



**BOARD OF COUNTY COMMISSIONERS
AGENDA MEMORANDUM**

COMMISSION DISTRICT: ALL

FILE NO.: PDD19-0298

DATE: 12/3/18

SUBJECT: AN ORDINANCE BY THE PASCO COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING SECTION 1302.2 (MOBILITY FEES) AND APPENDIX A (MOBILITY FEE DEFINITIONS) OF THE PASCO COUNTY LAND DEVELOPMENT CODE IN ACCORDANCE WITH SECTION 1302.2.D REVIEW AND UPDATE PROCEDURES; TO AMEND THE MOBILITY FEE REGULATIONS, DEFINITIONS, MAPS AND FEE SCHEDULES, RESULTING IN SOME MOBILITY FEE INCREASES AND DECREASES; TO MAKE ADDITIONAL AMENDMENTS, AS NECESSARY, FOR INTERNAL CONSISTENCY; PROVIDING FOR REPEALER, PROVIDING FOR SEVERABILITY, PROVIDING FOR INCLUSION IN THE CODE; PROVIDING AN EFFECTIVE DATE. (Public Hearing: LPA: 10/25/2018 at 1:30 p.m., NPR; BCC: 11/27/2018 at 1:30 p.m., DC; BCC: 12/11/2018 at 1:30 p.m., DC)

THRU: Don L. Rosenthal, M.B.A., CPM, Assistant County Administrator (Development Services)

FROM: Nectarios C. Pittos, AICP, Planning and Development Director

RECOMMENDED BOARD ACTION:

Accept public comment, adopt the amendments to the ordinance by roll call vote, authorize the Chairman's signature to the amended ordinance, and direct Board Records to transmit the amendments to the Department of State by electronic mail within ten (10) days after adoption of these amendments. The changes in the ordinance will take effect February 1, 2018.

BACKGROUND SUMMARY/ALTERNATIVE ANALYSIS:

PROJECT BACKGROUND

On July 12, 2011, Pasco County became one of the first counties in Florida to adopt mobility fees as a replacement to transportation impact fees. Pasco County adopted Ordinance Nos. 11-08 and 11-09 creating a Mobility Fee system (including the associated Multi-Modal Transportation (Tax Increment) Fund) that acts both as a funding source as well as a growth management and economic development tool. This ingenious system has received considerable recognition since its adoption, including awards from the Tampa Bay Regional Planning Council and 1000 Friends of Florida. It has served as a model for other communities in Florida as well as communities in other states. In addition, the State Legislature adopted legislation in 2013 that encourages the use of Pasco County's mobility fee system as an alternative to transportation concurrency.

Pasco County's mobility fee regulations (Land Development Code Section 1302.2) require that the fee schedule and regulations be reviewed and updated every three years to ensure the mobility fee system is in compliance with the local Metropolitan Planning Organization's (MPO's) Long Range Transportation Plan (LRTP) and the Florida Impact Fee Act (F.S. 163.31801). The last update was completed in 2014.

2017-2018 MOBILITY FEE UPDATE STUDY

The 2017-2018 Mobility Fee Update Study, commenced in October of 2017 consistent with the requirement to be updated every three years. The 2017-2018 Mobility Fee Update Advisory Committee (MFAC) was approved by the BCC on November 28, 2017. The MFAC meetings were conducted from

April through August 2018.

The study focused on the following seven (7) objectives:

- Update calculation parameters and adjust fee calculations to reflect updated travel characteristics (10th Ed. ITE Trip Generation).
- Review the 2040 Long Range Transportation Plan for quality of service.
- Estimate magnitude of revenues from other sources and consider County transportation maintenance and operational costs that affect existing and proposed incentives.
- Review and adjust various fee “policy” discounts (e.g. suburban residential, rural residential, and Harbors infill development, Transit-Oriented Development, affordable/attainable housing).
- Develop twenty (20) fee schedules corresponding to current fee districts and incentives.
- Add new land use categories to the fee schedule, modify Veterinary Clinic and Kennel definitions to separate the uses, and update travel generation information.
- Update County’s Mobility Fee Administration Procedures Manual.

2017-2018 Mobility Fee Update Advisory Committee

The Mobility Fee Update Advisory Committee met five times on the following dates:

First Meeting	April 18, 2018
Second Meeting	April 30, 2018
Third Meeting	May 30, 2018
Fourth Meeting	June 20, 2018
Fifth Meeting	August 2, 2018

All meetings were open to the public, and the public was provided an opportunity to comment at each meeting. Meeting minutes were recorded from each meeting by the Board Records and are available upon request.

BCC Workshop

The draft recommendations from the 2017-2018 Mobility Fee Update Advisory Committee were discussed with the Board of County Commissioners at the BCC Workshop on September 25, 2018.

SUMMARY POINTS AND RECOMMENDATIONS

The 2017-2018 Mobility Fee Update Advisory Committee appointed by the BCC proposed the following recommendations related to the fee schedules and incentives:

A. Proposed 2018 Fee Schedules

New land uses proposed to be added to the fee schedule:

- Non-veterinary kennel
- Breakfast/lunch only restaurant
- Fast-casual restaurant (e.g. Chipotle, Panera, Pei Wei, etc.)
- Ice-skating arena
- Active/Passive warehouse

Land uses for which the fees were reduced:

- High-Rise Condominium (-18% reduction in mobility fees, due to Tax Increment Credit).
- Age-restricted multi-family (-28% reduction in mobility fees, due to Tax Increment Credit).
- Congregate Care Facility (-18% reduction in mobility fees, due to trip rate reduction).
- College/University in Suburban, Rural areas (-5 to -12% reduction in mobility fees, due to trip rate reduction).
- Church in Suburban district (-12% reduction in mobility fees, due to trip rate reduction).
- Hospital (-7 to -12% reduction in mobility fees, due to trip rate reduction).
- Hardware/Paint Store (-87% reduction in mobility fees, due to a big trip rate reduction)
- Mining in Urban District (-16%, corrected error in 2014 fee schedule).

B. Proposed Harbors/West Market Area Vacant Incentive Zone:

As directed by the Board of County Commissioners, the MFAC evaluated different scenarios for incentivizing and encouraging development of vacant parcels in the Harbors West Market Area. The incentive for redevelopment parcels in the Harbors West Market Area was already set to \$0 (100% incentive) in 2014. The MFAC recommended expansion of the incentives program to include development of vacant parcels in the proposed Vacant Parcels Incentive Zone (Proposed Map 1302.2 – C). The MFAC recommended a 75% reduction of mobility fees (same as TOD) in the proposed Vacant Parcels Incentive Zone.

C. Rural Large Lot Fee

The Board of County Commissioners during the BCC workshop on October 17, 2017 had specifically requested that the 2017-2018 Mobility Fee Update Study evaluate removing disincentives for single family dwelling units on large lots in the rural area. After evaluation of different scenarios, the MFAC recommended a reduction of the mobility fees for a single home on lots five (5) acres or larger in the rural area, to the same rate as same-size suburban area homes.

D. Other Significant Proposed Changes

- Recommended the next required update to the Mobility Fee schedule and regulations take place in five years (2023) to better align the Mobility Fee update with future five-year Long Range Transportation Plan updates
- Recommended a reduction in the Mobility Fee Administration Fee from \$392 per permit to \$136 per permit due to less frequent updates and increased number of permits.
- Made it easier to qualify for the West (Harbors) redevelopment exemption (originally adopted in 2014) by reducing the previous lot coverage requirement of 50% to 25%.
- Removed opt-out language from the Mobility Fee regulations (ability to opt-out expired in 2016).
- Amended the multi-use building rule in the mobility fee regulations to ensure that lodging, office and industrial uses are not assessed a mobility fee even if they are in a multi-use building with other uses.
- During the BCC workshop on September 25, 2018, the Board of County Commissioners suggested the County eliminate any existing mobility fee subsidies for mini storage facilities in all districts.
- At the September 25th workshop, the Board of County Commissioners also discussed potentially eliminating the mobility fee subsidies for apartments in the Urban Area and requested more information in order to evaluate the impacts of this change. The Planning and Development Department has created a table showing the effect (fee increase) that would result from this proposed change (see Attachment 5). **Because the Board of County Commissioners expressed varying opinions on this proposed change, the Planning and Development Department requested that the LPA make a specific recommendation to the Board of County Commissioners regarding this proposed change.**

LOCAL PLANNING AGENCY RECOMMENDATIONS

1. On October 25, 2018, the Local Planning Agency (LPA) approved 1) all the recommendations of the Mobility Fee Update Advisory Committee including the 75% reduction of mobility fees in the proposed Vacant Parcels Incentive Zone, and to reduce the mobility fees for a single home on lots five (5) acres or larger in the rural area to the same rate as same-size suburban area homes, and 2) recommended to eliminate any existing mobility fee subsidies for mini storage facilities in all districts as the Board of County Commissioners suggested at the workshop.

2. After much discussion, the LPA recommended that current mobility fee subsidies for multifamily apartments should not be changed.

CASE HISTORY		
	Date	Vote: Approve/Deny
<i>Local Planning Agency approving mobility fee update recommendations</i>	10/25/2018	6-0 Approve
<i>Local Planning Agency recommendation to not remove current subsidies on multi-family apartments</i>	10/25/2018	5-1 Approve
<i>Board of County Commissioners recommendation to move forward without increases to the mini warehouse and urban apartment rates at this time</i>	11/27/2018	5-0 Approve
<i>Board of County Commissioners – Adoption</i>	12/11/2018	

Summary of Urban Apartments Subsidy Discussion

At the October 25, 2018 LPA hearing, the LPA discussed whether or not urban apartments should continue to be incentivized through mobility fee subsidies as a separate matter from the overall ordinance discussion. The urban apartments discussion largely focused on a comparison between mobility fees in Pasco County versus fees in Hillsborough County, and the market demand for apartments. Ultimately, the LPA determined the incentive should remain in place unchanged. There was only one opposing vote.

The recommendations of the Planning Commission were presented to the Board of County Commissioners on November 27, 2018 (Dade City) and are presented for adoption on December 11, 2018 (Dade City). The Planning and Development Department proposes February 1, 2019 as the effective date for proposed changes.

On November 27, 2018 (Dade City) the Board of County Commissioners directed the Planning and Development Department to move forward without increases to the mini warehouse and urban apartment rates at this time to evaluate associated supply and demand factors and consider other zoning strategies to address these uses. These two rate increases will be considered at a later date.

FISCAL IMPACT/COST/REVENUE STATEMENT:

Funding is not required for this recommendation.

ATTACHMENT(S):

1. Proposed Ordinance to Amend Section 1302.2 Mobility Fees and Appendix
2. June 11, 2018 Report for the Mobility Fee Administration Fee
3. Pasco 2018 Mobility Fee Update Report
4. 2017-2018 Mobility Fee Update Study - Scope of Services
5. Mobility Fee Assessment District (Map 1302.2 - A)
6. Mobility Fee Assessment District Area
7. Pasco County Benefit Districts
8. Mobility Fee History Slideshow
9. Proof of Notice

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