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Insights

Seminole County Considering Higher Mobility Fees Based on New Study

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Seminole County has commissioned a study to replace the county's road impact fee with a mobility fee. If adopted, the new mobility fee program would result in a substantial increase in impact fees for most developments.

Seminole County most recently reviewed its road impact fee in 1995, when it re-endorsed a 1990 fee schedule.

At its regular meeting on July 1, 2020, the Seminole County Planning and Zoning Commission tabled the public hearing on the mobility fee ordinance until the commission's next regular meeting. Noting that the ordinance would impact every property in the county, commissioners tabled the hearing after expressing concern about the public not having an opportunity to participate in person. The public hearing on the ordinance is now scheduled for the commission's regular meeting on August 5, 2020.

What are Impact and Mobility Fees?

Impact and mobility fees are a way for local governments to involve new developments in funding a portion of the mobility infrastructure needs they create in a community.

Mobility fees are one-time, up-front charges for a portion of a development's transportation impacts. Payment is usually made at the time of building permit or certificate of occupancy issuance.

What are the Proposed Changes?

According to its 2020 Multi-Modal Mobility Study, Seminole County is considering adopting a modern mobility fee "to maintain a continuing flow of funds for needed mobility improvements" and to "reflect updated costs, expected rates of growth, and mobility system expansion plans." The proposed increase in fees represents the county's attempt to address a budget shortfall in its 2040 Transportation Plan funding.

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While the existing road impact fee program generates approximately $3.1 million annually, the county anticipates collecting approximately $7 million annually under the mobility fee program.

For most developers, the two most important changes to the fee schedule will be the revised fee districts and new land uses.

- *Revised fee districts.* Currently, Seminole County has a four-district fee schedule. Under the new program, the county would have three mobility fee districts: suburban, rural and core. Developers can expect the highest fees in the rural district, moderate fees in the suburban district and the lowest fees in the core district.
- *New land uses.* Additional land uses have been added into the fee schedule, including size-graduations for single-family homes, nursing homes, coffee/doughnut shops and “passive” versus "active” warehousing uses

In most cases, the new mobility fee will make development within Seminole County **more costly**. For example:

- A new 40-unit apartment complex in the suburban district would owe $67,760 in mobility fees under the new program (at $1,694/unit), compared to $29,240 under the current road impact fee program (at $731/unit).
- A new 2,000-square-foot convenience store in the rural district would owe $60,400 in mobility fees under the new program (at $30,200/1,000 sq. ft.), compared to $14,500 under the current road impact fee program (at $7,250/1,000 sq. ft.).

What’s Next?

Developers hoping to lock in current road impact fees may obtain a vested rights determination by entering into a written agreement with the county establishing the current road impact fees for their project. Such an agreement must be entered into prior to the county’s adoption of the mobility fee ordinances.

The mobility fee ordinances will go before Seminole County’s Planning and Zoning Commission on July 1 and before the Board of County Commissioners on July 28.

For more information on how the proposed mobility fee program could affect your development, contact our office.