

Additional Info 6A



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September 17th, 2022

Mr. Russ Blackburn
City Manager
City of Port St. Lucie
121 S.W. Port St. Lucie Blvd
Port St. Lucie, FL 34984

Re: City of Port St. Lucie Mobility Plan and Mobility Fee Update

Dear Mr. Blackburn:

On August 25th, 2022, a memo had been prepared in response to questions regarding Road Impact Fee and Mobility Fee credit prior to completion of the updated Technical Report and Mobility Fee ordinance. Several meetings have been held with various member of the development community since the memo was published. In response to the feedback that was received, my team has worked closely with City planning and legal staff to prepare a Technical Report and Mobility Fee Ordinance that addressed the feedback received from the development community, clarified the process for credits, and added multiple provisions in the ordinance to request Mobility Fee credits.

The August 25th, 2022 memo is now dated and has been superseded by the updated Technical Report and Mobility Fee ordinance. These two documents reflect feedback provided by the development community and these are the documents proposed for adoption by the City Council. It is understandable that the memo and not the 200 plus page Technical Report or the multiple amendments to the Mobility Fee ordinance may have been reviewed as part of the agenda packet. The memo has or will be removed. The following is a summary of the Mobility Plan and Mobility Fee update and changes related to Road Impact Fee and Mobility Fee credits:

Mobility Plan & Mobility Fee Update

- All Mobility Fee rates for all uses are lower than currently adopted,
- Removed County Roads from the Mobility Plan and Mobility Fee,
- Updated Phase One Mobility Plan corridor and intersections improvements,
- Revised existing Assessment Areas from East and West of the St. Lucie River to:
 - East of Interstate 95,
 - Southwest of Interstate 95, and
 - Northwest of Interstate 95.

Mobility Plan & Mobility Fee Update, continued

- Revised existing Assessment Areas reflect differences in Internal Capture, External Travel, Developer Road Impact Fee Credits, and Developer Improvements,
- Updated Trip Generation based on the latest Trip Generation Manual (October 2021),
- Updated Travel data based on the Interlocal Agreement and County Road Impact Fee update,
- Added Mobility Plan Implementation Projects to address:
 - Amendments to the Phase 2 Mobility Plan,
 - Developer request for Mobility Fee credit for improvements beyond their impact,
 - Statutory restrictions on updates once every four years for fee increases, and
 - Annual updates to the Capital Improvement Program.
- Replaced the East Benefit District with a Northeast and Southeast Benefit District. Added provisions to allow for the City to make written findings that use of mobility fee across districts would provide a mobility fee benefit to those paying the fee in accordance with the benefit requirement of the dual rational nexus test.

Road Impact Fee Credit

- Integrated the updated Interlocal Agreement between the City and the County,
- Removed all use of County Road Impact Fee credit without County approval to use,
- Honored all Developer City Road Impact Fee Credit agreements:
 - Vested developers with City Road Impact Fee Credits,
 - Use old City Road Impact Fee Rates to draw down on Road Impact Fee Credits, and
 - Once all Credits used would pay Mobility Fee rates or use any new Mobility Fee Credits.
- Added a true-up Road Impact Fee Credit provision so all parties agree on Credits,
 - Added provision to request transfer of County Road Impact Fee Credits to City Road Impact Fee Credits for developers that constructed City Roads but do not have City Road Impact Fee Credits (requires County and City to both agree to allow for transfer), and
 - **Developers (aka Applicant) have to make formal request for City Road Impact Fee Credits or the transfer provision above, neither City staff nor the Mobility Fee Ordinance has the authority to waive fees or grant credits, only the City Council has that authority.**

Mobility Fee Credit

- Added Mobility Plan Implementation projects to provide Mobility Fee Credits for developers that construct road improvements beyond their development,
- Added provisions to provide Mobility Fee Credits for developers that construct multimodal improvements beyond what is required for a typical street (e.g., provide credits is multi-use paths constructed when only sidewalks required),
- Added provisions to provide Mobility Fee Credits for developers that front-end road or multimodal improvements that are not their requirement,
- Added provisions to allow a developer to request that the City Council add one or more improvements to the Capital Improvements Program to be eligible for Mobility Fee Credits,
- Developer (aka Applicant) has to make formal request transfer for Mobility Fee Credits via a Developer Agreement or Mobility Fee Credit Agreement, **neither City staff nor the Mobility Fee Ordinance has the authority to grant Mobility Fee Credits, only the City Council has that authority to grant Credits.**

The proposed update of the Mobility Plan and Mobility Fee implements the City and County interlocal agreement. The updated Mobility Fee Ordinance recognized existing City Road Impact Fee Credit Agreements and added a provision from a developer to request Road Impact Fee Credit transfer between the County and the City. The updated Mobility Fee Ordinance also adds provision to request Mobility Fee Credits. Please feel free to reach out if you have questions.

Sincerely,



Jonathan B. Paul, AICP
Principal