850
<b>St. Lucie (mainland)</b>	\$ 4,799	\$ 3,499	\$ 27,520	\$ 51,380
<b>Indian River</b>	\$ 4,248	\$ 2,742	\$ 19,160	\$ 46,445

*NOTE: Estimated based on current impact fee schedules;  
presumes new development without discount for existing building.*

# What is a Mobility Fee?

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## Mobility Fee Characteristics:

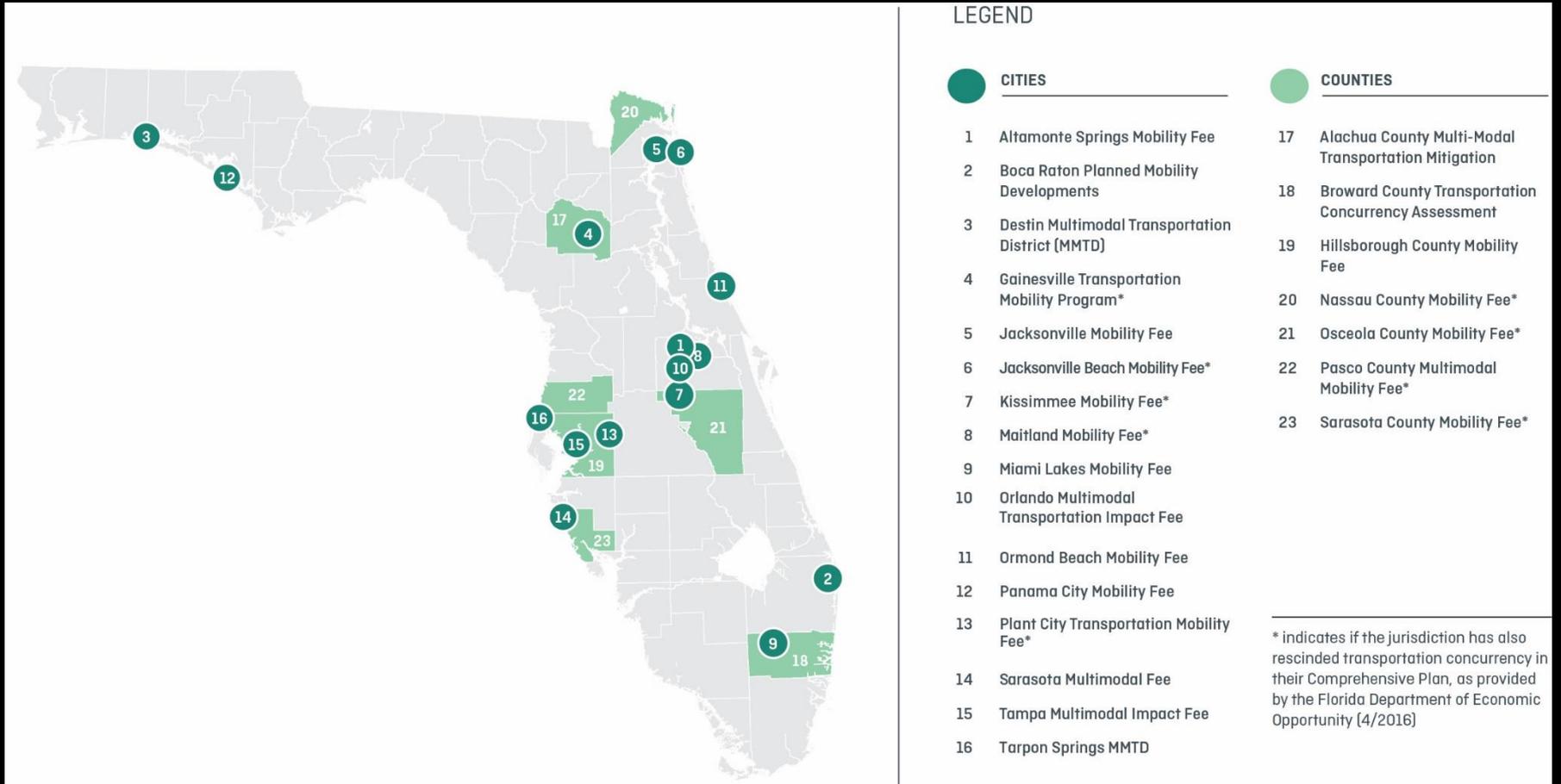
- Funds facilities & services (existing or new), including road capacity projects
- Can fund transit & transit-supportive improvements & operations
- Revenues distributed among benefit districts
- Tends to promote compact, mixed-use & energy-efficient development

# Impact Fees vs. Mobility Fees

	IMPACT FEES	MOBILITY FEES
Frequency	One-Time Charge	One-Time Charge
Rational Nexus	New Capacity Demand from Development; Proportionate	New Capacity Demand from Development; Proportionate
Applicability	Narrow & Restrictive (Roads only - typically)	Broad & Flexible (Roads plus Sidewalk, Bike, Transit)
Uses	Capital Infrastructure	Capital Infrastructure plus Operations



# Mobility Fees in Florida



16 cities  
+ 7 counties  
23 local governments

# Mobility Fee Characteristics

Location	Disposition of expenditures				Cost basis of fee				Trip basis of fee		Credits and discounts	
	Transit-supportive uses	Transit capital	Transit operations	Transit account dedication	Transit capital	Transit operations	Planned projects basis	Un-funded needs	Trips	VMT/PMT	Gas / other tax revenue generation	Design-based discounts/credits
Tarpon Springs	X	X	X		X	X	X		X			
Maitland	X	X			X		X	X		X		
Kissimmee	X	X	X		X	X	X		X			
Ormond Beach	X	X	X	X	X	X	X			X		
Broward County		X		X	X		X			X		X
Jacksonville	X	X			X		X			X		
Sarasota	X	X			X					X	X	
Alachua County	X	X	X		X	X	X	X		X		
Panama City	X	X	X		X	X	X	X				
Boca Raton	X	X	X	X								X
Gainesville	X	X	X	X								
Orlando	X	X										X
Tampa	X	X	X							X	X	
Destin	X								X			
Plant City	X	X					X			X		
Nassau County	X						X			X		
Pasco County	X	X			X		X			X	X	X
Sarasota County	X	X					X			X	X	
Osceola County	X	X					X			X	X	
San Francisco, CA	X	X	X	X	X	X			X			
Portland, OR	X	X			X		X		X			X
Sacramento (Unincorporated) County, CA	X	X					X		X			
Sacramento County, CA	X	X	X						X			
Seattle, WA	X	X			X		X		X			
Bellingham, WA	X						X		X			X

No Statutory Guidance + No Case Law (yet) = Wide Variety of Programs

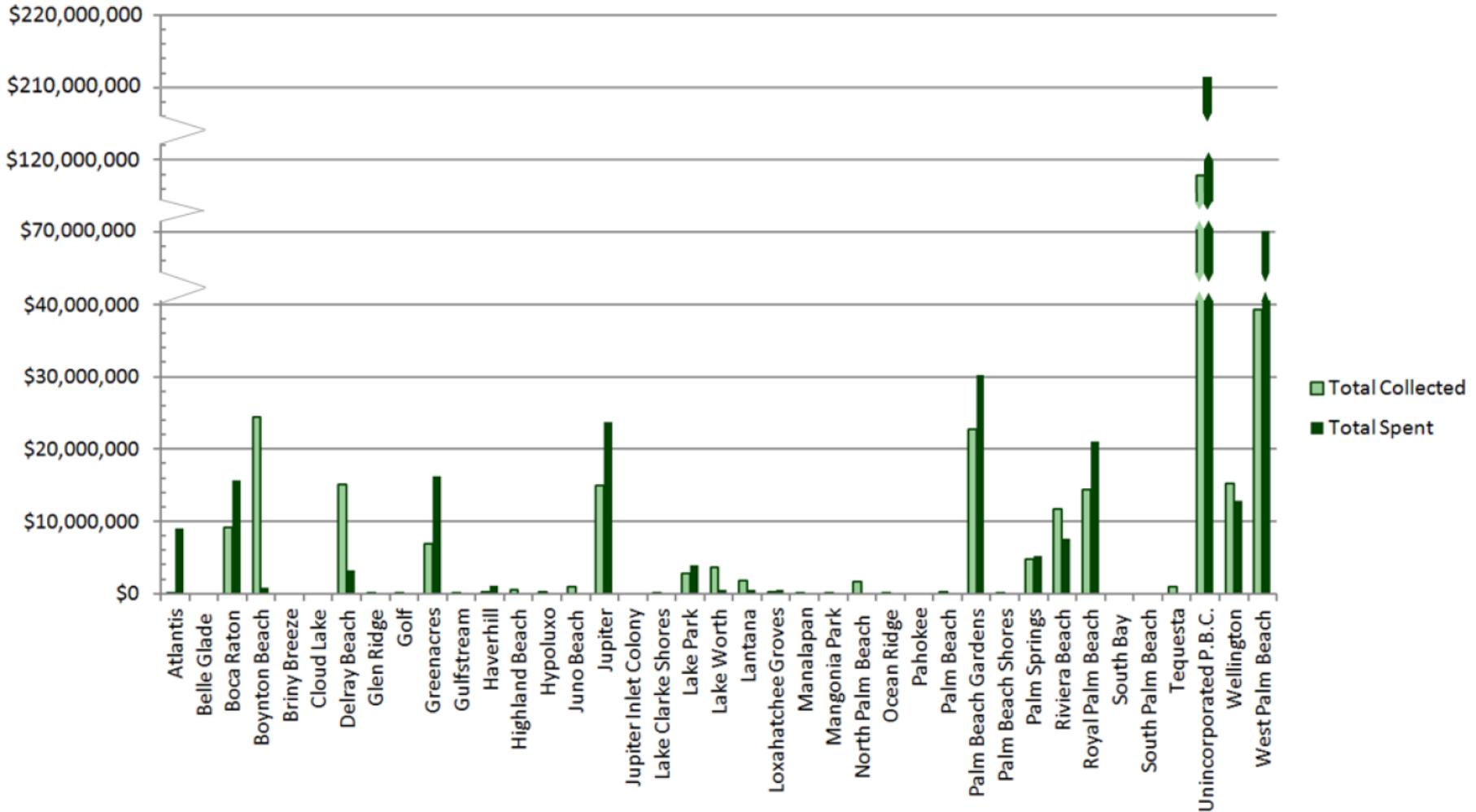


- Developments within municipalities may have impacts on roadways outside their corporate boundaries. Those expenditures outside the corporate limits are not reflected in the attached table.
- Impact fees can only be used for new capital improvements that add capacity, such as roadway widening & new roadway construction.
- With the current complete streets mindset, municipalities are increasingly interested in making their streets more pedestrian and bicycle friendly.
- Impact fees cannot be used for these improvements per current ordinances.
- Cities could choose to pass and implement their own ordinance, such as a mobility fee to be spent on these types of improvements.



# Impact Fee Projects By Municipality (FY2003 - FY2015)

Road Impact Fee Collection vs. Spent Per Municipality



# Ongoing PBC Road Impact Fee Discussion

## Palm Beach MPO Road Impact Fee Alternatives Ad Hoc Committee

- Subset of Technical Advisory Committee
- Includes county and municipal representatives
- Includes agency representatives (FDOT, SFRTA, TCRPC)



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## Palm Beach MPO Road Impact Fee Alternatives Ad Hoc Committee

- Subset of Technical Advisory Committee
- Includes county and municipal representatives
- Includes agency representatives (FDOT, SFRTA, TCRPC)
- **General Consensus Points:**
  - Current Road Impact Fee has produced some inequitable results
  - Municipalities are advancing Complete Streets & broader mobility networks; funding needed
  - Road Impact Fee changes would require a referendum (charter amendment)



# Ongoing PBC Road Impact Fee Discussion

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### Scenarios Under Evaluation:

- (1) Modify current Road Impact Fee methodology
  - *Reduce amount collected in urban locales*
  - *Develop context sensitive methodology*
  - *Consider “de minimus” exemptions*
- (2) Develop county-wide Mobility Fee  
(in addition to or in place of Road Impact Fee)
- (3) Adoption of municipal Mobility Fees
- (4) Explore municipal transit funding alternatives

FOR MORE INFORMATION:

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