

# **WALTON COUNTY**

## **2040 MOBILITY PLAN & MOBILITY FEE**

### **FREQUENTLY ASKED QUESTIONS (FAQ)**

#### **WHY DOES THE COUNTY NEED A MOBILITY PLAN?**

In 2007, the Florida Legislature introduced the concept of mobility plans and mobility fees as an alternative to transportation concurrency and provide an equitable way for new development to offset its traffic impact. In 2011, the Legislature eliminated state required transportation concurrency and made it optional for local governments to continue to implement transportation concurrency, which Walton County has continued to do.

In 2013, the Legislature updated the Community Planning Act to encourage and allow local governments to adopt alternative mobility funding systems, such as Mobility Plans and Fees, as a replacement for transportation concurrency, proportionate share and road impact fees (Florida Statute 163.3180). In 2019, Walton County started the process of replacing transportation concurrency and proportionate share with a forward-looking mobility plan and mobility fee.

#### **WHAT IS TRANSPORTATION CONCURRENCY?**

Transportation concurrency was a law adopted by the Florida Legislature that required road capacity be available when new development occurred. Specifically, a local government could not issue a building permit for a new building unless the road serving that building had the capacity to handle the new traffic it would generate. A negative side effect of transportation concurrency was that it made new development and redevelopment in urban areas more expensive (or not possible at all if there was a constraint on the roadway) because the developer had to pay for the capacity improvements. Some developers would simply choose not to build in urban areas and would instead build in rural or suburban areas where there was more capacity on existing roads, in which case they did not have to pay for improvements. People driving to those new homes and businesses further out would eventually use up the capacity, creating a continuous cycle of new development moving further away.

#### **WHAT IS PROPORTIONATE SHARE?**

Proportionate share is a program designed by the Florida Legislature that allows new development to only pay a share of the cost to add new road capacity. The share to be paid is proportionate to the traffic generated (impact) by the new development. Proportionate share is not an equitable means for new development to mitigate its impact because proportionate share payments differ depending on: (1) where a new development is located; (2) how much road capacity is available; (3) how much traffic it generates; and (4) the agreed upon methodology for calculating traffic impact and proportionate share. The Legislature has also adopted a number of requirements that have impacted how proportionate share is calculated and how much local governments can charge new development to mitigate its transportation impact.

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#### WHAT IS A MOBILITY PLAN?

A mobility plan provides a blueprint for the County to proactively prioritize multimodal projects to meet the growth, travel, and mobility needs of the community in a manner that is coordinated with the Future Land Use Element in the County's Comprehensive Plan. Mobility plans are also required by Florida Statutes to serve as the basis for development of a mobility fee.

The Walton County 2040 Mobility Plan is a vision, over the next 20 years, for how the County's transportation system will transition from one focused primarily on **moving vehicles**, towards a multimodal system focused on safely **moving people**, whether they choose to continue driving their cars, or decide to walk, bicycle, ride transit, or use a new mobility technology.

#### WHAT IS A MOBILITY FEE?

A mobility fee is a one-time fee paid by a developer to mitigate the impact to the County's transportation system and fund the multimodal projects adopted as part of a mobility plan. Mobility fees were created to provide developers an alternative to mitigating a development's impact through transportation concurrency, proportionate share, and road impact fees.

#### WHAT IS IN A MOBILITY PLAN?

The mobility plan will include maps that show the location of future multimodal transportation improvements and tables that describe and prioritize future multimodal projects in the County.

#### WHAT ARE MULTIMODAL PROJECTS?

Multimodal projects include infrastructure improvements, services, and programs such as: turn lanes, new roads, wider roads, upgraded roads, sidewalks, bike lanes, paths, trails, multimodal lanes (electric bikes and scooters, golf carts), multimodal ways (electric bikes and scooters, golf carts, autonomous transit shuttles (ATS), neighborhood electric vehicles), high visibility crosswalks, wayfinding signs, landscape, streetscape, micromobility devices, shared mobility services (car, ride, and bike share), multimodal parking garages, and mobility hubs.

#### ARE MUNICIPALITIES INCLUDED IN THE COUNTY MOBILITY PLAN?

The Cities of DeFuniak Springs, Freeport, and Paxton are currently included in the County's mobility plan and mobility fee. The County's mobility plan includes major local streets, collector, and arterial roads throughout the County. The Cities will have the opportunity to recommended inclusion of additional streets that they maintain as well as major sidewalks, paths, and trails that connect to schools, parks, local, and regional destinations as well as streetscape on Main Streets. The Cities may opt-out of the County fee. The County cannot spend fees in Cities that opt-out.

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#### **HOW WILL THE COUNTY FUND MOBILITY PLAN PROJECTS?**

The multimodal projects to be identified in the County's mobility plan can be funded through a variety of sources. Federal and State earmarks, funds, grants, and programs through the Okaloosa-Walton Transportation Planning Organization (TPO) are some of the primary sources for funding mobility plan projects. Gas taxes, special assessments, property taxes, infrastructure sales taxes, and mobility fees are other potential funding sources.

#### **HOW WILL THE COUNTY PRIORITIZE MOBILITY PLAN PROJECTS?**

The multimodal projects identified in the mobility plan are prioritized in five-year increments between 2021 and 2040. Each year, as part of the County's annual budget process, County staff will identify potential revenue sources over a five-year period and further prioritize the design, right-of-way acquisition, and construction of multimodal projects. Prioritized multimodal projects will be incorporated into the Capital Improvements Program (CIP). Cities who opt-in will be involved in the annual prioritization process.

#### **WHO PAYS A MOBILITY FEE?**

Any new residential or non-residential building or development. Mobility fees are not a tax and they are not charged to existing homes or businesses; unless there is an addition, change of use, expansion, modification, or redevelopment that generates additional person travel demand (impact) above the existing use of the land. An existing resident who owns a lot and applies for a building permit to build a home would pay a mobility fee, as a new home is considered new development. Florida Statute exempts governmental uses, and public and charter schools from paying mobility fees.

#### **HOW DO MOBILITY FEES DIFFER FROM PROPORTIONATE SHARE?**

Mobility fees are paid by all new development, expansion of existing development, and redevelopment that generates new person travel demand. Only development that cause a road to operate below its adopted level of service (LOS) standard (projected development traffic is more than the capacity of a road) is required to pay proportionate share. Thus, not all new development is required to pay proportionate share, even-though almost all new development generates person travel demand; nor is it required to mitigate impacts to the County's transportation system. The system is not equitable, as some new development pays proportionate share, while some new development does not. Under a mobility fee, all new development is required to pay for its impact, regardless of whether or not a road operates below its adopted level of service (LOS) standard.

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#### ARE MOBILITY FEES BETTER THAN PROPORTIONATE SHARE?

Mobility fees can fund multimodal projects. Proportionate share can only be used to add new road capacity. Mobility fees are based on a proactive mobility plan to meet the mobility needs of the entire community and can be used to fund a variety of projects that contribute to improving mobility. Proportionate fair share is a reactive regulatory program based on the impact of new developments. Due to statutory requirements, proportionate share calculations may result in road capacity projects that are the responsibility of local government, not new development. These projects may not serve the overall transportation needs of the community.

#### WHEN IS THE COUNTY GOING TO ADOPT MOBILITY FEES?

Before the County can adopt a mobility fee, it must decide on multimodal projects to be included in a mobility plan. The cost of these multimodal projects serves as the basis for calculating the mobility fee. The County will be holding public outreach efforts to review a draft mobility plan and mobility fee. The goal is to adopt a mobility plan and mobility fee in the spring of 2021. Florida Statute requires a 90-day phase-in period between the adoption of a mobility fee and the assessment of that fee when a building permit is submitted for new development.

#### HOW IS A MOBILITY FEE DETERMINED FOR NEW DEVELOPMENT?

A mobility fee is based on detailed methodologies designed to meet what is known as the dual relational nexus test and rough proportionately test established by case law and Florida Statute. A detailed technical report will be developed to document how the mobility fee is calculated and demonstrate legal and statutory compliance. The results of the detailed technical report will be a simplified table, known as a mobility fee schedule, that will include different land uses and the mobility fee rate assessed on a land use based on a specific unit of measure.

#### WHEN DOES NEW DEVELOPMENT PAY ITS MOBILITY FEES?

Mobility Fees are assessed at the time of building permit review. Florida Statute allows for the County to either collect mobility fees at review of the building permit or prior to the issuance of a certificate of occupancy, but not before building permit review. The final timing when fees are assessed will be determined by the Board of County Commissioners.

#### ARE OFFSETS OR CREDITS AVAILABLE FOR MOBILITY FEES?

Offsets of mobility fees may be available where redevelopment is replacing an existing building. Credits maybe available for previous proportionate share payments, for dedication of right-of-way and/or the construction of multimodal improvements identified in a mobility plan. A mobility fee administrative manual will be developed detailing how offsets and credits are determined.

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#### **WHAT HAPPENS TO MOBILITY FEES PAID TO THE COUNTY?**

Mobility fees are required by Florida Statute to be separated into a specific fund that tracks both payments and expenditures and is subject to yearly audit by the State of Florida Department of Revenue. The requirement for a special fund is to ensure that mobility fees are not included in general revenues and that the collection and expenditure of fees is transparent, and they are being used for the purpose for which they were collected.

#### **WHERE CAN MOBILITY FEES BE SPENT?**

The County is required to establish benefit districts and separate revenue funds for each district per Florida Statute. The benefit requirement ensures that new development that pays a mobility fee will receive some benefit for that payment in the form of a multimodal project that could be reasonably utilized by the development to provide mobility. Mobility fees are required to be spent within the benefit district in which they are collected.

The one exception would be any expenditures on US 331 south of Interstate 10 as the corridor is the primary access to Interstate 10 for all new development south of the Interstate. To ensure mobility fees are expended where they are collected, the County will be separated into multiple benefit districts.

One option is to use the County's four (4) existing planning areas: (1) South; (2) Central; (3) North Central; and (4) North. Another option is to use three benefit districts based on geographic location and physical barriers: (1) South of the Bay; (2) North of the Bay to Interstate 10; and (3) North of Interstate 10.

#### **WHAT CAN MOBILITY FEES BE SPENT ON?**

Mobility fees can be spent on multimodal projects included in an adopted mobility plan. The multimodal projects will be prioritized on an annual basis as part of the annual budgeting process and included in the County's Capital Improvements Program (CIP).

In order to expend mobility fee funds on projects not included in a mobility plan, the County would be required to amend its CIP to formally add the multimodal project to the CIP and receive community input at a public hearing. For new roads or the widening of an existing road, the County would need to amend its Mobility Plan and Mobility Fee and update the CIP.

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#### ARE THERE ANY ADDITIONAL MOBILITY PLANNING INITIATIVES UNDERWAY?

The County is currently evaluating parking along 30A and Scenic 98 as part of the overall mobility plan. The evaluation is culminating in developing a park-once environment at strategic locations along 30A and Scenic 98. Plans are being developed for different modes of transportation to connect to neighborhood and regional beach access and beach front communities such as Rosemary Beach and Seaside. The establishment of four (4) types of mobility hubs, connected by multimodal improvements identified in the mobility plan, provides a big picture perspective that is missing from past evaluations. This strategy provides both a framework for the purchase of future parcels and transparency for residents on the type of mobility hub to be developed.

The County is currently developing regulations for micromobility devices, such as electric bikes and electric scooters. Florida Statute has been changed to allow use of micromobility devices anywhere bicycles are allowed and allows private companies to provide these devices for rent with little State oversight. The Florida Legislature has allowed local governments to develop regulations for the use and rental of micromobility devices. The County currently has a moratorium on micromobility devices that will be lifted once regulations are adopted.

The Emerald Coast Regional Planning Council has developed a technical working group of local government representatives in the Panhandle to identify regional trail needs and priorities. FDOT currently provides \$25 million annually for funding of trails throughout Florida. A number of communities are actively developing trail networks for both enhanced mobility as well as eco-tourism. In addition, communities are also starting to promote trail-oriented development (TrOD) and seeking Trail Town designations by the Florida Department of Environmental Protection.

Okaloosa County is currently developing a mobility plan and mobility fee as well. The County will coordinate development of its mobility plan with Okaloosa County, FDOT, and the TPO to ensure consistency on major State and Federal Roads such as SR 20, SR 285, US Hwy 90, and US Hwy 98. FDOT is also currently developing plans for US Hwy 98 and SR 20 and the mobility plan is an opportunity to ensure these improvements are consistent with the County's plan. Walton County, in conjunction with the Seaside Institute, Florida Polytech University and BEEP, has recently submitted a grant application for Federal funding for the evaluation, planning, and development of plans along 30A for autonomous transit shuttles. The term **30A Mobility Innovation Corridor** is being used to describe plans to connect mobility hubs with multimodal ways (dedicate lanes) between CR 283 (Grayton Beach) and CR 395 (Seagrove Beach) that accommodate micromobility devices and autonomous transit shuttles.