



## Mobility Plans

### **Priority Statement:**

The Florida League of Cities SUPPORTS legislation that defines and clarifies mobility plans in order to provide a clear and concise regulatory framework for Florida cities to acquire, construct and implement both traditional and alternative modes of transportation.

### **Background:**

In 2009, the state convened a multi-member panel to look at alternatives to transportation concurrency. That panel investigated options that would specifically encourage and facilitate urban infill and redevelopment rather than simply perpetuating then-current practices, which focused on development everywhere.

In 2013, the Legislature further refined the existing transportation mitigation systems under Florida law, culminating with the creation of mobility plans and fees as a legally viable alternative to transportation concurrency. Three types of systems were identified in statute: concurrency, mobility plan with an adopted mobility fee and non-mobility fee-based systems. However, the revised legislation provided little guidance specific to mobility plans, and no new definitions were provided in statute.

A mobility plan identifies various multimodal projects necessary to permit redevelopment, infill projects, and development. A mobility fee is a one-time fee paid by a developer to a municipality to cover the costs of the improvements necessary to fully mitigate the development's traffic impact on the transportation system. Mobility fees must be calculated based on the multimodal projects adopted in the Mobility Plan and must be used to fund the identified multimodal projects in the Plan. Mobility fees were established by the Legislature to provide developers a simplified alternative to transportation concurrency, proportionate share and road impact fees. Therefore, a mobility fee is charged in lieu of an impact fee. Mobility fees are not a tax, and they are not charged to existing homes, businesses or property, unless there is an addition, change of use, expansion, modification or redevelopment that requires issuance of a building permit and generates additional travel demand above the existing use of property. Additionally, unlike transportation (or "road") impact fees, mobility fees are not limited to expanding vehicular lane miles or road capacity. Mobility fees may be expended on any transportation project in the mobility plan, including roads.

The proposed mobility legislation, if adopted, would accomplish three major objectives to the benefit of both municipalities and developers:

**Contact:** David Cruz, Legislative Counsel – 850.701.3676 – [dcruz@flcities.com](mailto:dcruz@flcities.com)

1. It Prohibits the imposition of a transportation (road) impact fee within the area designated for the imposition of a mobility fee through a mobility plan. No double impact fee charge.
2. The mobility fee, as adopted, MUST fully mitigate the development's transportation impacts.
3. In a mobility plan area only a mobility fee charged by the local government issuing the development's building permits may be collected. Another local government may NOT charge for the same travel demand.

Since 2013, roughly 65 cities and 18 counties have adopted or are in various stages of approval or consideration for adoption of a mobility plan or mobility fee.

Absent additional legislative guidance, city ordinances on mobility plans and mobility fees are subject to attack over differing legal interpretations of the current state statute. Therefore, the Florida League of Cities supports legislation that provides clear guidelines for the creation and adoption of mobility plans and mobility fees.