

SARASOTA COUNTY GOVERNMENT

Planning and Development Services

TO: Sarasota County Commission
THROUGH: Thomas A. Harmer, County Administrator
FROM: Thomas C. Polk, Director, Planning and Development Services
Jonathan Paul, Interim Transportation Planning Manager
Beth Rozansky, Impact Fee Administrator
DATE: October 6, 2014
SUBJECT: **Item 2H: Update on Potential Mobility Fee**

BACKGROUND:

Consistent with changes in the Florida Legislature over the past few years, Sarasota County has been considering alternatives to its concurrency management system, as well as evaluating the development of a Mobility Plan and Mobility Fee. If adopted, this plan and fee would replace transportation concurrency, proportionate fair-share and road impact fees.

Since 2011, the Florida Legislature no longer mandates concurrency. Additionally, in 2013, the Legislature adopted changes which significantly altered the application of local government transportation concurrency regulations.

The 2013 legislation also increased flexibility for multi-modal planning and mitigation. It recognized that if a local government adopts a Mobility Plan and Mobility Fee, it is not required to accept proportionate share payments. Like impact fees, the legislature requires that a Mobility Fee meet the dual rational nexus test – demonstrate a reasonable connection, or “rational nexus,” between the need for additional or expanded facilities and anticipated population growth from the development in question; and also ensure that the fees will provide benefits to those who pay them.

Recognizing the weakened concurrency management system and the implications of the proportionate share payments, a Mobility Plan and Mobility Fee may be a viable alternative for Sarasota County and its municipalities.

Staff at each of the municipalities has been informed of the County’s intent to develop a Mobility Plan and Fee for districts within the County. Staffs at the Town of Longboat Key and City of Venice have expressed a willingness to cooperate with County staff and offer staff assistance to help with development of a Mobility Fee in their respective communities. Staff from the City of North Port has also expressed interest in development of a Mobility Fee.

The first draft of the mobility plan and fee analysis is being prepared by Jonathan Paul and is expected to be ready later this fall. It is the intent of County staff to first establish a pilot area consisting of the northeastern portion of the County to establish a Mobility Plan and Mobility Fee and then present the results to the Sarasota County Commission for discussion and direction on continuing this throughout the County. Subsequent to Commission direction regarding the analysis findings, further analysis will occur throughout other districts of the County, as coordinated and established with the municipalities.

Should the County Commission elect to move forward with development of a Mobility Plan and Mobility Fee, then additional information will be provided to the Staff's of the Town of Longboat Key, City of Venice and City of Northport to discuss Mobility Plans and Fees within their respective Commissions.

It is the recommendation of County staff that the County partner with the Town of Longboat Key, City of North Port, and City of Venice, should they be interested, to establish a consistent Mobility Plan and Mobility Fee methodology, and to institute collection based upon this methodology, similar to the County Road Impact Fee. County staff will continue to engage staff at the Town of Longboat Key, City of North Port, and City of Venice on the Mobility Plan and Fee. The City of Sarasota has recently adopted its own Multi-Modal Transportation Impact Fee (beginning implementation on October 1, 2014), and has entered into an amended Interlocal Agreement with the County, establishing the process for utilizing the balance of road impact fees collected within the City of Sarasota.

ATTACHMENTS:

1. Mobility Fee - Power Point presentation

Sarasota County's Mobility Plan Overview

Jonathan B. Paul, AICP, MA²

September 30, 2014

Ø **Intent:** Growth management tool designed to prevent urban sprawl and focused on ensuring adequate public facilities were available concurrent (i.e. concurrency) with new development.

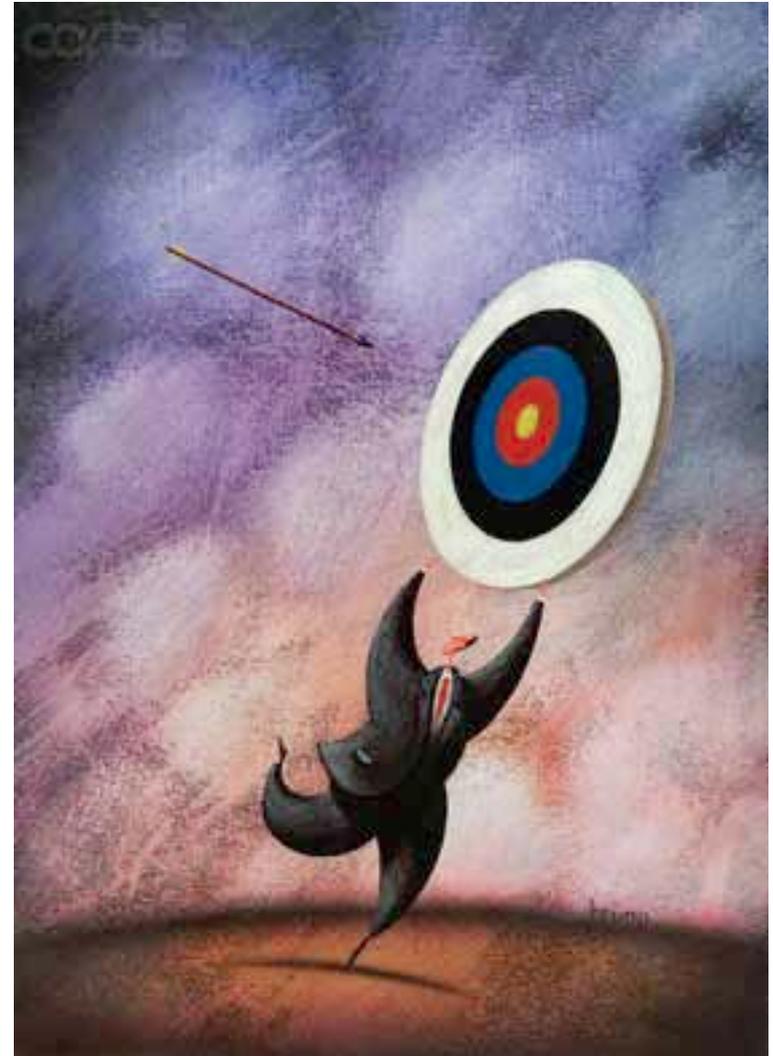
Ø **Implemented:** Concurrency was first mandated in 1985 by the Legislature. Implementation started in Sarasota in 1989 due to the rolling phase-in schedule adopted in the 1985 statutes.

Ø **Effective:** Concurrency has been relatively effective in unincorporated Sarasota County due to land use regulations, forward looking capital improvements planning and adequate funding of transportation improvements from multiple funding sources.

Ø **Optional:** In 2011, the Florida Legislature no longer mandated concurrency. The Legislature increased flexibility for multi-modal planning and mitigation while restricting local governments' ability to mandate roadway-only concurrency.

Evolution of Concurrency Since 2005

- 2005:** *Proportionate Share*
Financial Feasibility
Multi-Modal Transportation District
- 2007:** *Urban Service Area & Transportation*
Concurrency Exception Area
Financial Feasibility Extended
Proportionate Fair-Share
Backlog Authority
- 2009:** *Dense Urban Land Area*
Mobility Fee
Proportionate Fair Share Tightened
Financial Feasibility Extended
- 2011:** *Concurrency Optional*
Eliminate Dept. Community Affairs
Backlog & Deficient Road Exclusion
Impact Fee Credit for proportionate share mandated



- Ø Significantly altered the application of local government transportation concurrency regulations. If local government implements concurrency, must allow proportionate share and may not charge for deficient roads
- Ø Further recognized the ability of local governments to develop alternative mobility funding strategies, however, local governments cannot charge for backlog.
- Ø A local government that adopts a Mobility Plan and a Mobility Fee is not required to accept proportionate share so long as developers can “pay and go” (one-time fee) and the Mobility Fee meets the dual rational nexus test.



**PLANNING
FOR
MOBILITY**

**REGULATING
ROAD
CAPACITY**

- Ø Identify Districts
 - Ø Establish a horizon planning year
 - Ø Establish Multi-Modal Level of Service (LOS) Standards for planning
 - Ø Evaluate future traffic demands
 - Ø Identify Multi-Modal Projects with cost, based on LOS & needs
 - Ø Ideally allow multi-modal supportive land uses
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- Establish available funding amounts and sources
 - Calculate Vehicle / Person Miles of Travel Rate
 - Calculate land use Vehicle / Person Miles of Travel
 - Create Mobility Fee as a one-time “pay & go” mitigation strategy
 - Eliminate Transportation Concurrency and Proportionate Share
 - Eliminate Road Impact Fees

Ø Establish up to 10 Districts throughout the County

- Two initial districts between University Parkway and Clark Road
- Town of Longboat Key would be its own district
- City of Venice maybe its own district or include surrounding area
- City of North Port may be its own district or include surrounding area

Ø Municipalities may opt out of impact fees if they adopt alternative

- City of Sarasota has opted out and adopted its own fee
- City of Venice and Town of Longboat Key will coordinate with County
- City of North Port awaiting further information

Ø Mobility projects based on specific needs of the area

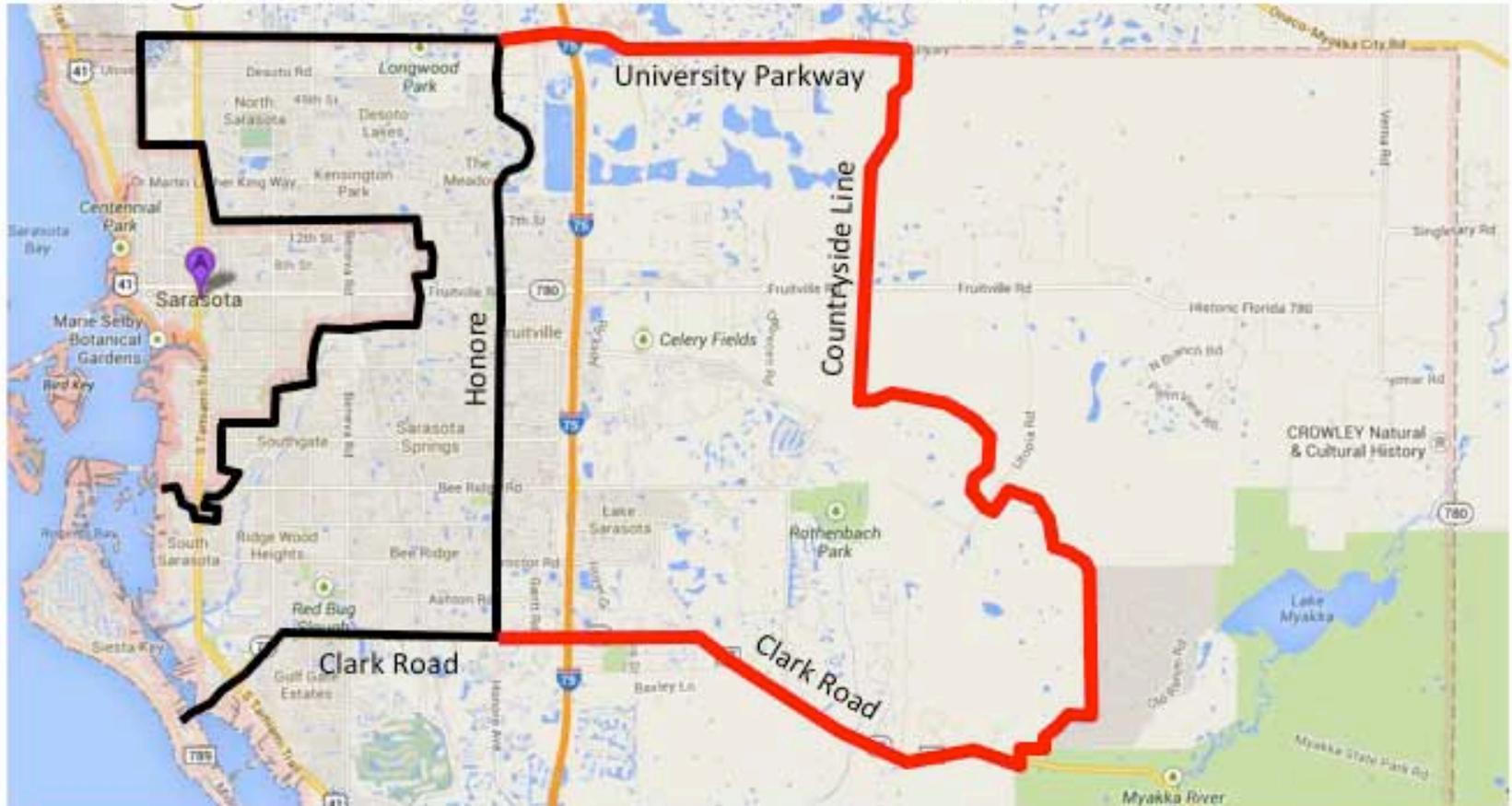
Ø Built-up urban areas will focus more on bike, pedestrian and transit

Ø Suburban areas more focused on roads with multi-modal elements

Proposed North County Mobility Districts Map

Northwest Mobility District

Northeast Mobility District



Ø Northwest District:

- Ø Intersections and Multi-Modal improvements
- Ø Targeted capacity west of Honore
- Ø Includes share of Honore
- Ø Land use changes could promote infill and redevelopment
- Ø Likely lower fee

Ø Northeast District:

- Ø Primarily roadway based
- Ø Complete Streets for new/improved corridors
- Ø Includes share of Honore
- Ø Northern Overpass
- Ø Clark Road split between northeast and central east districts

- Ø Start with two North County Districts as an example
- Ø Town of Longboat Key District may replace Northwest District as example
- Ø Continue discussion with Cities of Venice and North Port
- Ø City of Venice may serve as South County example
- Ø Present **DRAFT** of Northeast Mobility Plan and Fee in Fall