

**INTERLOCAL AGREEMENT**

**THIS INTERLOCAL AGREEMENT** entered into this **28<sup>th</sup>** day of **August** 2017, by and between the **CITY OF FERNANDINA BEACH, FLORIDA, a municipal corporation**, hereinafter referred to as "CITY", and the **BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, a political subdivision of the State of Florida**, hereinafter referred to as "COUNTY".

**WHEREAS**, the CITY and the COUNTY have determined it to be in the best interests of the citizens of Fernandina Beach and Nassau County to coordinate the efforts of the CITY and the COUNTY in planning for transportation impacts of new development; and

**WHEREAS**, the CITY and the COUNTY agree that the collection of mobility fees for transportation should be accomplished as set forth herein; and

**WHEREAS**, the comprehensive land use plans of both the CITY and the COUNTY encourage intergovernmental coordination to maximize the efficient use of resources; and

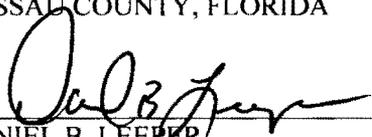
**WHEREAS**, the COUNTY has passed Ordinance 2014-16, as amended, which provides for collection by the CITY of transportation mobility fees within its jurisdiction based upon a joint execution of an Interlocal Agreement.

**NOW, THEREFORE**, the CITY and the COUNTY agrees as follows:

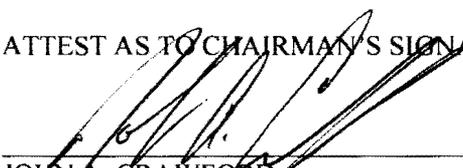
1. **Mobility Fees** – pursuant to Nassau County Ordinance 2014-16, as amended, known as the "Nassau County Mobility Fee Ordinance", mobility fees for Nassau County Mobility Zone 1, which includes the incorporated City of Fernandina Beach, shall be collected within the City.
2. **Mobility Fee Collection Procedures** – The CITY shall collect the mobility fees required pursuant to Nassau County Ordinance 2014-16, as amended, at the time a building permit is issued. The CITY on a monthly basis shall provide to the County Building Official:
  - a. A list of each fee collected, or if not collected, the reason(s) for non-collection; and
  - b. The permit number issued; and
  - c. Documentation of the non-residential square footage of the proposed development; and
  - d. The calculation of the fee; and

- e. All mobility fees collected shall be provided to the Clerk of the Court. The report sent to the County Building Official and City Building Official (if applicable) shall contain a copy of the remittance. All mobility fees shall be deposited into the Mobility Fee Trust Fund for use in Nassau County Mobility Zone 1.
3. **SEVERABILITY** – If any section, clause, or provision of this Agreement is held invalid, the remainder of this Agreement shall be construed as not having contained said section, clause, or provision, and shall not be affected by said holding.
4. **NO AGENCY** – Nothing contained herein shall be construed to constitute either of the parties, nor any of its agents or employees, as the agent of the other.
5. **TERM** – This Agreement shall continue in effect until terminated by either party upon thirty (30) days written notice to the other.
6. **AUTHORITY** – Each of the parties represents to the other that the execution of this Agreement has been duly and properly authorized by the governing bodies of each or the parties, and each has full authority to execute the same through its representative whose signatures appear below.
7. **FILING** – This Interlocal Agreement shall be filed with the Clerk of the Circuit Court of Nassau County, Florida, prior to its effective date, in accordance with Florida Statutes, 163.01(11).

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

  
\_\_\_\_\_  
DANIEL B. LEEPER  
Its: Chairman

ATTEST AS TO CHAIRMAN'S SIGNATURE:

  
\_\_\_\_\_  
JOHN A. CRAWFORD  
Its: Ex-Officio Clerk  
Approved as to form:

MES  
08-30-17

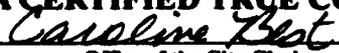
  
MICHAEL S. MULLIN  
Its: County Attorney

CITY OF FERNANDINA BEACH

  
ROBIN C. LENTZ  
Its: Commissioner-Mayor

ATTEST:

  
CAROLINE BEST  
Its: City Clerk

**A CERTIFIED TRUE COPY**  
  
Office of the City Clerk  
City of Fernandina Beach, Florida



APPROVED AS TO FORM AND LEGALITY:  
  
TAMMI E. BACH  
Its: City Attorney

**"Designated Mobility Improvement"** shall mean a specific capital improvement that adds capacity to the County Transportation System to accommodate the mobility demands from New Development and is listed for improvement in the Capital Improvement Element of the Comprehensive Plan, as identified in the Mobility Fee Study or subsequently added to the County's Capital Improvement Element.

**"Dwelling Unit"** shall mean a Building, or portion thereof, designed for residential occupancy, consisting of one or more rooms which are arranged, designed or used as living quarters for one or more persons.

**"Encumbered"** shall mean monies committed by contract or purchase order in a manner that obligates the County to expend the encumbered amount for the delivery of goods, the completion of services, the conveyance of right-of-way by a vendor, supplier, contractor or owner.

**"External Trip"** shall mean any Trip which either has its origins from or its destination to the New Construction and which impacts the County Transportation System.

**"Government Buildings"** shall mean property owned by the United States of America or any agency thereof, a sovereign state or nation, the State of Florida or any agency thereof, a county, a special district, a school district, or a municipal corporation.

**"Mixed Use New Construction"** shall mean New Construction in which more than one Mobility Fee Land Use Category is contemplated with each Category constituting a separate and identifiable enterprise not subordinate to or dependent on other enterprises within the New Construction.

**"Mobility Fee"** shall mean the Mobility Fee imposed by the County pursuant to Section 2.01, or, if applicable, the Alternative Mobility Fee.

**"Mobility Fee Land Use Category"** shall mean those categories of land use incorporated in the Mobility Fee Rate Schedule in Section 2.01.

**"Mobility Fee Rate"** shall mean a Mobility Fee imposed for a particular New Construction under the applicable Mobility Fee Land Use Category established in the schedules listed in Section 2.01 for Mobility Fees.

**"Mobility Fee Study"** shall mean the study adopted pursuant to Section 1.04, as amended and supplemented pursuant to Section 3.06.

**"Mobility Zone"** shall mean those districts, as shown in Appendix B, which are established by the Commission for the purposes of collection and expenditure of the Mobility Fees.

**"New Construction"** shall mean land construction designed or intended to permit a use of the land which will contain more Dwelling Units, Buildings or floor space than the existing use of land, or to otherwise change the use of the land in a manner that increases the generation of vehicular or non-vehicular traffic or the number of External Trips.

**"New Net Trip"** shall mean the average daily External Trips, as adjusted by the average vehicle miles traveled in Mobility Fee Study.

**"Off-Site Improvements"** shall mean road improvements located outside of the boundaries of a New Construction which are required by the County in order to serve External Trips, but not including Access Improvements.

**"Ordinance"** shall mean this Mobility Fee Ordinance.

**"Owner"** shall mean the Person holding legal title to the real property containing the New Construction.

**EXHIBIT "A"**

**RESOLUTION 2017-86**

A RESOLUTION, OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, AMENDING RESOLUTION 2016-52 AND APPROVING AN INTERLOCAL AGREEMENT WITH THE NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING CITY COLLECTION OF TRANSPORTATION MOBILITY FEES APPLIED WITHIN CITY LIMITS; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fernandina Beach adopted Resolution 2016-52 on April 5, 2016; and

WHEREAS, Resolution 2016-52 included language referencing utilization of Nassau County Mobility Fees as well as an Interlocal Agreement with the Nassau County Board of County Commissioners for the collection of these fees; and

WHEREAS, it has come to the attention of both the City and the County that Resolution 2016-52 and the associated Interlocal Agreement contain references to former County Transportation Benefit Districts; and

WHEREAS, the former County Transportation Benefit Districts have been replaced by the newly created districts as defined by Nassau County Ordinance 2014-16, as amended, known as the "Nassau County Mobility Fee Ordinance"; and

WHEREAS, the City and the County desire correction to these references to properly recognize that funds collected by the City may be used for transportation projects only within Nassau County Mobility Zone 1.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. The City Commission hereby approves the corrected Interlocal Agreement with Nassau County for the City to collect Transportation Mobility Fees for projects within the city limits, and the corrected Interlocal Agreement is attached hereto as Exhibit "A".

SECTION 2. The City Manager and City Clerk are hereby authorized to execute the Interlocal Agreement, upon review and approval of the City Attorney.

SECTION 3. This Resolution shall become effective immediately upon passage.

ADOPTED this 6<sup>th</sup> day of June, 2017.

EXHIBIT "A"

CITY OF FERNANDINA BEACH

*Robin C. Lentz*

Robin C. Lentz  
Mayor – Commissioner

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

*Caroline Best*

Caroline Best  
City Clerk

*Tammi E. Bach*

Tammi E. Bach  
City Attorney

**A CERTIFIED TRUE COPY**

*Caroline Best*

Office of the City Clerk  
City of Fernandina Beach, Florida



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**NASSAU COUNTY, FLORIDA**

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**MOBILITY FEE ORDINANCE**

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**ADOPTED \_\_\_\_\_, 2014**

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ORDINANCE NO. 2014-\_\_\_\_\_

AN ORDINANCE TO BE KNOWN AS THE NASSAU COUNTY MOBILITY FEE ORDINANCE; PROVIDING CERTAIN DEFINITIONS; PROVIDING RULES OF CONSTRUCTION AND LEGISLATIVE FINDINGS; ADOPTING THE MOBILITY FEE STUDY; PROVIDING FOR MUNICIPAL PARTICIPATION; IMPOSING MOBILITY FEES ON NEW CONSTRUCTION AND ADOPTING A MOBILITY FEE SCHEDULE; PROVIDING FOR CALCULATION AND ALTERNATIVE CALCULATION PROCEDURES FOR MOBILITY FEES; PROVIDING TERMS FOR PAYMENTS; PROVIDING TERMS OF USE OF MOBILITY FEE PROCEEDS; PROVIDING CERTAIN EXEMPTIONS; PROVIDING FOR CERTAIN CREDITS; PROVIDING APPLICABILITY; PROVIDING AN ALTERNATIVE COLLECTION MECHANISM; PROVIDING REVIEW HEARINGS; PROVIDING A REVIEW REQUIREMENT; PROVIDING FOR EXCLUSION FROM THE ADMINISTRATIVE PROCEDURES ACT; PROVIDING SEVERABILITY; PROVIDING ENFORCEMENT; AMENDING SECTION 3.04 OF NASSAU COUNTY ORDINANCE NO. 2007-05 CONCERNING THE PLANNING AND ZONING BOARD; PROVIDING NOTICE REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA:

ARTICLE I

GENERAL

SECTION 1.01. DEFINITIONS. When used in this Ordinance, the following terms shall have the following meanings, unless the context otherwise clearly requires:

"Access Improvements" shall mean improvements designed and constructed to provide safe and adequate ingress and egress from New Construction, which include, but are not limited to, rights-of-way, easements, paving of adjacent or connecting roadways, turn lanes, deceleration and acceleration lanes, traffic control devices, signage and markings, sidewalks, multi-use paths, and drainage and utilities.

**"Accessory Building or Structure"** shall mean a detached, subordinate building, meeting all property development regulations, the use of which is clearly incidental and related to the use of the principal Building or incidental to the previous use to which the vacant land is devoted, and which is located on the same lot as that of the principal Building or vacant land use.

**"Alternative Mobility Fee"** shall mean any alternative fee calculated by an Applicant and approved by the County Manager pursuant to Section 2.03.

**"Apartment"** shall mean a rental Dwelling Unit located within the same Building as other Dwelling Units.

**"Applicant"** shall mean the person who applies for a Building Permit.

**"Building"** shall mean any structure, either temporary or permanent, built for the support, shelter, or enclosure of persons, chattels, or property of any kind. This term shall include tents, trailers, mobile homes, or any vehicles serving in any way the function of a building. This term shall not include temporary construction sheds or trailers erected to assist in construction and maintained during the term of a Building Permit.

**"Building Permit"** shall mean an official document or certificate issued by the County, under the authority of ordinance or law, authorizing the construction or siting of any Building. "Building Permit" shall also include move-on permits or other development approvals for those structures or Buildings, such as a mobile home, that do not require a Building Permit in order to be constructed or occupied.

**"Certificate of Occupancy"** shall mean the document issued by the County under the authority of ordinance or law that indicates the completion of a Building erected in accordance with plans approved by the building department, and final

inspection having been performed, thereby allowing the building to be occupied. "Certificate of Occupancy" shall also include move-on permits or other development approvals for those structures or Buildings, such as a mobile home, that do not require a Certificate of Occupancy to be occupied.

**"Commission"** shall mean the Board of County Commissioners of Nassau County, Florida.

**"Comprehensive Plan"** shall mean the comprehensive plan of the County adopted and amended pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act as contained in Part II, Chapter 163, Florida Statutes, or its statutory successor in function.

**"Condominium"** shall mean a single-family or time-sharing ownership unit that has at least one other similar unit within the same building structure. The term Condominium includes all fee simple or titled multi-unit structures, including townhouses and duplexes.

**"County"** shall mean Nassau County, Florida, a political subdivision of the State of Florida.

**"County Engineer"** shall mean the Person appointed by the Commission to serve as its engineer or the designee of such Person.

**"County Manager"** shall mean the chief administrative officer of the County, appointed by the Commission or the designee of such Person.

**"County Transportation System"** shall mean the road system of the County as defined in section 334.03(8), Florida Statutes, or its statutory successor in function, plus associated bike lanes, sidewalks, transit facilities and other multi-modal facilities for non-vehicular modes of transportation.

**"Person"** shall mean any individual, corporation, governmental agency, business trust, estate, trust, partnership, association, property owners' association, two (2) or more persons having a joint or common interest, governmental agency, or other legal entity.

**"Planning and Zoning Board"** shall mean the board created pursuant to section 3.04 of Ordinance No. 2007-05, as amended herein.

**"Residential"** shall mean Apartments, Condominiums, Single-Family Detached Houses, duplexes, and mobile homes.

**"Single-Family Detached House"** shall mean a home on an individual lot.

**"Square Footage"** shall mean the gross area measured in feet from the exterior faces of exterior walls or other exterior boundaries of the Building, excluding areas within the interior of the Building which are utilized for parking.

**"Trip"** shall mean a one-way movement of vehicular travel from an origin (one trip end) to a destination (the other trip end). The word Trip shall have the meaning which it has in commonly accepted traffic engineering practice.

**"Trip Generation or Trip Generator Rate"** shall mean the maximum average new (excluding passerby) daily trip generation rates for the applicable Trip Generation Land Use Category, as adjusted by the Mobility Fee Study.

**"Trip Generation Land Use Category"** shall mean the trip generation land use categories established in Trip Generation, (latest edition), published by the Institute of Transportation Engineers.

**SECTION 1.02. RULES OF CONSTRUCTION.** For the purposes of administration and enforcement of this Ordinance, unless otherwise stated in this section, the following rules of construction shall apply:

A. The word "shall" is always mandatory and not discretionary; the word *Amay@* is discretionary.

B. Words used in the present tense shall include the future and words in the singular shall include the plural and the plural the singular, unless the context clearly indicates the contrary.

C. Unless the context clearly indicates the contrary, where a regulation involves two (2) or more items, conditions, provisions, or events connected by the conjunction "and," "or" or "either . . .or" the conjunction shall be interpreted as follows:

(1) *And* indicates that all the connected terms, conditions, provisions or events shall apply.

(2) *Or* indicates that the connected items, conditions, provisions or events may apply singly or in any combination.

(3) *Either . . . or* indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.

D. The word "includes" shall not limit a term to the specific example but is intended to extend its meaning to all other instances or circumstances of like kind or character.

**SECTION 1.03. FINDINGS.** It is hereby ascertained, determined and declared:

A. Pursuant to Article VIII, section 1(f), Florida Constitution, sections 125.01 and 125.66, Florida Statutes, and other applicable provisions of law, the Commission has all powers of local self-government to perform county functions, except when prohibited by law, and such power may be exercised by the enactment of legislation in the form of County ordinances.

B. The Commission specifically finds that the County Transportation System benefits all residents of the County and, therefore, the Mobility Fee shall be imposed in all unincorporated areas of the County.

C. Development necessitated by the growth contemplated in the proposed Comprehensive Plan will require improvements and additions to the County Transportation System to accommodate the traffic generated by such growth and maintain the standards of service adopted by the County.

D. Future growth, as represented by New Construction, should assist in mitigating its impacts by contributing its fair share to the cost of improvements and additions to the County Transportation System that are required to accommodate the traffic, both vehicular and non-vehicular, generated by such growth.

E. The required improvements and additions to the County Transportation System needed to eliminate any deficiencies between the existing County Transportation System and the levels of service adopted by the County shall be financed by revenue sources of the County other than Mobility Fees.

F. Imposition of a Mobility Fee to require New Construction to contribute its fair share to the cost of required vehicular and multi-modal additions is an integral and vital element of the regulatory plan of growth management incorporated in the Comprehensive Plan of the County.

G. The imposition of a Mobility Fee is to provide a source of revenue to fund the construction or improvement of the County Transportation System, including both vehicular and multi-modal improvements, that are necessitated by growth as delineated in the capital improvement element of the Comprehensive Plan and the Mobility Fee Study.

H. The purpose of the Mobility Fee is to fund transportation improvements that will increase the efficiency of the County Transportation System and thus ensure the provision of an adequate level of service for New Growth. The efficiency of the County Transportation System can be improved by increasing roadway capacity using traditional methods, improving operations of existing facilities through intersection improvements and traffic signal upgrades to new and more efficient technology, and improving the connectivity of the transportation network, for vehicles, bicycles and pedestrians to provide better alternatives to heavily used travel routes, as well as transit improvements.

I. The improvements identified in the capital improvement element of the Comprehensive Plan and Mobility Fee Study include roadway capacity improvements, pedestrian improvements, including bicycle lanes and sidewalks, as well as intersection improvements to improve overall efficiency of the County Transportation System. Additionally, the standard FDOT costs used to estimate the cost of the Designated Mobility Improvements include multi-modal pedestrian facilities (bike lanes and sidewalks).

J. The Mobility Fee Study uses VMT, vehicle miles travelled, as the basis for calculating the Mobility Fee. Although the Designated Mobility Improvements include multi-modal improvements, those improvements are a vital and necessary part of the County's future transportation system and have been identified to increase connectivity by providing alternatives to vehicular transportation, which effectively reduce the VMT in areas where they are provided, as noted in the Highway Capacity Manual and the Institute of Transportation Engineers' Trip Generation manual. Additionally, the Florida Standard Urban Transportation Model Structure model used to estimate the VMTs used

in the Mobility Fee Study incorporates the impact of these existing and future multi-modal elements when determining the VMT used in the calculation of the Mobility Fee.

K. Accordingly, given that the VMTs used in the Mobility Fee Study have been adjusted for multi-modal improvements and the inclusion of these costs in the standard FDOT costs estimates, it is fair and reasonable to include multi-modal improvements in the Designated Mobility Improvements.

L. The Commission expressly finds that the schedule of improvements and additions to the County Transportation System, as contained in the study entitled "Nassau County Mobility Plan Report," dated as of February, 2014 provide a benefit to all New Construction within the County that is in excess of the actual Mobility Fee.

M. The County has the responsibility to provide and maintain roads, multi-modal improvements, and other public facilities in the County Transportation System. New Construction occurring within the County impacts the County Transportation System; therefore, New Construction should pay its fair share of the cost of providing the improvements and additions to the County Transportation System. In recognition of these findings, it is the intent of the Commission that, upon approval and adoption of this Ordinance and the Mobility Fee Study by the Commission, the County shall impose a Mobility Fee to provide the cost of growth-required improvements and additions to the County Transportation System.

N. The projected capital improvements and additions to the County Transportation System and the allocation of projected costs between those improvements and additions necessary to serve existing development and those improvements and additions required to accommodate the growth represented by New Construction as presented in the Mobility Fee study is hereby approved and adopted by

the County and such projections are hereby found to be in conformity with the Comprehensive Plan.

O. Transportation planning is an evolving process and the capital improvements and additions to the County Transportation System identified upon the date of the adoption of this Ordinance constitute projections of growth patterns and transportation improvements and additions based upon present knowledge and judgment. Therefore, in recognition of changing growth patterns and the dynamic nature of population growth, it is the intent of the Commission that the identified improvements and additions to the County Transportation System be reviewed and adjusted periodically, pursuant to Section 3.06, to ensure that Mobility Fees are imposed equitably and lawfully and are utilized effectively based upon actual and anticipated traffic conditions at the time of their imposition.

P. The purpose of this Ordinance is to regulate the development of land within the County by requiring payment of Mobility Fees by New Construction and to provide for the cost of capital improvements to the County Transportation System which are required to accommodate such growth. This Ordinance shall not be construed to permit the collection of Mobility Fees in excess of the amount reasonably anticipated to offset the demand on the County Transportation System generated by such New Construction.

Q. It is the purpose of this Ordinance to implement many of the tools and techniques identified and encouraged by the State Legislature in Chapter 2011-139, Laws of Florida (House Bill (HB) 7207), and identified by the Commission in the Nassau County Comprehensive Plan. These tools and techniques will substantially advance the public purposes of job creation, and reduction of energy, infrastructure, and service

costs; i.e., public safety, that typically result from lower density/sprawl-type development patterns.

R. It is the purpose of this Ordinance to achieve Transportation Element Objectives T.01, T.02, T.04, and T.06; and Capital Improvements Element Objective CI.07 of the Nassau County Comprehensive Plan which requires the County to:

- (1) maintain minimum acceptable levels of service;
- (2) develop, construct, and maintain a transportation system, which is consistent with the existing and future land use patterns;
- (3) encourage and promote the safe integration and utilization of bicycle and pedestrian movement;
- (4) encourage and promote transit in the region;
- (5) provide capital improvements to accommodate future growth
- (6) identify dedicated, non-ad valorem revenue streams to ensure the provision of needed capital improvements.

S. The Mobility Fee Study, Mobility Fee, and this Ordinance comply with the goals, objectives and policies of the Nassau County Comprehensive Plan, specifically Transportation Element Policies T.01.02 T.02.01 T.02.03, T.04.03, and T.06.02; and Capital Improvements Element Policies CI.01.08 and CI.07.02 and are consistent with the State Legislature's encouraged direction in Chapter 2011-139, Laws of Florida (HB 7207).

T. This Ordinance ensures that any participating municipality that wishes to join in the Mobility Fee program has an opportunity to do so, but does not require any participating municipality to join in.

U. The County shall be divided into separate Mobility Zones which are based on the Mobility Fee Study and the Comprehensive Plan and generally depict those areas where the County has planned for urban, suburban, and rural forms of development. The Mobility Zones shall be utilized to create the differential Mobility Fee structure encouraged by the Comprehensive Plan and Chapter 2011-139, Laws of Florida (HB 7207).

V. Based on the typical travel characteristics in the County set forth in the Mobility Fee Study, utilizing the Mobility Zones to regulate Mobility Fee expenditures is the best method of ensuring that the transportation capital improvements funded by Mobility Fees benefit development in the Mobility Zones paying the Mobility Fees.

W. Mobility Fees paid pursuant to this section will be earmarked to separate Mobility Fee funds for use within the Mobility Zones in which the Mobility Fees are collected, except as provided herein.

X. The Administrative Fee authorized in Section 2.05 is fair and reasonable and constitutes no more than the County's actual costs for the collection and administration of the Mobility Fee.

**SECTION 1.04 ADOPTION OF MOBILITY FEE STUDY.** The Commission hereby adopts and incorporates by reference, the study entitled "Nassau County Mobility Fee Report," dated as of February 2014, particularly the assumptions, conclusions and findings in such study as to the allocation of anticipated costs of capital improvements and additions to the County Transportation System between those costs required to accommodate existing traffic and those costs required to accommodate traffic generated by growth and those assumptions, conclusions and findings in such study as to the determination of anticipated costs of additions to the County

Transportation System required to accommodate growth. The Mobility Fee Study is attached as Appendix A.

**SECTION 1.05. MUNICIPAL PARTICIPATION.** The provisions of this Ordinance shall apply to New Construction occurring in both the unincorporated and incorporated areas of the County. Provided, however, that the provisions of this Ordinance shall not be enforced within a municipality unless the County and the municipality enter into an interlocal agreement setting forth the terms and conditions under which the provisions of this Ordinance shall be implemented within the municipality.

**ARTICLE II**  
**MOBILITY FEES**

**SECTION 2.01. IMPOSITION.**

A. All New Construction occurring within the unincorporated area of the County shall pay the applicable Mobility Fee established in this Ordinance.

B. All New Construction occurring within a municipality that has entered into an interlocal agreement with the County pursuant to section 1.05 herein, providing for the imposition and collection of Mobility Fees within the municipality, shall pay the applicable Mobility Fee established in this Ordinance.

C. The Commission hereby establishes two (2) Mobility Zones, as shown in Appendix B, for purposes of collection and expenditure of the Mobility Fees. The East Nassau Community Planning Area established by the Commission in Ordinance No. 2013-10 shall remain a separate mobility zone as provided in that ordinance and shall not be subject to the provisions of this Ordinance.

D. The Commission hereby adopts the following rate schedule of Mobility Fees, which are imposed upon all New Construction occurring within the County at a rate established under the applicable Mobility Fee Land Use Category, as calculated in accordance with Section 2.02 below.

***[THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK.]***

### Fee Schedule

ITE Code	Land Use Type	Quantity Range		Units	Mobility Fee	
		Min	Max		East of I-95	West of I-95
	<b>Residential</b>					
210	Single Family Detached	-	-	Per DU	\$1,150.00	\$1,168.00
220	Multi-Family (Apartments)	-	-	Per DU	\$807.00	\$820.00
230	Condominium/Townhouse	-	-	Per DU	\$712.00	\$723.00
210	Other Residential (Same as Single Family)	-	-	Per DU	\$1,150.00	\$1,168.00
	<b>Non - Residential (Per 1,000 SF unless otherwise stated)</b>					
110	Industrial	-	-	SF	\$592.00	\$602.00
150	Warehouse	-	-	SF	\$453.00	\$460.00
151	Mini-warehouse	-	-	SF	\$218.00	\$222.00
710	General Office	0	10000	SF	\$1,009.00	\$1,025.00
710	General Office	10000	49999	SF	\$1,434.00	\$1,458.00
710	General Office	50000	99999	SF	\$1,223.00	\$1,243.00
710	General Office	100000	200000	SF	\$1,044.00	\$1,061.00
710	General Office	200000	299999	SF	\$951.00	\$966.00
710	General Office	300000		SF	\$845.00	\$859.00
720	Medical Office	-	-	SF	\$3,388.00	\$3,443.00
760	Research and Development Center	-	-	SF	\$745.00	\$757.00
812	Building Materials and Lumber Store	-	-	SF	\$1,997.00	\$2,030.00
817	Garden Center	-	-	SF	\$2,286.00	\$2,323.00
820	Shopping Center	0	49999	SF	\$2,866.00	\$2,912.00
820	Shopping Center	50000	99999	SF	\$2,623.00	\$2,665.00
820	Shopping Center	100000	29999	SF	\$2,098.00	\$2,132.00
820	Shopping Center	300000		SF	\$1,850.00	\$1,880.00
841	Car Dealerships	-	-	SF	\$3,082.00	\$3,131.00
850	Supermarket	-	-	SF	\$3,341.00	\$3,395.00
853	Convenience Market w/ Gas Pumps	-	-	SF	\$4,289.00	\$4,358.00
890	Furniture Store	-	-	SF	\$152.00	\$154.00
932	Restaurant	-	-	SF	\$2,170.00	\$2,205.00
934	Fast Food Restaurant (w/ drive-thru)	-	-	SF	\$4,861.00	\$4,940.00
	<b>Non - Residential (Per unit quantity as stated below)</b>					
912	Drive-In bank			Per Lane/Window	\$3,358.00	\$3,413.00
310	Hotel/Motel			Per Room	\$577.00	\$586.00
560	Church			Per Seat	\$62.00	\$63.00

E. No Mobility Fee shall be assessed upon the issuance of a commercial retail shopping center Building Permit, Foundation Permit, or a nonretail multiuse Building Permit for an unfinished building; i.e., a Shell Permit. Instead, each individual use shall thereafter be assessed the applicable Mobility Fee based on the calculations set forth below upon subsequent issuance of a Building Permit to finish each unit. All Mobility Fees for these shell Buildings will be collected no later than the issuance of a Building Permit for the finishing of the Building.

**SECTION 2.02. CALCULATION OF MOBILITY FEE.**

A. Upon receipt of a complete application for a Building Permit the County Manager shall calculate the applicable Mobility Fee, incorporating any applicable credits. If a person has received a credit pursuant to this Ordinance, that credit shall be subtracted from the otherwise applicable Mobility Fee, if such credit applies. A person may request at any time a nonbinding estimate of the Mobility Fee due for a particular development; however, such estimate is subject to change when a complete application for a Building Permit or other development permit is made.

B. The Mobility Fee shall be calculated by using (1) an Alternative Trip Generation Study approved in accordance with Section 2.03 herein or (2) the Mobility Fee Schedule adopted in Section 2.01 herein. The Mobility Fees in the Mobility Fee Schedule have been calculated using the formula(s) presented in the Mobility Fee Study. The Mobility Fee required to be paid by each land use is in the Mobility Fee Schedule column labeled "Mobility Fee," and this dollar amount shall be multiplied by the number of units in the development seeking a Building Permit for such land use. The base unit for this calculation is set forth in the "Unit" column for each land use in the

Mobility Fee Schedule. The applicable Mobility Zone for each mobility fee calculation shall be determined in accordance with Section 2.01.

C. Land uses that are not specifically listed in the Mobility Fee Schedule shall be assigned the trip generation rate of the most similar land use as listed in the most recent edition of the Institute of Transportation Engineers, Trip Generation, as outlined in the Mobility Fee Study.

D. A Mobility Fee shall be imposed and calculated for the alteration, expansion or replacement of a Building or Dwelling Unit or the construction of an Accessory Building or Structure if the alteration, expansion or replacement of the Building or Dwelling Unit or the construction of an Accessory Building or Structure results in a land use determined to generate greater External Trips than the present use under the applicable Mobility Fee Rate. The Mobility Fee imposed under the applicable Mobility Fee Rate shall be calculated as follows:

(1) If the Mobility Fee is calculated solely on land use and not square footage, the Mobility Fee imposed shall be the Mobility Fee due under the applicable Mobility Fee Rate for the Mobility Fee Land Use Category resulting from the alteration, expansion or replacement, less the Mobility Fee that would be imposed under the applicable Mobility Fee Rate for the Mobility Fee Land Use Category prior to the alteration, expansion or replacement.

(2) In the event the Square Footage of a Building is increased, the Mobility Fee Rate for the increased Square Footage represented by the New Construction shall be at the Mobility Fee Rate applicable to New Construction with Square Footage resulting from the alteration, expansion or replacement, less the

Mobility Fee that would be imposed under the applicable Square Footage prior to the alteration, expansion or replacement.

(3) The Mobility Fee imposed for any Accessory Building or Structure shall be that applicable under the Mobility Fee Rate for the land use for the primary Building.

E. In the event a New Construction involves a Mixed Use New Construction, the County Manager shall calculate the Mobility Fee based upon the number of New Net Trips to be generated by each separate Mobility Fee Land Use Category included in the proposed Mixed Use New Construction.

**SECTION 2.03. ALTERNATIVE MOBILITY FEE CALCULATION.**

A. In the event an Applicant believes that the impact to the County Transportation System necessitated by its New Construction is less than the New Net Trips that are assumed under the applicable Mobility Fee Land Use Category specified in Section 2.01, such Applicant may, prior to issuance of a Building Permit for such New Construction, file with the County Manager an Alternative Mobility Fee that seeks to establish an alternative number of New Net Trips. The County Manager shall review the alternative calculations of the New Net Trips and make a determination within thirty (30) days of submittal as to whether such calculation complies with the requirements of this Section.

B. The Alternative Mobility Fee calculation of New Net Trips shall be based on data, information or assumptions contained in this Ordinance and the Mobility Fee Study or an independent source, provided that:

(1) The independent source is a generally accepted standard source of transportation engineering or planning information, or

(2) The independent source is a local study supported by a data base adequate for the conclusions contained in such study performed by a professional engineer pursuant to a generally accepted methodology of transportation planning or engineering.

(3) If, during its approval process, a previously approved New Construction project containing the same proposed uses submitted a trip characteristic study substantially consistent with the criteria required by this Section, and if such study is determined by the County Manager to be current, the trip characteristics of such previously approved New Construction shall be presumed to be as described in the prior study. In such circumstances, an Alternative Mobility Fee shall be established reflecting the trip characteristics described in the prior study. There shall be a rebuttable presumption that a trip characteristic study conducted more than two (2) years earlier is invalid.

(4) It is acknowledged that the Mobility Fee Rates are based upon the applicable Trip Generation Rates for the Trip Generation Land Use Categories corresponding to the Mobility Fee Land Use Categories set forth in Section 2.01. In recognition of such acknowledgment, the Trip Generation Rates for the Trip Generation Land Use Categories shall be considered an independent source for the purpose of an Alternative Mobility Fee calculation without the necessity of a study as required by Subsections B. of this Section.

C. If the County Manager determines that the data, information and assumptions utilized by the Applicant comply with the requirements of this Section and that the calculation of the Alternative Mobility Fee number of New Net Trips was by a

generally accepted methodology, then the Alternative Mobility Fee shall be paid in lieu of the fee set forth in Section 2.01.

D. If the County Manager determines that the data, information and assumptions utilized by the Applicant to compute an alternative number of New Net Trips do not comply with the requirements of this Section, then the County Manager shall provide to the Applicant by certified mail, return receipt requested, written notification of the rejection of the Alternative Mobility Fee and the reasons therefore. The Applicant shall have thirty (30) days from the receipt of the written notification of rejection to request a hearing pursuant to Section 3.05.

E. The Board shall establish an administrative fee by separate resolution to cover the County's costs incurred in processing and reviewing any Alternative Mobility Fee applications, including fees incurred for review of any applications by third party experts.

#### **SECTION 2.04. PAYMENT.**

A. Except as otherwise provided in this Ordinance, prior to the issuance of a Building Permit for New Construction, an Applicant shall pay the Mobility Fee to the County.

B. The obligation for payment of the Mobility Fee and any credits related thereto shall run with the land.

C. In the event that a Building Permit issued for New Construction expires prior to completion of the New Construction for which it was issued, the Applicant may, within ninety (90) days of expiration of the Building Permit, apply for a refund of the Mobility Fee. Failure to timely apply for a refund of the Mobility Fee shall waive any right to a refund.

(1) The application for refund shall be filed with the County Manager and contain the following:

- (a) The name and address of the Applicant;
- (b) The location of the property which was the subject of the Building Permit;
- (c) The date the Mobility Fee was paid;
- (d) A copy of the receipt of payment for the Mobility Fee; and
- (e) The date the Building Permit was issued and the date of expiration.

(2) After verifying that the Building Permit has expired and that the New Construction has not been completed, the County Manager shall refund the Mobility Fee paid for such New Construction. The County shall retain one percent (1%) of the Mobility Fee to offset the costs of administering the refund.

(3) A Building Permit which is subsequently issued for New Construction on the same property which was the subject of a refund shall pay the Mobility Fee as required by this Ordinance.

D. The payment of the Mobility Fee shall be in addition to any other fees, charges or assessments of the County due for the issuance of a Building Permit.

**SECTION 2.05. USE OF MOBILITY FEE PROCEEDS.**

A. The Commission hereby establishes two (2) separate trust accounts for the Mobility Fee, to correspond to the two (2) Mobility Zones, which accounts shall be maintained separate and apart from all other accounts of the County.

B. The East Nassau Community Planning Area Mobility Network Fund established by the Commission in Ordinance No. 2013-10 shall remain a separate

Mobility Fee fund as provided in that ordinance and shall not be subject to the provisions of this Ordinance.

C. All Mobility Fees shall be deposited into the appropriate trust account for the Mobility Zone from which the fees were collected immediately upon receipt.

D. Mobility Fee funds shall not be used for any expenditure that would be classified as a transportation operation and maintenance expense. The Mobility Fee shall be used within the Mobility Zones from which the Mobility Fee is collected; however, to the extent that a transportation capital improvement provides reasonable benefits beyond the Mobility Zone within which it is located, it may be funded with Mobility Fee funds collected from an adjacent Zone. However, prior to encumbering any Mobility Fee funds in this manner, the County Manager or designee shall make a written determination that (1) the transportation capital improvement will substantially benefit the development in the Mobility Zone from which the Mobility Fees have been collected; (2) the planned transportation capital improvement is of a nature such that it will add capacity to the transportation system beyond the Mobility Zone in which it is situated; and (3) the demand for the transportation capital improvement is reasonably attributable to development in the Mobility Zone from which the Mobility Fees have been collected.

E. The monies deposited into the Mobility Fee Trust Accounts shall be used solely for the purpose of constructing or improving the Designated Mobility Improvements to the County Transportation System, as these improvements may be amended from time-to-time, including, but not limited to:

- (1) design and construction plan preparation;
- (2) permitting;

(3) right-of-way acquisition, including any costs of acquisition or condemnation;

(4) construction of new through lanes;

(5) construction of new turn lanes;

(6) construction of new bridges;

(7) construction of new drainage facilities in conjunction with new roadway construction;

(8) purchase and installation of traffic signals;

(9) construction of new curbs, medians and shoulders;

(10) construction of new multi-use paths, bike lanes, sidewalks and other bicycle and pedestrian improvements;

(11) construction of new transit facilities;

(12) relocating utilities to accommodate new roadway construction;

(13) construction management and inspection;

(14) surveying and soils and material testing;

(15) repayment of monies transferred or borrowed from any budgetary fund of the County which were used to fund any growth impacted construction or improvements as herein defined;

(16) payment of principal and interest, necessary reserves and costs of issuance under any bonds or other indebtedness issued by the County to provide funds to construct or acquire growth impacted capital transportation improvements on the County Transportation System; and

(17) transportation planning, development and engineering.

E. The monies deposited into the Mobility Fee Trust Account shall be used solely to provide improvements and additions to the County Transportation System required to accommodate traffic generated by growth as projected in the Mobility Fee Study.

F. Any monies on deposit which are not immediately necessary for expenditure shall be invested by the County. All income derived from such investments shall be deposited in the Mobility Fee Trust Account and used as provided herein.

G. The County may retain up to three percent (3%) of all Mobility Fees received or the actual costs of administration and collection, whichever is less, as an administrative fee to defray the costs of administering the Mobility Fee program.

### **ARTICLE III**

#### **MISCELLANEOUS PROVISIONS**

##### **SECTION 3.01. EXEMPTIONS.**

The following shall be exempted from payment of the Mobility Fee:

A. Alterations or expansion of an existing Dwelling Unit which does not result in any additional Dwelling Units or increase the number of families for which such Dwelling Unit is arranged, designed or intended to accommodate for the purpose of providing living quarters.

B. The alteration or expansion of a Building if the Building use upon completion does not generate greater External Trips under the applicable Mobility Fee Rate.

C. The replacement of a Dwelling Unit, Mobile Home, Building or an Accessory Building or Structure if the replacement Dwelling Unit, Mobile Home, Building or Accessory Building or Structure does not result in a land use generating greater

External Trips under the applicable Mobility Fee Rate. To be eligible for this exemption, a Certificate of Occupancy or Move-On permit for the replacement structure must have been issued within eight (8) years of the date the original structure was occupied.

D. The issuance of a move-on permit on a Mobile Home on which applicable Mobility Fees have previously been paid.

E. Government Buildings. However, any Mobility Fee exemption issued for a government building shall expire if an alteration causes the Building or development to no longer be a government Building.

### **SECTION 3.02. CREDITS.**

A. Subject to the terms and conditions of this Section 3.02, a credit shall be granted against a Mobility Fee imposed by this Ordinance for the donation of land or the construction of improvements to the County Transportation System required pursuant to a development permit or made voluntarily in connection with New Construction. Such donations or construction shall be subject to the approval and acceptance of the County Manager. No credit shall be given for the donation of land or construction unless such property is conveyed, in fee simple to the County without remuneration.

B. Prior to issuance of a Building Permit, the Applicant shall submit a proposed plan for donations or contributions to the County Manager. The proposed plan shall include:

(1) a designation of the New Development for which the plan is being submitted;

(2) a legal description of any land proposed to be donated and a written appraisal prepared in conformity with Subsection E of this section;

(3) a list of the contemplated improvements sought to be donated and an estimate of the proposed construction costs certified by a professional architect or engineer; and

(4) a proposed time schedule for completion of the proposed plan.

C. The County Manager shall approve or deny the proposed plan in accordance with Subsection D of this section and, if approved, establish the amount of credit in accordance with Subsection E of this section. The County Manager shall issue a decision within sixty (60) days after the filing of the proposed plan.

D. In reviewing the proposed plan, the County Manager shall determine:

(1) if such proposed plan is in conformity with contemplated improvements and additions to the County Transportation System;

(2) if the proposed donation of land and construction by the Applicant is consistent with the public interest; and

(3) if the proposed time schedule is consistent with the capital improvement program for the County Transportation System.

E. The amount of developer contribution credit shall be determined as follows:

(1) The value of donated land shall be based upon a written appraisal of fair market value as determined by an M.A.I. appraiser who was selected and paid for by the Applicant, and who used generally accepted appraisal techniques. If the appraisal does not conform to the requirements of this Ordinance and any applicable administrative regulations, the appraisal shall be corrected and resubmitted. In the event the County Manager accepts the methodology of the appraisal but disagrees with the appraised value, he may engage another M.A.I. appraiser at the County's expense

and the value shall be an amount equal to the average of the two appraisals. If either party does not accept the average of the two appraisals, a third appraisal shall be obtained, with the cost of said third appraisal being shared equally by the County and the Applicant. The third appraiser shall be selected by the first two appraisers and the third appraisal shall be binding on the parties.

(2) The actual cost of construction to the County Transportation System shall be based upon cost estimates certified by a professional architect or engineer, as applicable. However, in no event shall any credit be granted in excess of the estimated construction costs approved by the County unless the construction project is competitively bid, in which case, the credit shall be limited to the actual cost or 120% of the bid amounts, whichever is less; and

(3) The land donations and construction contributions shall only provide improvements or additions to the County Transportation System which are included in the County's Capital Improvement Element of the Comprehensive Plan and required to accommodate growth.

F. If a proposed plan is approved for credit by the County Manager, the County Manager shall forward a proposed credit agreement to the Commission for its consideration, which agreement shall provide for the parties obligations and responsibilities, including, but not limited to:

(1) The timing of actions to be taken by the Applicant and the obligations and responsibilities of the Applicant, including, but not limited to, the construction standards and requirements to be complied with;

(2) The obligations and responsibilities of the Commission including, but not limited to, inspection of the project; and

(3) The amount of the credit as determined in accordance with Subsection E of this section.

G. A credit for the donation of land or a credit for the construction of an improvement or addition to the County Transportation System shall be granted at such time as the credit agreement is approved and executed by both the Commission and the Applicant; provided, however, that in the event the Applicant fails to convey the property which is the subject of the donation to the County or such property is not ultimately accepted by the County in accordance with the terms of the credit agreement, then the credit for donation shall be revoked and all Mobility Fees shall immediately become due and payable. The administration of said contribution credits shall be the responsibility of the County Manager.

H. Any Applicant who submits a proposed plan pursuant to this section and desires the immediate issuance of a Building Permit prior to approval of the proposed plan shall pay the Mobility Fees prior to the issuance of the Building Permit. Any difference between the amount paid and the amount due, should the County Manager approve and accept the proposed plan, shall be refunded to the Applicant or Owner.

**SECTION 3.03. APPLICABILITY.** This Ordinance and the obligations herein for the payment of the Mobility Fee shall apply to all New Construction that receives a Building Permit on or after the effective date of this Ordinance, as provided in Section 3.12.

**SECTION 3.04. ALTERNATIVE COLLECTION METHOD.** In the event the Mobility Fee is not paid prior to the issuance of a Building Permit for the affected New Construction, the County may elect to collect the Mobility Fee prior to the issuance of a Certificate of Occupancy or by any other method which is authorized by law.

**SECTION 3.05. REVIEW HEARINGS.**

A. An Applicant or Owner who is required to pay a Mobility Fee pursuant to this Ordinance shall have the right to request an appeal. The appeal procedures provided in sections 1.05 and 5.06 of Nassau County Ordinance No. 2007-05 shall apply to all appeals.

B. Such appeal shall be limited to the review of the following:

- (1) The application or calculation of the Mobility Fee.
- (2) The rejection of the Alternative Mobility Fee calculation pursuant to Section 2.03.

C. Such appeal shall be requested by the Applicant or Owner within thirty (30) days of the date of first receipt of the following:

- (1) Notice that the Mobility Fee is due;
- (2) Negative determination on a proposed Alternative Mobility Fee.

Failure to request an appeal within the time provided shall be deemed a waiver of such right.

D. The request for an appeal shall be filed with the County Manager and shall contain the following:

- (1) The name and address of the Applicant or Owner;
- (2) The legal description of the property in question;
- (3) If issued, the date the Building Permit was issued;
- (4) A brief description of the nature of the construction being undertaken pursuant to the Building Permit;
- (5) If paid, the date the Mobility Fee was paid; and

(6) A statement of the reasons why the Applicant or Owner is requesting the appeal.

E. Upon receipt of such request, the County Manager shall process the appeal pursuant to the procedures provided in Sections 1.05 and 5.06 of Nassau County Ordinance No. 2007-05.

F. Any Applicant or Owner who requests a hearing pursuant to this Section and desires the immediate issuance of a Building Permit, or if a Building Permit has been issued without the payment of the Mobility Fee, shall pay prior to or at the time the request for hearing is filed, the applicable Mobility Fee. Said payment shall be deemed paid "under protest" and shall not be construed as a waiver of any review rights.

G. An Applicant or Owner may request a hearing under this Section without paying the applicable Mobility Fee, but no Building Permit shall be issued until such Mobility Fee is paid in the amount initially calculated or the amount approved upon completion of the review provided in this Section.

H. The Board shall establish an administrative fee by separate resolution to cover the County's costs incurred in processing and reviewing any appeals, including fees incurred for review of any applications by third party experts.

**SECTION 3.06. REVIEW REQUIREMENT.** This Ordinance and the Mobility Fee Study shall be reviewed by the Commission at least every five (5) years. The initial and each review thereafter shall consider new estimates of population and other socioeconomic data, changes in construction, land acquisition and related costs, and adjustments to the assumptions, conclusions or findings set forth in the study adopted by Section 1.04. Each review shall additionally consider changes in right-of-way acquisition and related costs and changes in Trip Generation rates, External Trip

lengths and traffic volume counts. The purpose of this review is to evaluate and revise, if necessary, the Mobility Fee to ensure that they do not exceed the reasonably anticipated costs associated with the improvements and additions necessary to offset the demand generated by the New Construction on the County Transportation System. In the event the review of the Ordinance required by this Section alters or changes the assumptions, conclusions and findings of the studies adopted by reference in Section 1.04, revises or changes the Designated Mobility Improvements, or alters or changes the amount or classification of the Mobility Fee, the study adopted by reference in Section 1.04 shall be amended and updated to reflect the assumptions, conclusions and findings of such reviews and Section 1.04 shall be amended to adopt by reference such updated studies.

**SECTION 3.07. DECLARATION OF EXCLUSION FROM ADMINISTRATIVE PROCEDURES ACT.** Nothing contained in this Ordinance shall be construed or interpreted to include the County in the definition of Agency as contained in section 120.52, Florida Statutes, or to otherwise subject the County to the application of the Administrative Procedure Act, Chapter 120, Florida Statutes. This declaration of intent and exclusion shall apply to all proceedings taken as a result of or pursuant to this Ordinance.

**SECTION 3.08. SEVERABILITY.** The provisions of this Ordinance are severable, and it is the intention to confer the whole or any part of the powers provided for herein. If any clause, section or provision of this Ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said Ordinance shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein. It is hereby declared to be the legislative intent that

this Ordinance would have been adopted had such unconstitutional provision not been included herein.

**SECTION 3.09. ENFORCEMENT.**

A. Enforcement of this Ordinance shall be done pursuant to section 125.69, Florida Statutes.

B. Violations include, but are not limited to, failing, neglecting, or refusing to pay a Mobility Fee as required by this section and/or furnishing untrue, incomplete, false, or misleading information on any document, or to any County employee, concerning the calculation, exemption, or payment of a Mobility Fee or concerning the entitlement to, or calculation of, a Mobility Fee credit.

C. The owner, tenant, or occupant of any land or part thereof for which a Mobility Fee is owed and any architect, builder, contractor, agent, or other person who participates in, assists, directs, creates, or maintains any situation that is contrary to the requirements of this section, or who fails, neglects, or refuses to pay a Mobility Fee, or who furnishes any untrue, incomplete, false, or misleading information concerning the calculation, exemption, or payment of a Mobility Fee or concerning the entitlement to, or calculation of, a Mobility Fee credit, may be held responsible for the violation and be subject to the penalties and remedies provided for in this Code and/or the Nassau County Code of Ordinances.

D. Failure to pay a Mobility Fee required by this section is a violation that is continuous with respect to time, and each day the violation continues, or the Mobility Fee remains unpaid, is hereby declared to be a separate offense.

**SECTION 3.10. NOTICE OF MOBILITY FEE RATES.** Upon adoption of this Ordinance or any amendment hereto imposing revised Mobility Fee rates or revising the

land use categories for any Mobility Fee, the County Manager shall publish a notice once in a newspaper of general circulation within the County which notice shall include: (A) a brief and general description of the affected Mobility Fee, (B) a description of the geographic area in which the Mobility Fee will be collected; (C) the Mobility Fee Rates to be imposed for each land use category; and (D) the date of implementation of the Mobility Fee rates set forth in the notice, which date shall not be earlier than ninety (90) days after the date of publication of the notice.

**SECTION 3.11. AMENDMENT DUTIES OF PLANNING AND ZONING BOARD.** Pursuant to Section 3.05 of this Ordinance, the Planning and Zoning Board will hear and decide appeals concerning the application and payment of the Mobility Fee. Accordingly, Section 3.04 of Nassau County Ordinance No. 2007-05 is hereby amended to include this authority, as follows:

**Section 3.04. Planning and zoning board.** The planning and zoning board shall act as the local planning agency (LPA) which serves as an advisory body to the board of county commissioners on all planning and zoning related matters, except for matters involving variances and conditional uses.

*(A) Establishment of the planning and zoning board:* The board of county commissioners shall appoint the members of the planning and zoning board. The planning and zoning board shall be composed of eleven (11) members. The members shall be appointed as follows: One member shall be appointed from each county commission district; one member shall serve as the appointment from the Nassau County School Board, pursuant to Section 163.3174(1), Florida Statutes, with said member granted voting status; and five (5) members shall serve at-large, with one of each of said members being recommended by each of the respective members of the board of county commissioners. The terms of five (5) members shall expire on December 31, 2008, and two (2) members terms shall expire on December 31, 2009, and the terms of four (4) members shall expire on December 31, 2010. After the initial term, any

re-appointment shall be for a three (3) year staggered term. Any member appointed to the planning and zoning board shall serve at the will of the board of county commissioners.

(B) *Powers and duties:*

(1) Review all requests for rezoning of property, zoning amendments, comprehensive plan text amendments, land use map amendments, and amendments to ordinances that affect land use, and make approval/non-approval recommendations to the board of county commissioners for their final determination.

(2) Review all site plans, with the exception of those approved by the development review committee as stated in article 28, section 28.16(A), and make recommendations to the board of county commissioners.

(3) Submit written recommendations to the board of county commissioners relative to the various requests where applicable that fall within the purview of the board of county commissioners to approve/deny.

(4) Elect a chair and vice-chair of the planning and zoning board members. A chair and vice-chair shall be selected each year by the members of the planning and zoning board.

(5) Establish the time, place and date of the monthly planning and zoning board regular meeting plus workshops.

(6) Develop rules and procedures for the conduct of hearings, both quasi-judicial and legislative, which, at a minimum, when appropriate, includes the right of the party to:

a. Present his/her case by oral and documentary evidence;

b. Submit rebuttal evidence, and conduct such cross-examination as may be required for a full and true disclosure of the facts;

c. Be accompanied, represented and advised by counsel or represent himself/herself;

d. Be promptly notified of any action taken by the planning and zoning board affecting substantive or procedural rights taken in connection with any proceedings.

e. The planning and zoning board shall receive into evidence that which could be admissible in civil proceedings in the courts of this state, but in receiving evidence, due regard shall be given to the technical and highly complicated subject matter which must be handled and the exclusionary rules of evidence shall not be used to prevent the receipt of evidence having substantial probative effect. Otherwise, however, effect shall be given to rules of evidence recognized by the laws of Florida.

f. Majority of the planning and zoning board shall constitute a quorum for the purpose of meetings and transacting business. Failure to receive a majority vote shall constitute denial.

(7) Hear and decide appeals where it is alleged there is an error in any decision made by the planning director or staff as it relates to the zoning code or comprehensive plan.

(8) Hear and decide appeals concerning the application and payment of the Nassau County Mobility Fee.

[underline indicates additions; ~~strikethrough~~ indicates deletions]

**SECTION 3.12. EFFECTIVE DATE.**

(A) The Clerk shall file a certified copy of this Ordinance with the Department of State within ten days of its adoption. This Ordinance shall take effect immediately upon its filing with the Department of State.

(B) This Ordinance and the obligations herein for the payment of Mobility Fees shall apply to all New Development that submits a complete application for a Building Permit on or after \_\_\_\_, 2014 provided the notice period set forth in Section 3.10 hereof has expired by this date. If the notice period set forth in Section 3.10 hereof

has not expired by \_\_\_\_\_, 2014, then the Effective Date of this Ordinance shall be automatically delayed until the expiration of said notice period.

DULY ENACTED this \_\_\_ day of \_\_\_\_\_, 2014.

BOARD OF COUNTY COMMISSIONERS OF  
NASSAU COUNTY, FLORIDA

BY: \_\_\_\_\_  
Chairman

ATTEST:

By: \_\_\_\_\_  
Clerk

(SEAL)

Approved for Form and Correctness:

By: \_\_\_\_\_  
County Attorney

## FW: Mobility Fee Ordinance \_final\_04 04 14.doc

Peter King

Tue 4/8/2014 8:46 AM

To: Sabrina Robertson <srobertson@nassaucountyfl.com>;

📎 1 attachment

Mobility Fee Ordinance \_final\_04 04 14.doc;

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**From:** Encinosa, Heather <hencinosa@ngn-tally.com>

**Sent:** Friday, April 4, 2014 5:02 PM

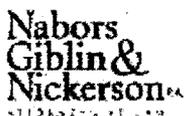
**To:** David A. Hallman; Peter King; Ted Selby; Nick Gillette (Nick@gilletteassociates.com)

**Cc:** Blalock, Sarah; Joyce Bradley

**Subject:** Mobility Fee Ordinance \_final\_04 04 14.doc

I have added two new provisions to clarify the application of exemptions. They are shown in track changes mode. Please let me know if I have the county's concurrency terminology correct or if you would like any additional changes. Thanks.

**Heather J. Encinosa, Esq.**



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Tallahassee, Florida 32308

(850) 224-4070

[hencinosa@ngnlaw.com](mailto:hencinosa@ngnlaw.com)

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**NASSAU COUNTY, FLORIDA**

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**MOBILITY FEE ORDINANCE**

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**ADOPTED \_\_\_\_\_, 2014**

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ORDINANCE NO. 2014-\_\_\_\_\_

AN ORDINANCE TO BE KNOWN AS THE NASSAU COUNTY MOBILITY FEE ORDINANCE; PROVIDING CERTAIN DEFINITIONS; PROVIDING RULES OF CONSTRUCTION AND LEGISLATIVE FINDINGS; ADOPTING THE MOBILITY FEE STUDY; PROVIDING FOR MUNICIPAL PARTICIPATION; IMPOSING MOBILITY FEES ON NEW CONSTRUCTION AND ADOPTING A MOBILITY FEE SCHEDULE; PROVIDING FOR CALCULATION AND ALTERNATIVE CALCULATION PROCEDURES FOR MOBILITY FEES; PROVIDING TERMS FOR PAYMENTS; PROVIDING TERMS OF USE OF MOBILITY FEE PROCEEDS; PROVIDING CERTAIN EXEMPTIONS; PROVIDING FOR CERTAIN CREDITS; PROVIDING APPLICABILITY; PROVIDING AN ALTERNATIVE COLLECTION MECHANISM; PROVIDING REVIEW HEARINGS; PROVIDING A REVIEW REQUIREMENT; PROVIDING FOR EXCLUSION FROM THE ADMINISTRATIVE PROCEDURES ACT; PROVIDING SEVERABILITY; PROVIDING ENFORCEMENT; AMENDING SECTION 3.04 OF NASSAU COUNTY ORDINANCE NO. 2007-05 CONCERNING THE PLANNING AND ZONING BOARD; PROVIDING NOTICE REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA:

ARTICLE I

GENERAL

SECTION 1.01. DEFINITIONS. When used in this Ordinance, the following terms shall have the following meanings, unless the context otherwise clearly requires:

"Access Improvements" shall mean improvements designed and constructed to provide safe and adequate ingress and egress from New Construction, which include, but are not limited to, rights-of-way, easements, paving of adjacent or connecting roadways, turn lanes, deceleration and acceleration lanes, traffic control devices, signage and markings, sidewalks, multi-use paths, and drainage and utilities.

**"Accessory Building or Structure"** shall mean a detached, subordinate building, meeting all property development regulations, the use of which is clearly incidental and related to the use of the principal Building or incidental to the previous use to which the vacant land is devoted, and which is located on the same lot as that of the principal Building or vacant land use.

**"Alternative Mobility Fee"** shall mean any alternative fee calculated by an Applicant and approved by the County Manager pursuant to Section 2.03.

**"Apartment"** shall mean a rental Dwelling Unit located within the same Building as other Dwelling Units.

**"Applicant"** shall mean the person who applies for a Building Permit.

**"Building"** shall mean any structure, either temporary or permanent, built for the support, shelter, or enclosure of persons, chattels, or property of any kind. This term shall include tents, trailers, mobile homes, or any vehicles serving in any way the function of a building. This term shall not include temporary construction sheds or trailers erected to assist in construction and maintained during the term of a Building Permit.

**"Building Permit"** shall mean an official document or certificate issued by the County, under the authority of ordinance or law, authorizing the construction or siting of any Building. "Building Permit" shall also include move-on permits or other development approvals for those structures or Buildings, such as a mobile home, that do not require a Building Permit in order to be constructed or occupied.

**"Certificate of Occupancy"** shall mean the document issued by the County under the authority of ordinance or law that indicates the completion of a Building erected in accordance with plans approved by the building department, and final

inspection having been performed, thereby allowing the building to be occupied. "Certificate of Occupancy" shall also include move-on permits or other development approvals for those structures or Buildings, such as a mobile home, that do not require a Certificate of Occupancy to be occupied.

**"Commission"** shall mean the Board of County Commissioners of Nassau County, Florida.

**"Comprehensive Plan"** shall mean the comprehensive plan of the County adopted and amended pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act as contained in Part II, Chapter 163, Florida Statutes, or its statutory successor in function.

**"Condominium"** shall mean a single-family or time-sharing ownership unit that has at least one other similar unit within the same building structure. The term Condominium includes all fee simple or titled multi-unit structures, including townhouses and duplexes.

**"County"** shall mean Nassau County, Florida, a political subdivision of the State of Florida.

**"County Engineer"** shall mean the Person appointed by the Commission to serve as its engineer or the designee of such Person.

**"County Manager"** shall mean the chief administrative officer of the County, appointed by the Commission or the designee of such Person.

**"County Transportation System"** shall mean the road system of the County as defined in section 334.03(8), Florida Statutes, or its statutory successor in function, plus associated bike lanes, sidewalks, transit facilities and other multi-modal facilities for non-vehicular modes of transportation.

**"Designated Mobility Improvement"** shall mean a specific capital improvement that adds capacity to the County Transportation System to accommodate the mobility demands from New Development and is listed for improvement in the Capital Improvement Element of the Comprehensive Plan, as identified in the Mobility Fee Study or subsequently added to the County's Capital Improvement Element.

**"Dwelling Unit"** shall mean a Building, or portion thereof, designed for residential occupancy, consisting of one or more rooms which are arranged, designed or used as living quarters for one or more persons.

**"Encumbered"** shall mean monies committed by contract or purchase order in a manner that obligates the County to expend the encumbered amount for the delivery of goods, the completion of services, the conveyance of right-of-way by a vendor, supplier, contractor or owner.

**"External Trip"** shall mean any Trip which either has its origins from or its destination to the New Construction and which impacts the County Transportation System.

**"Government Buildings"** shall mean property owned by the United States of America or any agency thereof, a sovereign state or nation, the State of Florida or any agency thereof, a county, a special district, a school district, or a municipal corporation.

**"Mixed Use New Construction"** shall mean New Construction in which more than one Mobility Fee Land Use Category is contemplated with each Category constituting a separate and identifiable enterprise not subordinate to or dependent on other enterprises within the New Construction.

**"Mobility Fee"** shall mean the Mobility Fee imposed by the County pursuant to Section 2.01, or, if applicable, the Alternative Mobility Fee.

**"Mobility Fee Land Use Category"** shall mean those categories of land use incorporated in the Mobility Fee Rate Schedule in Section 2.01.

**"Mobility Fee Rate"** shall mean a Mobility Fee imposed for a particular New Construction under the applicable Mobility Fee Land Use Category established in the schedules listed in Section 2.01 for Mobility Fees.

**"Mobility Fee Study"** shall mean the study adopted pursuant to Section 1.04, as amended and supplemented pursuant to Section 3.06.

**"Mobility Zone"** shall mean those districts, as shown in Appendix B, which are established by the Commission for the purposes of collection and expenditure of the Mobility Fees.

**"New Construction"** shall mean land construction designed or intended to permit a use of the land which will contain more Dwelling Units, Buildings or floor space than the existing use of land, or to otherwise change the use of the land in a manner that increases the generation of vehicular or non-vehicular traffic or the number of External Trips.

**"New Net Trip"** shall mean the average daily External Trips, as adjusted by the average vehicle miles traveled in Mobility Fee Study.

**"Off-Site Improvements"** shall mean road improvements located outside of the boundaries of a New Construction which are required by the County in order to serve External Trips, but not including Access Improvements.

**"Ordinance"** shall mean this Mobility Fee Ordinance.

**"Owner"** shall mean the Person holding legal title to the real property containing the New Construction.

"Person" shall mean any individual, corporation, governmental agency, business trust, estate, trust, partnership, association, property owners' association, two (2) or more persons having a joint or common interest, governmental agency, or other legal entity.

"Planning and Zoning Board" shall mean the board created pursuant to section 3.04 of Ordinance No. 2007-05, as amended herein.

"Residential" shall mean Apartments, Condominiums, Single-Family Detached Houses, duplexes, and mobile homes.

"Single-Family Detached House" shall mean a home on an individual lot.

"Square Footage" shall mean the gross area measured in feet from the exterior faces of exterior walls or other exterior boundaries of the Building, excluding areas within the interior of the Building which are utilized for parking.

"Trip" shall mean a one-way movement of vehicular travel from an origin (one trip end) to a destination (the other trip end). The word Trip shall have the meaning which it has in commonly accepted traffic engineering practice.

"Trip Generation or Trip Generator Rate" shall mean the maximum average new (excluding passerby) daily trip generation rates for the applicable Trip Generation Land Use Category, as adjusted by the Mobility Fee Study.

"Trip Generation Land Use Category" shall mean the trip generation land use categories established in Trip Generation, (latest edition), published by the Institute of Transportation Engineers.

**SECTION 1.02. RULES OF CONSTRUCTION.** For the purposes of administration and enforcement of this Ordinance, unless otherwise stated in this section, the following rules of construction shall apply:

A. The word "shall" is always mandatory and not discretionary; the word "may" is discretionary.

B. Words used in the present tense shall include the future and words in the singular shall include the plural and the plural the singular, unless the context clearly indicates the contrary.

C. Unless the context clearly indicates the contrary, where a regulation involves two (2) or more items, conditions, provisions, or events connected by the conjunction "and," "or" or "either . . . or" the conjunction shall be interpreted as follows:

(1) *And* indicates that all the connected terms, conditions, provisions or events shall apply.

(2) *Or* indicates that the connected items, conditions, provisions or events may apply singly or in any combination.

(3) *Either . . . or* indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.

D. The word "includes" shall not limit a term to the specific example but is intended to extend its meaning to all other instances or circumstances of like kind or character.

**SECTION 1.03. FINDINGS.** It is hereby ascertained, determined and declared:

A. Pursuant to Article VIII, section 1(f), Florida Constitution, sections 125.01 and 125.66, Florida Statutes, and other applicable provisions of law, the Commission has all powers of local self-government to perform county functions, except when prohibited by law, and such power may be exercised by the enactment of legislation in the form of County ordinances.

B. The Commission specifically finds that the County Transportation System benefits all residents of the County and, therefore, the Mobility Fee shall be imposed in all unincorporated areas of the County.

C. Development necessitated by the growth contemplated in the proposed Comprehensive Plan will require improvements and additions to the County Transportation System to accommodate the traffic generated by such growth and maintain the standards of service adopted by the County.

D. Future growth, as represented by New Construction, should assist in mitigating its impacts by contributing its fair share to the cost of improvements and additions to the County Transportation System that are required to accommodate the traffic, both vehicular and non-vehicular, generated by such growth.

E. The required improvements and additions to the County Transportation System needed to eliminate any deficiencies between the existing County Transportation System and the levels of service adopted by the County shall be financed by revenue sources of the County other than Mobility Fees.

F. Imposition of a Mobility Fee to require New Construction to contribute its fair share to the cost of required vehicular and multi-modal additions is an integral and vital element of the regulatory plan of growth management incorporated in the Comprehensive Plan of the County.

G. The imposition of a Mobility Fee is to provide a source of revenue to fund the construction or improvement of the County Transportation System, including both vehicular and multi-modal improvements, that are necessitated by growth as delineated in the capital improvement element of the Comprehensive Plan and the Mobility Fee Study.

H. The purpose of the Mobility Fee is to fund transportation improvements that will increase the efficiency of the County Transportation System and thus ensure the provision of an adequate level of service for New Growth. The efficiency of the County Transportation System can be improved by increasing roadway capacity using traditional methods, improving operations of existing facilities through intersection improvements and traffic signal upgrades to new and more efficient technology, and improving the connectivity of the transportation network, for vehicles, bicycles and pedestrians to provide better alternatives to heavily used travel routes, as well as transit improvements.

I. The improvements identified in the capital improvement element of the Comprehensive Plan and Mobility Fee Study include roadway capacity improvements, pedestrian improvements, including bicycle lanes and sidewalks, as well as intersection improvements to improve overall efficiency of the County Transportation System. Additionally, the standard FDOT costs used to estimate the cost of the Designated Mobility Improvements include multi-modal pedestrian facilities (bike lanes and sidewalks).

J. The Mobility Fee Study uses VMT, vehicle miles travelled, as the basis for calculating the Mobility Fee. Although the Designated Mobility Improvements include multi-modal improvements, those improvements are a vital and necessary part of the County's future transportation system and have been identified to increase connectivity by providing alternatives to vehicular transportation, which effectively reduce the VMT in areas where they are provided, as noted in the Highway Capacity Manual and the Institute of Transportation Engineers' Trip Generation manual. Additionally, the Florida Standard Urban Transportation Model Structure model used to estimate the VMTs used

in the Mobility Fee Study incorporates the impact of these existing and future multi-modal elements when determining the VMT used in the calculation of the Mobility Fee.

K. Accordingly, given that the VMTs used in the Mobility Fee Study have been adjusted for multi-modal improvements and the inclusion of these costs in the standard FDOT costs estimates, it is fair and reasonable to include multi-modal improvements in the Designated Mobility Improvements.

L. The Commission expressly finds that the schedule of improvements and additions to the County Transportation System, as contained in the study entitled "Nassau County Mobility Plan Report," dated as of February, 2014 provide a benefit to all New Construction within the County that is in excess of the actual Mobility Fee.

M. The County has the responsibility to provide and maintain roads, multi-modal improvements, and other public facilities in the County Transportation System. New Construction occurring within the County impacts the County Transportation System; therefore, New Construction should pay its fair share of the cost of providing the improvements and additions to the County Transportation System. In recognition of these findings, it is the intent of the Commission that, upon approval and adoption of this Ordinance and the Mobility Fee Study by the Commission, the County shall impose a Mobility Fee to provide the cost of growth-required improvements and additions to the County Transportation System.

N. The projected capital improvements and additions to the County Transportation System and the allocation of projected costs between those improvements and additions necessary to serve existing development and those improvements and additions required to accommodate the growth represented by New Construction as presented in the Mobility Fee study is hereby approved and adopted by

the County and such projections are hereby found to be in conformity with the Comprehensive Plan.

O. Transportation planning is an evolving process and the capital improvements and additions to the County Transportation System identified upon the date of the adoption of this Ordinance constitute projections of growth patterns and transportation improvements and additions based upon present knowledge and judgment. Therefore, in recognition of changing growth patterns and the dynamic nature of population growth, it is the intent of the Commission that the identified improvements and additions to the County Transportation System be reviewed and adjusted periodically, pursuant to Section 3.06, to ensure that Mobility Fees are imposed equitably and lawfully and are utilized effectively based upon actual and anticipated traffic conditions at the time of their imposition.

P. The purpose of this Ordinance is to regulate the development of land within the County by requiring payment of Mobility Fees by New Construction and to provide for the cost of capital improvements to the County Transportation System which are required to accommodate such growth. This Ordinance shall not be construed to permit the collection of Mobility Fees in excess of the amount reasonably anticipated to offset the demand on the County Transportation System generated by such New Construction.

Q. It is the purpose of this Ordinance to implement many of the tools and techniques identified and encouraged by the State Legislature in Chapter 2011-139, Laws of Florida (House Bill (HB) 7207), and identified by the Commission in the Nassau County Comprehensive Plan. These tools and techniques will substantially advance the public purposes of job creation, and reduction of energy, infrastructure, and service

costs; i.e., public safety, that typically result from lower density/sprawl-type development patterns.

R. It is the purpose of this Ordinance to achieve Transportation Element Objectives T.01, T.02, T.04, and T.06; and Capital Improvements Element Objective CI.07 of the Nassau County Comprehensive Plan which requires the County to:

- (1) maintain minimum acceptable levels of service;
- (2) develop, construct, and maintain a transportation system, which is consistent with the existing and future land use patterns;
- (3) encourage and promote the safe integration and utilization of bicycle and pedestrian movement;
- (4) encourage and promote transit in the region;
- (5) provide capital improvements to accommodate future growth
- (6) identify dedicated, non-ad valorem revenue streams to ensure the provision of needed capital improvements.

S. The Mobility Fee Study, Mobility Fee, and this Ordinance comply with the goals, objectives and policies of the Nassau County Comprehensive Plan, specifically Transportation Element Policies T.01.02 T.02.01 T.02.03, T.04.03, and T.06.02; and Capital Improvements Element Policies CI.01.08 and CI.07.02 and are consistent with the State Legislature's encouraged direction in Chapter 2011-139, Laws of Florida (HB 7207).

T. This Ordinance ensures that any participating municipality that wishes to join in the Mobility Fee program has an opportunity to do so, but does not require any participating municipality to join in.

U. The County shall be divided into separate Mobility Zones which are based on the Mobility Fee Study and the Comprehensive Plan and generally depict those areas where the County has planned for urban, suburban, and rural forms of development. The Mobility Zones shall be utilized to create the differential Mobility Fee structure encouraged by the Comprehensive Plan and Chapter 2011-139, Laws of Florida (HB 7207).

V. Based on the typical travel characteristics in the County set forth in the Mobility Fee Study, utilizing the Mobility Zones to regulate Mobility Fee expenditures is the best method of ensuring that the transportation capital improvements funded by Mobility Fees benefit development in the Mobility Zones paying the Mobility Fees.

W. Mobility Fees paid pursuant to this section will be earmarked to separate Mobility Fee funds for use within the Mobility Zones in which the Mobility Fees are collected, except as provided herein.

X. The Administrative Fee authorized in Section 2.05 is fair and reasonable and constitutes no more than the County's actual costs for the collection and administration of the Mobility Fee.

**SECTION 1.04 ADOPTION OF MOBILITY FEE STUDY.** The Commission hereby adopts and incorporates by reference, the study entitled "Nassau County Mobility Fee Report," dated as of February 2014, particularly the assumptions, conclusions and findings in such study as to the allocation of anticipated costs of capital improvements and additions to the County Transportation System between those costs required to accommodate existing traffic and those costs required to accommodate traffic generated by growth and those assumptions, conclusions and findings in such study as to the determination of anticipated costs of additions to the County

Transportation System required to accommodate growth. The Mobility Fee Study is attached as Appendix A.

**SECTION 1.05. MUNICIPAL PARTICIPATION.** The provisions of this Ordinance shall apply to New Construction occurring in both the unincorporated and incorporated areas of the County. Provided, however, that the provisions of this Ordinance shall not be enforced within a municipality unless the County and the municipality enter into an interlocal agreement setting forth the terms and conditions under which the provisions of this Ordinance shall be implemented within the municipality.

**ARTICLE II**  
**MOBILITY FEES**

**SECTION 2.01. IMPOSITION.**

A. All New Construction occurring within the unincorporated area of the County shall pay the applicable Mobility Fee established in this Ordinance.

B. All New Construction occurring within a municipality that has entered into an interlocal agreement with the County pursuant to section 1.05 herein, providing for the imposition and collection of Mobility Fees within the municipality, shall pay the applicable Mobility Fee established in this Ordinance.

C. The Commission hereby establishes two (2) Mobility Zones, as shown in Appendix B, for purposes of collection and expenditure of the Mobility Fees. The East Nassau Community Planning Area established by the Commission in Ordinance No. 2013-10 shall remain a separate mobility zone as provided in that ordinance and shall not be subject to the provisions of this Ordinance.

D. The Commission hereby adopts the following rate schedule of Mobility Fees, which are imposed upon all New Construction occurring within the County at a rate established under the applicable Mobility Fee Land Use Category, as calculated in accordance with Section 2.02 below.

***[THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK.]***

### Fee Schedule

ITE Code	Land Use Type	Quantity Range		Units	Mobility Fee	
		Min	Max		East of I-95	West of I-95
	<b>Residential</b>					
210	Single Family Detached	-	-	Per DU	\$1,150.00	\$1,168.00
220	Multi-Family (Apartments)	-	-	Per DU	\$807.00	\$820.00
230	Condominium/Townhouse	-	-	Per DU	\$712.00	\$723.00
210	Other Residential (Same as Single Family)	-	-	Per DU	\$1,150.00	\$1,168.00
	<b>Non - Residential (Per 1,000 SF unless otherwise stated)</b>					
110	Industrial	-	-	SF	\$592.00	\$602.00
150	Warehouse	-	-	SF	\$453.00	\$460.00
151	Mini-warehouse	-	-	SF	\$218.00	\$222.00
710	General Office	0	10000	SF	\$1,009.00	\$1,025.00
710	General Office	10000	49999	SF	\$1,434.00	\$1,458.00
710	General Office	50000	99999	SF	\$1,223.00	\$1,243.00
710	General Office	100000	200000	SF	\$1,044.00	\$1,061.00
710	General Office	200000	299999	SF	\$951.00	\$966.00
710	General Office	300000		SF	\$845.00	\$859.00
720	Medical Office	-	-	SF	\$3,388.00	\$3,443.00
760	Research and Development Center	-	-	SF	\$745.00	\$757.00
812	Building Materials and Lumber Store	-	-	SF	\$1,997.00	\$2,030.00
817	Garden Center	-	-	SF	\$2,286.00	\$2,323.00
820	Shopping Center	0	49999	SF	\$2,866.00	\$2,912.00
820	Shopping Center	50000	99999	SF	\$2,623.00	\$2,665.00
820	Shopping Center	100000	29999	SF	\$2,098.00	\$2,132.00
820	Shopping Center	300000		SF	\$1,850.00	\$1,880.00
841	Car Dealerships	-	-	SF	\$3,082.00	\$3,131.00
850	Supermarket	-	-	SF	\$3,341.00	\$3,395.00
853	Convenience Market w/ Gas Pumps	-	-	SF	\$4,289.00	\$4,358.00
890	Furniture Store	-	-	SF	\$152.00	\$154.00
932	Restaurant	-	-	SF	\$2,170.00	\$2,205.00
934	Fast Food Restaurant (w/ drive-thru)	-	-	SF	\$4,861.00	\$4,940.00
	<b>Non - Residential (Per unit quantity as stated below)</b>					
912	Drive-In bank			Per Lane/Window	\$3,358.00	\$3,413.00
310	Hotel/Motel			Per Room	\$577.00	\$586.00
560	Church			Per Seat	\$62.00	\$63.00

E. No Mobility Fee shall be assessed upon the issuance of a commercial retail shopping center Building Permit, Foundation Permit, or a nonretail multiuse Building Permit for an unfinished building; i.e., a Shell Permit. Instead, each individual use shall thereafter be assessed the applicable Mobility Fee based on the calculations set forth below upon subsequent issuance of a Building Permit to finish each unit. All Mobility Fees for these shell Buildings will be collected no later than the issuance of a Building Permit for the finishing of the Building.

**SECTION 2.02. CALCULATION OF MOBILITY FEE.**

A. Upon receipt of a complete application for a Building Permit the County Manager shall calculate the applicable Mobility Fee, incorporating any applicable credits. If a person has received a credit pursuant to this Ordinance, that credit shall be subtracted from the otherwise applicable Mobility Fee, if such credit applies. If a person has received a credit pursuant to the County's previous road impact fee ordinance or a developer's agreement and that credit has not been utilized, that credit shall be subtracted from the otherwise applicable Mobility Fee; there shall be no refunds if the Mobility Fee is less than the previous road impact fee. A person may request at any time a nonbinding estimate of the Mobility Fee due for a particular development; however, such estimate is subject to change when a complete application for a Building Permit or other development permit is made.

B. The Mobility Fee shall be calculated by using (1) an Alternative Trip Generation Study approved in accordance with Section 2.03 herein or (2) the Mobility Fee Schedule adopted in Section 2.01 herein. The Mobility Fees in the Mobility Fee Schedule have been calculated using the formula(s) presented in the Mobility Fee Study. The Mobility Fee required to be paid by each land use is in the Mobility Fee

Schedule column labeled "Mobility Fee," and this dollar amount shall be multiplied by the number of units in the development seeking a Building Permit for such land use. The base unit for this calculation is set forth in the "Unit" column for each land use in the Mobility Fee Schedule. The applicable Mobility Zone for each mobility fee calculation shall be determined in accordance with Section 2.01.

C. Land uses that are not specifically listed in the Mobility Fee Schedule shall be assigned the trip generation rate of the most similar land use as listed in the most recent edition of the Institute of Transportation Engineers, Trip Generation, as outlined in the Mobility Fee Study.

D. A Mobility Fee shall be imposed and calculated for the alteration, expansion or replacement of a Building or Dwelling Unit or the construction of an Accessory Building or Structure if the alteration, expansion or replacement of the Building or Dwelling Unit or the construction of an Accessory Building or Structure results in a land use determined to generate greater External Trips than the present use under the applicable Mobility Fee Rate. The Mobility Fee imposed under the applicable Mobility Fee Rate shall be calculated as follows:

(1) If the Mobility Fee is calculated solely on land use and not square footage, the Mobility Fee imposed shall be the Mobility Fee due under the applicable Mobility Fee Rate for the Mobility Fee Land Use Category resulting from the alteration, expansion or replacement, less the Mobility Fee that would be imposed under the applicable Mobility Fee Rate for the Mobility Fee Land Use Category prior to the alteration, expansion or replacement.

(2) In the event the Square Footage of a Building is increased, the Mobility Fee Rate for the increased Square Footage represented by the New

Construction shall be at the Mobility Fee Rate applicable to New Construction with Square Footage resulting from the alteration, expansion or replacement, less the Mobility Fee that would be imposed under the applicable Square Footage prior to the alteration, expansion or replacement.

(3) The Mobility Fee imposed for any Accessory Building or Structure shall be that applicable under the Mobility Fee Rate for the land use for the primary Building.

E. In the event a New Construction involves a Mixed Use New Construction, the County Manager shall calculate the Mobility Fee based upon the number of New Net Trips to be generated by each separate Mobility Fee Land Use Category included in the proposed Mixed Use New Construction.

**SECTION 2.03. ALTERNATIVE MOBILITY FEE CALCULATION.**

A. In the event an Applicant believes that the impact to the County Transportation System necessitated by its New Construction is less than the New Net Trips that are assumed under the applicable Mobility Fee Land Use Category specified in Section 2.01, such Applicant may, prior to issuance of a Building Permit for such New Construction, file with the County Manager an Alternative Mobility Fee that seeks to establish an alternative number of New Net Trips. The County Manager shall review the alternative calculations of the New Net Trips and make a determination within thirty (30) days of submittal as to whether such calculation complies with the requirements of this Section.

B. The Alternative Mobility Fee calculation of New Net Trips shall be based on data, information or assumptions contained in this Ordinance and the Mobility Fee Study or an independent source, provided that:

(1) The independent source is a generally accepted standard source of transportation engineering or planning information, or

(2) The independent source is a local study supported by a data base adequate for the conclusions contained in such study performed by a professional engineer pursuant to a generally accepted methodology of transportation planning or engineering.

(3) If, during its approval process, a previously approved New Construction project containing the same proposed uses submitted a trip characteristic study substantially consistent with the criteria required by this Section, and if such study is determined by the County Manager to be current, the trip characteristics of such previously approved New Construction shall be presumed to be as described in the prior study. In such circumstances, an Alternative Mobility Fee shall be established reflecting the trip characteristics described in the prior study. There shall be a rebuttable presumption that a trip characteristic study conducted more than two (2) years earlier is invalid.

(4) It is acknowledged that the Mobility Fee Rates are based upon the applicable Trip Generation Rates for the Trip Generation Land Use Categories corresponding to the Mobility Fee Land Use Categories set forth in Section 2.01. In recognition of such acknowledgment, the Trip Generation Rates for the Trip Generation Land Use Categories shall be considered an independent source for the purpose of an Alternative Mobility Fee calculation without the necessity of a study as required by Subsections B. of this Section.

C. If the County Manager determines that the data, information and assumptions utilized by the Applicant comply with the requirements of this Section and

that the calculation of the Alternative Mobility Fee number of New Net Trips was by a generally accepted methodology, then the Alternative Mobility Fee shall be paid in lieu of the fee set forth in Section 2.01.

D. If the County Manager determines that the data, information and assumptions utilized by the Applicant to compute an alternative number of New Net Trips do not comply with the requirements of this Section, then the County Manager shall provide to the Applicant by certified mail, return receipt requested, written notification of the rejection of the Alternative Mobility Fee and the reasons therefore. The Applicant shall have thirty (30) days from the receipt of the written notification of rejection to request a hearing pursuant to Section 3.05.

E. The Board shall establish an administrative fee by separate resolution to cover the County's costs incurred in processing and reviewing any Alternative Mobility Fee applications, including fees incurred for review of any applications by third party experts.

**SECTION 2.04. PAYMENT.**

A. Except as otherwise provided in this Ordinance, prior to the issuance of a Building Permit for New Construction, an Applicant shall pay the Mobility Fee to the County.

B. The obligation for payment of the Mobility Fee and any credits related thereto shall run with the land.

C. In the event that a Building Permit issued for New Construction expires prior to completion of the New Construction for which it was issued, the Applicant may, within ninety (90) days of expiration of the Building Permit, apply for a refund of the

Mobility Fee. Failure to timely apply for a refund of the Mobility Fee shall waive any right to a refund.

(1) The application for refund shall be filed with the County Manager and contain the following:

- (a) The name and address of the Applicant;
- (b) The location of the property which was the subject of the Building Permit;
- (c) The date the Mobility Fee was paid;
- (d) A copy of the receipt of payment for the Mobility Fee; and
- (e) The date the Building Permit was issued and the date of expiration.

(2) After verifying that the Building Permit has expired and that the New Construction has not been completed, the County Manager shall refund the Mobility Fee paid for such New Construction. The County shall retain one percent (1%) of the Mobility Fee to offset the costs of administering the refund.

(3) A Building Permit which is subsequently issued for New Construction on the same property which was the subject of a refund shall pay the Mobility Fee as required by this Ordinance.

D. The payment of the Mobility Fee shall be in addition to any other fees, charges or assessments of the County due for the issuance of a Building Permit.

**SECTION 2.05. USE OF MOBILITY FEE PROCEEDS.**

A. The Commission hereby establishes two (2) separate trust accounts for the Mobility Fee, to correspond to the two (2) Mobility Zones, which accounts shall be maintained separate and apart from all other accounts of the County.

B. The East Nassau Community Planning Area Mobility Network Fund established by the Commission in Ordinance No. 2013-10 shall remain a separate Mobility Fee fund as provided in that ordinance and shall not be subject to the provisions of this Ordinance.

C. All Mobility Fees shall be deposited into the appropriate trust account for the Mobility Zone from which the fees were collected immediately upon receipt.

D. Mobility Fee funds shall not be used for any expenditure that would be classified as a transportation operation and maintenance expense. The Mobility Fee shall be used within the Mobility Zones from which the Mobility Fee is collected; however, to the extent that a transportation capital improvement provides reasonable benefits beyond the Mobility Zone within which it is located, it may be funded with Mobility Fee funds collected from an adjacent Zone. However, prior to encumbering any Mobility Fee funds in this manner, the County Manager or designee shall make a written determination that (1) the transportation capital improvement will substantially benefit the development in the Mobility Zone from which the Mobility Fees have been collected; (2) the planned transportation capital improvement is of a nature such that it will add capacity to the transportation system beyond the Mobility Zone in which it is situated; and (3) the demand for the transportation capital improvement is reasonably attributable to development in the Mobility Zone from which the Mobility Fees have been collected.

E. The monies deposited into the Mobility Fee Trust Accounts shall be used solely for the purpose of constructing or improving the Designated Mobility Improvements to the County Transportation System, as these improvements may be amended from time-to-time, including, but not limited to:

- (1) design and construction plan preparation;
- (2) permitting;
- (3) right-of-way acquisition, including any costs of acquisition or condemnation;
- (4) construction of new through lanes;
- (5) construction of new turn lanes;
- (6) construction of new bridges;
- (7) construction of new drainage facilities in conjunction with new roadway construction;
- (8) purchase and installation of traffic signals;
- (9) construction of new curbs, medians and shoulders;
- (10) construction of new multi-use paths, bike lanes, sidewalks and other bicycle and pedestrian improvements;
- (11) construction of new transit facilities;
- (12) relocating utilities to accommodate new roadway construction;
- (13) construction management and inspection;
- (14) surveying and soils and material testing;
- (15) repayment of monies transferred or borrowed from any budgetary fund of the County which were used to fund any growth impacted construction or improvements as herein defined;
- (16) payment of principal and interest, necessary reserves and costs of issuance under any bonds or other indebtedness issued by the County to provide funds to construct or acquire growth impacted capital transportation improvements on the County Transportation System; and

(17) transportation planning, development and engineering.

E. The monies deposited into the Mobility Fee Trust Account shall be used solely to provide improvements and additions to the County Transportation System required to accommodate traffic generated by growth as projected in the Mobility Fee Study.

F. Any monies on deposit which are not immediately necessary for expenditure shall be invested by the County. All income derived from such investments shall be deposited in the Mobility Fee Trust Account and used as provided herein.

G. The County may retain up to three percent (3%) of all Mobility Fees received or the actual costs of administration and collection, whichever is less, as an administrative fee to defray the costs of administering the Mobility Fee program.

### ARTICLE III

#### MISCELLANEOUS PROVISIONS

##### SECTION 3.01. EXEMPTIONS.

A. The following shall be exempted from payment of the Mobility Fee:

1. Alterations or expansion of an existing Dwelling Unit which does not result in any additional Dwelling Units or increase the number of families for which such Dwelling Unit is arranged, designed or intended to accommodate for the purpose of providing living quarters.

Deleted: A

2. The alteration or expansion of a Building if the Building use upon completion does not generate greater External Trips under the applicable Mobility Fee Rate.

Deleted: B

3. The replacement of a Dwelling Unit, Mobile Home, Building or an Accessory Building or Structure if the replacement Dwelling Unit, Mobile Home, Building

Deleted: C

or Accessory Building or Structure does not result in a land use generating greater External Trips under the applicable Mobility Fee Rate. To be eligible for this exemption, a Certificate of Occupancy or Move-On permit for the replacement structure must have been issued within eight (8) years of the date the original structure was occupied.

4. The issuance of a move-on permit on a Mobile Home on which applicable Mobility Fees have previously been paid.

Deleted: D

5. Government Buildings. However, any Mobility Fee exemption issued for a government building shall expire if an alteration causes the Building or development to no longer be a government Building.

Deleted: E

B. Properties that were vested for purposes of the County's previous concurrency management system shall not be exempt from the payment of the Mobility Fee.

**SECTION 3.02. CREDITS.**

A. Subject to the terms and conditions of this Section 3.02, a credit shall be granted against a Mobility Fee imposed by this Ordinance for the donation of land or the construction of improvements to the County Transportation System required pursuant to a development permit or made voluntarily in connection with New Construction. Such donations or construction shall be subject to the approval and acceptance of the County Manager. No credit shall be given for the donation of land or construction unless such property is conveyed, in fee simple to the County without remuneration.

B. Prior to issuance of a Building Permit, the Applicant shall submit a proposed plan for donations or contributions to the County Manager. The proposed plan shall include:

(1) a designation of the New Development for which the plan is being submitted;

(2) a legal description of any land proposed to be donated and a written appraisal prepared in conformity with Subsection E of this section;

(3) a list of the contemplated improvements sought to be donated and an estimate of the proposed construction costs certified by a professional architect or engineer; and

(4) a proposed time schedule for completion of the proposed plan.

C. The County Manager shall approve or deny the proposed plan in accordance with Subsection D of this section and, if approved, establish the amount of credit in accordance with Subsection E of this section. The County Manager shall issue a decision within sixty (60) days after the filing of the proposed plan.

D. In reviewing the proposed plan, the County Manager shall determine:

(1) if such proposed plan is in conformity with contemplated improvements and additions to the County Transportation System;

(2) if the proposed donation of land and construction by the Applicant is consistent with the public interest; and

(3) if the proposed time schedule is consistent with the capital improvement program for the County Transportation System.

E. The amount of developer contribution credit shall be determined as follows:

(1) The value of donated land shall be based upon a written appraisal of fair market value as determined by an M.A.I. appraiser who was selected and paid for by the Applicant, and who used generally accepted appraisal techniques. If the

appraisal does not conform to the requirements of this Ordinance and any applicable administrative regulations, the appraisal shall be corrected and resubmitted. In the event the County Manager accepts the methodology of the appraisal but disagrees with the appraised value, he may engage another M.A.I. appraiser at the County's expense and the value shall be an amount equal to the average of the two appraisals. If either party does not accept the average of the two appraisals, a third appraisal shall be obtained, with the cost of said third appraisal being shared equally by the County and the Applicant. The third appraiser shall be selected by the first two appraisers and the third appraisal shall be binding on the parties.

(2) The actual cost of construction to the County Transportation System shall be based upon cost estimates certified by a professional architect or engineer, as applicable. However, in no event shall any credit be granted in excess of the estimated construction costs approved by the County unless the construction project is competitively bid, in which case, the credit shall be limited to the actual cost or 120% of the bid amounts, whichever is less; and

(3) The land donations and construction contributions shall only provide improvements or additions to the County Transportation System which are included in the County's Capital Improvement Element of the Comprehensive Plan and required to accommodate growth.

F. If a proposed plan is approved for credit by the County Manager, the County Manager shall forward a proposed credit agreement to the Commission for its consideration, which agreement shall provide for the parties obligations and responsibilities, including, but not limited to:

(1) The timing of actions to be taken by the Applicant and the obligations and responsibilities of the Applicant, including, but not limited to, the construction standards and requirements to be complied with;

(2) The obligations and responsibilities of the Commission including, but not limited to, inspection of the project; and

(3) The amount of the credit as determined in accordance with Subsection E of this section.

G. A credit for the donation of land or a credit for the construction of an improvement or addition to the County Transportation System shall be granted at such time as the credit agreement is approved and executed by both the Commission and the Applicant; provided, however, that in the event the Applicant fails to convey the property which is the subject of the donation to the County or such property is not ultimately accepted by the County in accordance with the terms of the credit agreement, then the credit for donation shall be revoked and all Mobility Fees shall immediately become due and payable. The administration of said contribution credits shall be the responsibility of the County Manager.

H. Any Applicant who submits a proposed plan pursuant to this section and desires the immediate issuance of a Building Permit prior to approval of the proposed plan shall pay the Mobility Fees prior to the issuance of the Building Permit. Any difference between the amount paid and the amount due, should the County Manager approve and accept the proposed plan, shall be refunded to the Applicant or Owner.

**SECTION 3.03. APPLICABILITY.** This Ordinance and the obligations herein for the payment of the Mobility Fee shall apply to all New Construction that receives a

Building Permit on or after the effective date of this Ordinance, as provided in Section 3.12.

**SECTION 3.04. ALTERNATIVE COLLECTION METHOD.** In the event the Mobility Fee is not paid prior to the issuance of a Building Permit for the affected New Construction, the County may elect to collect the Mobility Fee prior to the issuance of a Certificate of Occupancy or by any other method which is authorized by law.

**SECTION 3.05. REVIEW HEARINGS.**

A. An Applicant or Owner who is required to pay a Mobility Fee pursuant to this Ordinance shall have the right to request an appeal. The appeal procedures provided in sections 1.05 and 5.06 of Nassau County Ordinance No. 2007-05 shall apply to all appeals.

B. Such appeal shall be limited to the review of the following:

- (1) The application or calculation of the Mobility Fee.
- (2) The rejection of the Alternative Mobility Fee calculation pursuant to Section 2.03.

C. Such appeal shall be requested by the Applicant or Owner within thirty (30) days of the date of first receipt of the following:

- (1) Notice that the Mobility Fee is due;
- (2) Negative determination on a proposed Alternative Mobility Fee.

Failure to request an appeal within the time provided shall be deemed a waiver of such right.

D. The request for an appeal shall be filed with the County Manager and shall contain the following:

- (1) The name and address of the Applicant or Owner;

- (2) The legal description of the property in question;
- (3) If issued, the date the Building Permit was issued;
- (4) A brief description of the nature of the construction being undertaken pursuant to the Building Permit;
- (5) If paid, the date the Mobility Fee was paid; and
- (6) A statement of the reasons why the Applicant or Owner is requesting the appeal.

E. Upon receipt of such request, the County Manager shall process the appeal pursuant to the procedures provided in Sections 1.05 and 5.06 of Nassau County Ordinance No. 2007-05.

F. Any Applicant or Owner who requests a hearing pursuant to this Section and desires the immediate issuance of a Building Permit, or if a Building Permit has been issued without the payment of the Mobility Fee, shall pay prior to or at the time the request for hearing is filed, the applicable Mobility Fee. Said payment shall be deemed paid "under protest" and shall not be construed as a waiver of any review rights.

G. An Applicant or Owner may request a hearing under this Section without paying the applicable Mobility Fee, but no Building Permit shall be issued until such Mobility Fee is paid in the amount initially calculated or the amount approved upon completion of the review provided in this Section.

H. The Board shall establish an administrative fee by separate resolution to cover the County's costs incurred in processing and reviewing any appeals, including fees incurred for review of any applications by third party experts.

**SECTION 3.06. REVIEW REQUIREMENT.** This Ordinance and the Mobility Fee Study shall be reviewed by the Commission at least every five (5) years. The initial

and each review thereafter shall consider new estimates of population and other socioeconomic data, changes in construction, land acquisition and related costs, and adjustments to the assumptions, conclusions or findings set forth in the study adopted by Section 1.04. Each review shall additionally consider changes in right-of-way acquisition and related costs and changes in Trip Generation rates, External Trip lengths and traffic volume counts. The purpose of this review is to evaluate and revise, if necessary, the Mobility Fee to ensure that they do not exceed the reasonably anticipated costs associated with the improvements and additions necessary to offset the demand generated by the New Construction on the County Transportation System. In the event the review of the Ordinance required by this Section alters or changes the assumptions, conclusions and findings of the studies adopted by reference in Section 1.04, revises or changes the Designated Mobility Improvements, or alters or changes the amount or classification of the Mobility Fee, the study adopted by reference in Section 1.04 shall be amended and updated to reflect the assumptions, conclusions and findings of such reviews and Section 1.04 shall be amended to adopt by reference such updated studies.

**SECTION 3.07. DECLARATION OF EXCLUSION FROM ADMINISTRATIVE PROCEDURES ACT.** Nothing contained in this Ordinance shall be construed or interpreted to include the County in the definition of Agency as contained in section 120.52, Florida Statutes, or to otherwise subject the County to the application of the Administrative Procedure Act, Chapter 120, Florida Statutes. This declaration of intent and exclusion shall apply to all proceedings taken as a result of or pursuant to this Ordinance.

**SECTION 3.08. SEVERABILITY.** The provisions of this Ordinance are severable, and it is the intention to confer the whole or any part of the powers provided for herein. If any clause, section or provision of this Ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said Ordinance shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such unconstitutional provision not been included herein.

**SECTION 3.09. ENFORCEMENT.**

A. Enforcement of this Ordinance shall be done pursuant to section 125.69, Florida Statutes.

B. Violations include, but are not limited to, failing, neglecting, or refusing to pay a Mobility Fee as required by this section and/or furnishing untrue, incomplete, false, or misleading information on any document, or to any County employee, concerning the calculation, exemption, or payment of a Mobility Fee or concerning the entitlement to, or calculation of, a Mobility Fee credit.

C. The owner, tenant, or occupant of any land or part thereof for which a Mobility Fee is owed and any architect, builder, contractor, agent, or other person who participates in, assists, directs, creates, or maintains any situation that is contrary to the requirements of this section, or who fails, neglects, or refuses to pay a Mobility Fee, or who furnishes any untrue, incomplete, false, or misleading information concerning the calculation, exemption, or payment of a Mobility Fee or concerning the entitlement to, or calculation of, a Mobility Fee credit, may be held responsible for the violation and be

subject to the penalties and remedies provided for in this Code and/or the Nassau County Code of Ordinances.

D. Failure to pay a Mobility Fee required by this section is a violation that is continuous with respect to time, and each day the violation continues, or the Mobility Fee remains unpaid, is hereby declared to be a separate offense.

**SECTION 3.10. NOTICE OF MOBILITY FEE RATES.** Upon adoption of this Ordinance or any amendment hereto imposing revised Mobility Fee rates or revising the land use categories for any Mobility Fee, the County Manager shall publish a notice once in a newspaper of general circulation within the County which notice shall include: (A) a brief and general description of the affected Mobility Fee, (B) a description of the geographic area in which the Mobility Fee will be collected; (C) the Mobility Fee Rates to be imposed for each land use category; and (D) the date of implementation of the Mobility Fee rates set forth in the notice, which date shall not be earlier than ninety (90) days after the date of publication of the notice.

**SECTION 3.11. AMENDMENT DUTIES OF PLANNING AND ZONING BOARD.** Pursuant to Section 3.05 of this Ordinance, the Planning and Zoning Board will hear and decide appeals concerning the application and payment of the Mobility Fee. Accordingly, Section 3.04 of Nassau County Ordinance No. 2007-05 is hereby amended to include this authority, as follows:

**Section 3.04. Planning and zoning board.** The planning and zoning board shall act as the local planning agency (LPA) which serves as an advisory body to the board of county commissioners on all planning and zoning related matters, except for matters involving variances and conditional uses.

(A) *Establishment of the planning and zoning board:* The board of county commissioners shall appoint the members of the planning and zoning board. The planning and zoning board shall be composed of eleven (11) members. The members shall be appointed as follows: One member shall be appointed from each county commission district; one member shall serve as the appointment from the Nassau County School Board, pursuant to Section 163.3174(1), Florida Statutes, with said member granted voting status; and five (5) members shall serve at-large, with one of each of said members being recommended by each of the respective members of the board of county commissioners. The terms of five (5) members shall expire on December 31, 2008, and two (2) members terms shall expire on December 31, 2009, and the terms of four (4) members shall expire on December 31, 2010. After the initial term, any re-appointment shall be for a three (3) year staggered term. Any member appointed to the planning and zoning board shall serve at the will of the board of county commissioners.

(B) *Powers and duties:*

(1) Review all requests for rezoning of property, zoning amendments, comprehensive plan text amendments, land use map amendments, and amendments to ordinances that affect land use, and make approval/non-approval recommendations to the board of county commissioners for their final determination.

(2) Review all site plans, with the exception of those approved by the development review committee as stated in article 28, section 28.16(A), and make recommendations to the board of county commissioners.

(3) Submit written recommendations to the board of county commissioners relative to the various requests where applicable that fall within the purview of the board of county commissioners to approve/deny.

(4) Elect a chair and vice-chair of the planning and zoning board members. A chair and vice-chair shall be selected each year by the members of the planning and zoning board.

(5) Establish the time, place and date of the monthly planning and zoning board regular meeting plus workshops.

(6) Develop rules and procedures for the conduct of hearings, both quasi-judicial and legislative, which, at a minimum, when appropriate, includes the right of the party to:

a. Present his/her case by oral and documentary evidence;

b. Submit rebuttal evidence, and conduct such cross-examination as may be required for a full and true disclosure of the facts;

c. Be accompanied, represented and advised by counsel or represent himself/herself;

d. Be promptly notified of any action taken by the planning and zoning board affecting substantive or procedural rights taken in connection with any proceedings.

e. The planning and zoning board shall receive into evidence that which could be admissible in civil proceedings in the courts of this state, but in receiving evidence, due regard shall be given to the technical and highly complicated subject matter which must be handled and the exclusionary rules of evidence shall not be used to prevent the receipt of evidence having substantial probative effect. Otherwise, however, effect shall be given to rules of evidence recognized by the laws of Florida.

f. Majority of the planning and zoning board shall constitute a quorum for the purpose of meetings and transacting business. Failure to receive a majority vote shall constitute denial.

(7) Hear and decide appeals where it is alleged there is an error in any decision made by the planning director or staff as it relates to the zoning code or comprehensive plan.

(8) Hear and decide appeals concerning the application and payment of the Nassau County Mobility Fee.

[underline indicates additions; ~~strikethrough~~ indicates deletions]

**SECTION 3.12. EFFECTIVE DATE.**

(A) The Clerk shall file a certified copy of this Ordinance with the Department of State within ten days of its adoption. This Ordinance shall take effect immediately upon its filing with the Department of State.

(B) This Ordinance and the obligations herein for the payment of Mobility Fees shall apply to all New Development that submits a complete application for a Building Permit on or after \_\_\_\_, 2014 provided the notice period set forth in Section 3.10 hereof has expired by this date. If the notice period set forth in Section 3.10 hereof has not expired by \_\_\_\_\_, 2014, then the Effective Date of this Ordinance shall be automatically delayed until the expiration of said notice period.

DULY ENACTED this \_\_ day of \_\_\_\_\_, 2014.

BOARD OF COUNTY COMMISSIONERS OF  
NASSAU COUNTY, FLORIDA

BY: \_\_\_\_\_  
Chairman

ATTEST:

By: \_\_\_\_\_  
Clerk

(SEAL)

Approved for Form and Correctness:

By: \_\_\_\_\_  
County Attorney

**NASSAU COUNTY  
MOBILITY PLAN REPORT**

**PREPARED FOR:**

**NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS**



**PREPARED BY:**

**GILLETTE & ASSOCIATES, INC  
KING ENGINEERING**

**DATE: FEBRUARY 2014**

# NASSAU COUNTY MOBILITY PLAN REPORT

## Executive Summary

On behalf of Nassau County, Gillette & Associates and King Engineering (G&A-King) has created a Mobility Plan in an effort to replace its transportation concurrency system. The County has lacked any form of transportation model and only tracked impacts from development through a transportation analysis spreadsheet as part of traditional concurrency. It was determined by the County that this tracking system was very inaccurate and did not show how land uses interacted. Consequently, it created a flawed system that did not allow the County to accurately predict future roadway failures and where capital improvements were critical. The Mobility Plan has been created to predict future transportation failures in both the urban and rural areas of the County, while also allowing growth to proceed without cumbersome and unfair regulation.

The Nassau County Board of County Commissioners created a Mobility Impact Fee and Concurrency Task Force that created specific guiding principles when creating this Mobility Plan. They were as follows:

- New growth should pay for itself
- Keep it fair
- Keep it simple
- Encourage Infill
- Positive impacts are credited
- Encourage mixed use
- Reduce urban sprawl
- Keep it competitive with adjacent jurisdictions

These ideologies were considered when drafting the plan and many of these objectives are consistent with Department of Economic Opportunity goals.

Parallel corridors were considered as part of the Mobility Plan as an alternative to traditional roadway widening projects. This methodology was critical on State Road A1A where right of way acquisition is very difficult and expensive and several parallel corridors currently exist. The intent is to allow the public an alternative route to congested and signalized intersections in an effort to reduce travel times.

Pedestrian and bicycle improvements were also considered throughout the network to incentivize alternative modes of transportation. Amelia Island is a pedestrian and bicycle friendly area and interconnectivity between land uses for pedestrians and bicycles is an important and viable alternative.

The fee schedule was created based on anticipated roadway improvement costs through the 2035 time horizon. It also considered a 50/50 match from State sources for those segments that are used to mitigate impacts on State facilities. The Commercial and Medical Office land uses were incentivized to promote growth and these fee reductions were offset by only minor increases in the residential land uses.

**NASSAU COUNTY  
MOBILITY PLAN REPORT**

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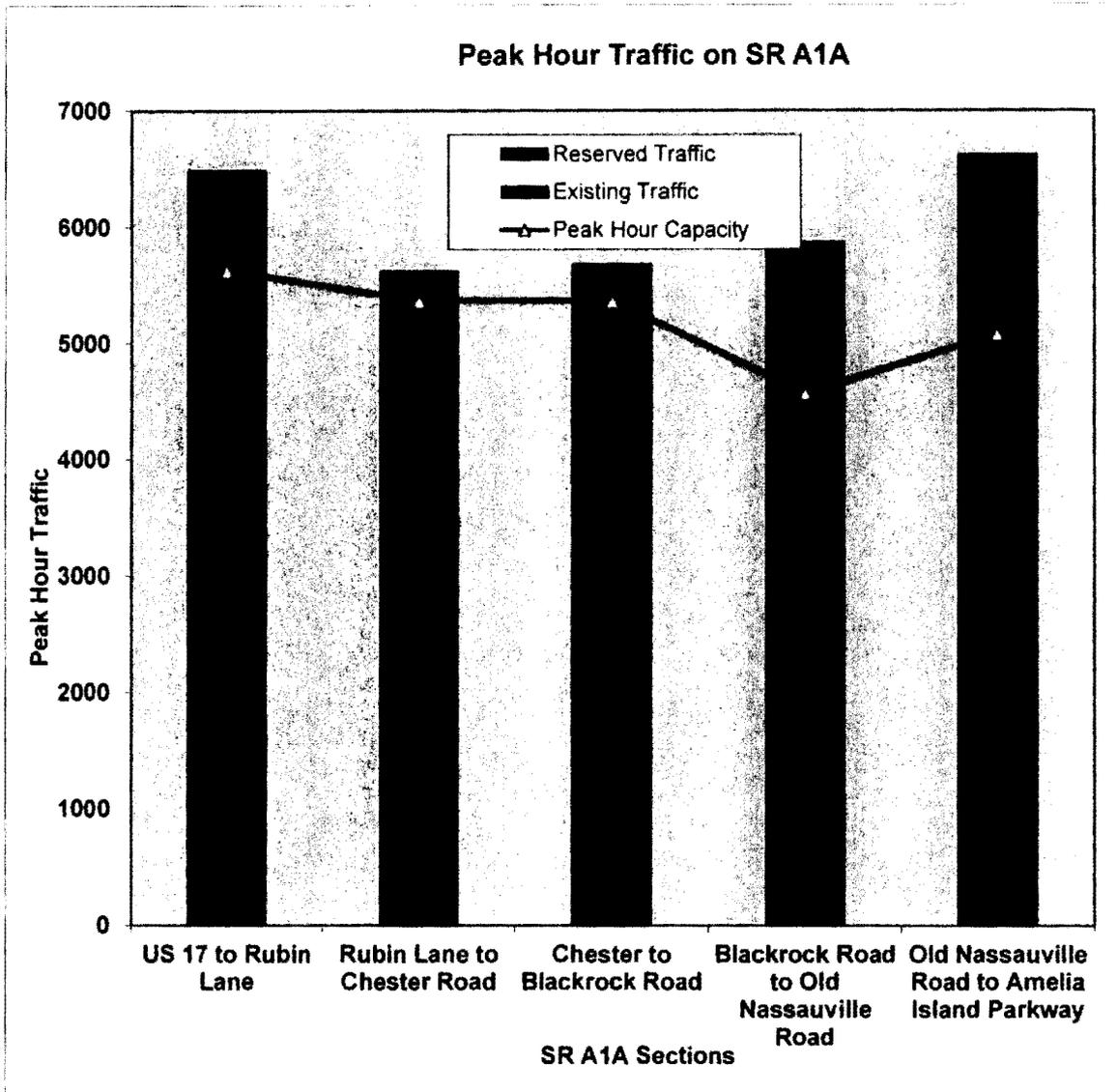
## **NASSAU COUNTY MOBILITY PLAN REPORT**

### **1.0 Introduction**

Nassau County is a rural county with a listed population of 73,314 residents in 2010 and a projected population of 80,775 in 2017. The County is large in area and is approximately 651 square miles in land area. This equates to a density of 112 people per square mile, based on the 2010 population numbers. The County is comprised of 3 independent cities: Fernandina Beach, Callahan, and Hilliard that have their own central governments. These cities have their own Comprehensive Plans and will update their transportation elements individually with the Department of Economic Opportunity.

The Nassau County Board of County Commissioners repealed their Concurrency Ordinance in February 2012 by Ordinance 2012-06. The County repealed this ordinance in recognition that concurrency was crippling development in areas where the County's Future Land Use Map was contemplating growth. Due to the traffic reservation system of concurrency, it was also forcing development away from its urban centers into rural areas, encouraging urban sprawl. As shown in Figure 1 for State Road A1A, this reservation system was creating a "paper" problem, while real traffic was well below the capacities of analyzed roadway segments.

Traditional transportation concurrency required counties to place roadway projects in their Capital Improvement Plan (CIP) and identify funding sources in order to collect fair share payments. Nassau County was simply too small to earmark the necessary funds to place these larger projects into their CIP. Consequently, fair share payments could not be accepted and many developments were disapproved since a concurrency certificate could not be issued due to apparent roadway failures. Finally, House Bill 7207 allowed counties the opportunity to develop and implement Mobility Plans and administer on a local level.



**FIGURE 1 – CONCURRENCY CAPACITY VS RESERVATION**

Source: Nassau County Transportation Analysis Spreadsheet (Appendix A)

As part of this Mobility Plan, a Mobility Fee is being proposed in lieu of concurrency and a transportation impact fee. Area wide improvements and the associated costs were identified which were utilized to develop a Mobility Fee based on Vehicular Miles Travelled (VMT). The Transportation Planning Organization's (TPO's) base model was updated by the East Nassau Planning Area (ENCPA), a local Sector Plan, in an effort to create their own mobility plan. This updated model was utilized to develop the Mobility Plan. The model was then further updated by G&A-King to include some specific large scale developments within Nassau County that had been constructed after the model was created.

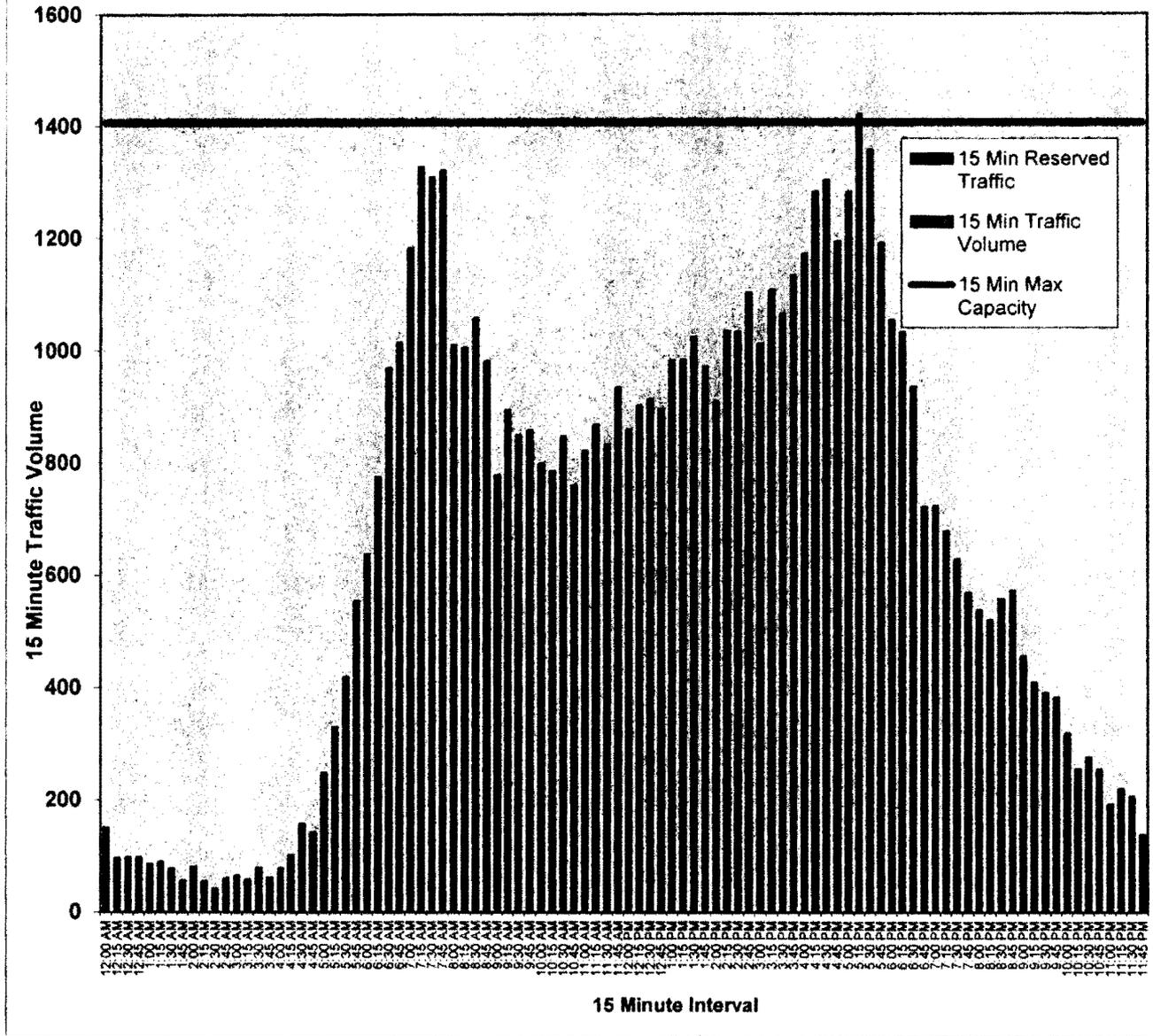
The Mobility Plan took initiatives from the Mobility Impact Fee and Concurrency Task Force to promote fairness, simplicity and equality for development throughout the County while also having growth pay for itself. The end result was to create a system that would encourage job creation by reducing uncertainty for developers while also incentivizing certain target industries.

As part of the progression of the Plan, it was determined that traffic would be analyzed on a daily basis versus the peak hour. As illustrated in Figure 2 for a segment of State Road A1A, the P.M. peak hour traffic was consistently being observed to show failure for only a few minutes per day. Traditional concurrency would force these roadway segments to be upgraded to only address this short term failure. This Mobility Plan analyzes traffic on a daily basis and addresses failures as they pertain to daily traffic volumes and capacities.

Nassau County's Mobility Plan utilizes the "Plan" approach in concept. This Plan has identified six problem roadways that may experience problems within the 2035 timeframe. These roadway deficiencies were addressed by proposing either traditional roadway widening or utilizing parallel corridors that can allow residents alternatives to congested roadways. These roadways were identified on Amelia Island, Yulee, and Callahan and are described within this report.

The estimated fee structure included within the report considers these six improvement projects as a basis. It is understood that this "Plan" will likely change over time as growth patterns are identified and associated improvements are better refined.

**SR A1A - East of US 17 (4 Lanes) 15 Minute Traffic Variation**



**FIGURE 2 – P.M. PEAK HOUR TRAFFIC ANALYSIS**

Source: FDOT Year 2012 Synopsis Report, Nassau County Transportation Analysis Spreadsheet (Appendix B)

## **2.0 Base Model**

### **2.1 Model Description**

The Northeast Regional Planning Model (NERPM4) travel demand model which was prepared as part of the North Florida Transportation Planning Organization (NFTPO) 2035 Long Range Transportation Plan update was used to develop year 2035 projects for the Nassau County roadway network. The NFTPO 2035 horizon year was used as the base model for the purposed of this analysis.

### **2.2 Model Modifications**

The year 2035 travel demand model that was updated by VHB, Inc., who are the transportation planning consultants for the East Nassau Community Planning Association (ENCPA) Mobility Plan. This update considered the impact to the County's roadway network from the ENCPA Sector Plan and was used for this Plan as the preliminary model for the 2035 roadway network conditions for Nassau County.

A preliminary review of the socio-economic data and the roadway network characteristics of the year 2035 ENCPA model were performed to verify if the model included reasonable future land use patterns and projections.

The model provided included the entire ENCPA Sector Plan development and its corresponding transportation improvements as listed in the traffic impact analysis provided by ENCPA. However, an assumption was made that anticipating the build-out of the entire ENCPA and its related transportation improvements to be in place by year 2035 was unrealistic. As such, only the Phase 1 of the proposed ENCPA (Detailed Specific Area Plan (DSAP) #1) was included in the year 2035 NERPM 4 travel demand model that was used to determine the future conditions of Nassau County for the Mobility Plan purposes.

A review of the model socio-economic data revealed that some the currently built, approved and proposed developments along the A1A corridor were not included in the TPO's year 2035 model. The following are details of those developments:

- Amelia Concourse – between SR A1A and CR 107
- Proposed Radio Avenue extension – Miner Road to US 17
- Shops at Amelia Commercial Center – State Road A1A
- Shops at Midtown Commercial Center – State Road A1A
- Wal-mart Center - State Road A1A
- Villages of Amelia Commercial Center - State Road A1A

All of the above-referenced commercial centers had direct access to State Road 200/A1A between Yulee and Amelia Island.

As such, the socio-economic data for the year 2035 NERPM4 was adjusted to include the currently built, approved and proposed developments. The details of the socio-economic data added to the year 2035 NERPM4 model are shown in Appendix C.

Upon obtaining year 2035 projections on Nassau County Roads, a link analysis of all the roadway links was performed to determine the year 2035 conditions, roadway impacts and deficiencies. The year 2035 roadway conditions analysis was performed in conformance to the FDOT's roadway segment analysis procedures. However, the roadway segment analysis was performed using daily maximum service volumes (obtained from the corresponding FDOT's LOS Standard Tables) and daily volumes obtained from the year 2035 travel demand model runs.

A unique analysis approach of system wide or area wide (allow capacity from parallel facilities to address deficiencies – a Cordon Line approach) roadway segment analysis was adopted instead of link by link segment analysis. This helped in keeping the cost of future conditions needs at a reasonable level. Appendix D includes the year 2035 roadway conditions analysis.

### **3.0 Mobility Plan**

#### **3.1 Mobility Plan Zones**

Based on the County demographics, the model demonstration of vehicles miles travelled, and the existing urban centers, it was determined that Interstate 95 was an appropriate split between a west and east zone for the County. Two zones were selected because the County is mostly urban on one side (east of I95) and rural on the other side (west of I95). The ENCPA has created its own Mobility Plan and was considered to be its own separate zone with its own fee structure. Consequently, the proposed zones are as follows:

Zone 1 – Area east of I-95

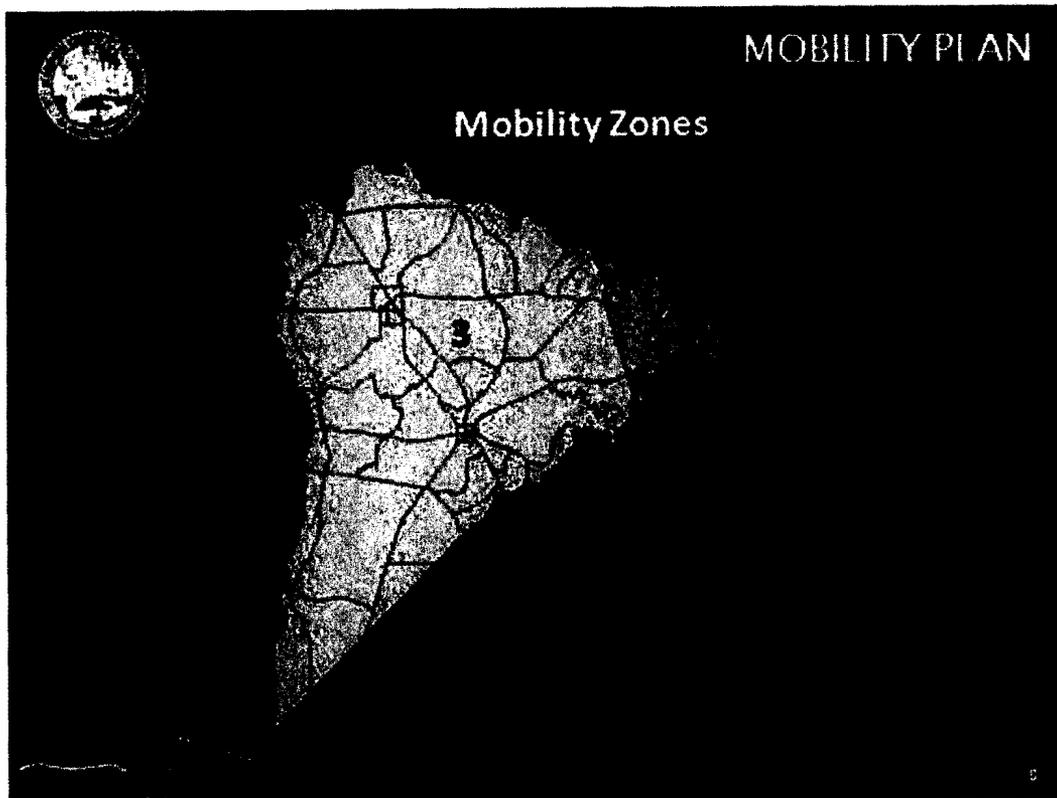
Zone 2 – ENCPA

Zone 3 - Area west of I-95

Figure 3 shows these zones graphically. Figures 4-6 show a detailed map of each area for the corresponding mobility zone.

#### **3.2 Improvements Funded by the Mobility Plan**

The improvements that are proposed to be funded as part of this Mobility Plan include roadways, sidewalks, multi-use paths, and any other vehicular or pedestrian improvements that the County determines will increase the operational efficiency of the roadway/pedestrian circulation network. Roadway improvements include new roadway construction, roadway widening, signalization, turn lane improvements, right of way acquisition, bike lane construction, sidewalks, multi-use path construction, and drainage improvements that are directly tied to an improvement which is necessary to enhance the operational efficiency of the system. Necessary design and legal fees may also be funded by Mobility Fees at the discretion of the County.



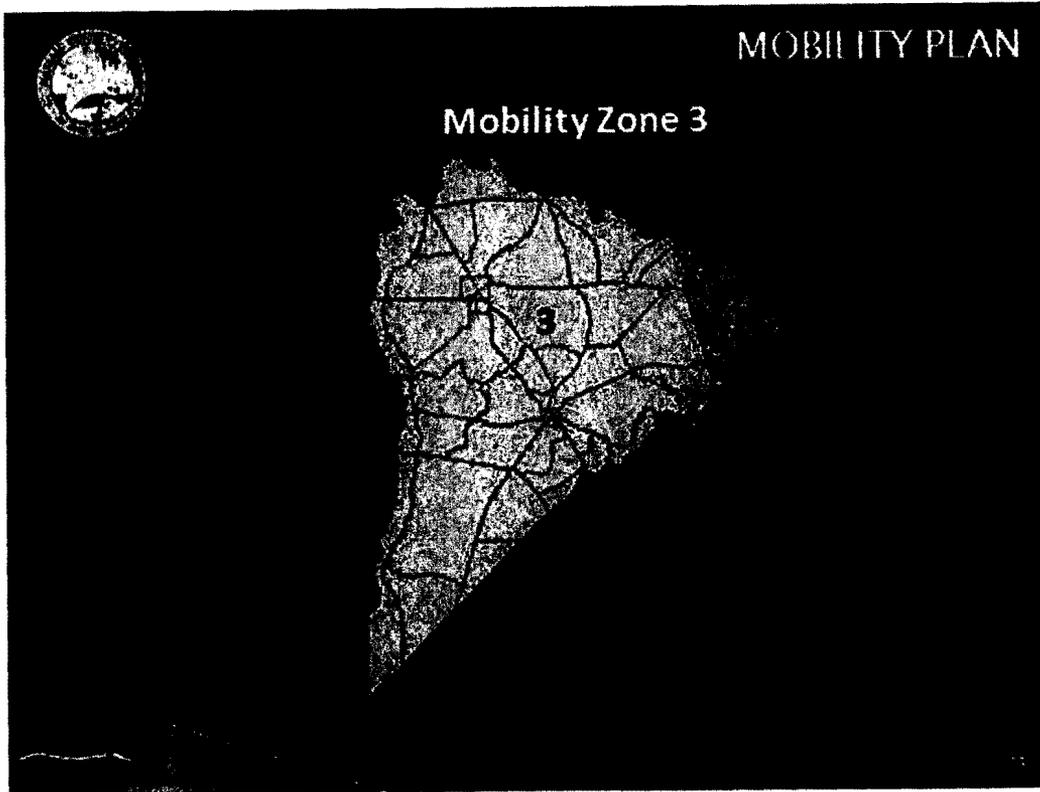
**FIGURE 3 – MOBILITY ZONES**



**FIGURE 4 – MOBILITY ZONE 1**



**FIGURE 5 – MOBILITY ZONE 2**



**FIGURE 6 – MOBILITY ZONE 3**

### 3.3 Vehicle Miles Traveled

The total daily trip generation for Nassau County was obtained from the NERPM4 model for the current year condition as well as the horizon year 2035 build-out condition. The total daily trip generation by each mobility zone is summarized in Table 1. The model results were shown with the ENCPA and without the ENCPA. As summarized in Table 2, the current year and the horizon year model runs were used to determine the average vehicle miles travelled (VMT) for each mobility zone (excluding Zone 2). The estimated vehicle miles traveled does not include the distances traveled in neighboring Counties (were restricted to limits of Nassau County only).

**Table 1 : Trip Generation**

Zones	NERPM4 Model Trips	
	Current Year	2035 Build-Out With DSAP1
Zone 1	172,514	264,952
Zone 2	---	41,191
Zone 3	86,670	155,682
<b>Total Trips</b>	<b>259,184</b>	<b>461,825</b>
<b>% Increase from Current Year</b>		<b>78.18%</b>

**Table 2 : Average Vehicle Miles Traveled**

Zones	NERPM4 Vehicle Miles Travelled (VMT)	
	Current Year	2035 Build-Out With DSAP1
Zone 1	1,052,052	1,768,229
Zone 2	-	380,714
Zone 3	609,613	1,138,033
<b>Total VMT</b>	<b>1,661,665</b>	<b>3,286,976</b>

The VMT's reported for each mobility zone (excluding Zone 2) were calculated based on the vehicle miles traveled from each Traffic Analysis Zone (TAZ). This average was considered representative for each Model zone since several TAZ's were present in each zone. The average

VMT within Zone 1 was reported to be 9.98 miles, while the average in Zone 3 was reported to be 16.31 miles. The horizon year VMT was reported to be 11.69 miles for Zone 1 and 16.59 miles for Zone 3. The horizon year VMT was used in the fee calculation schedule. This is summarized in Table 3.

**Table 3 : Average Trip Length**

<b>Zones</b>	<b>NERPM4 Average Trip Length</b>	
	<b>Current Year</b>	<b>2035 Build-Out With DSAP1</b>
<b>Zone 1</b>	9.98	11.69
<b>Zone 2</b>	-	10.53
<b>Zone 3</b>	16.31	16.59

#### 3.4 Roadway Deficiencies

As part of the “Plan” approach, roadway link analysis in accordance to the FDOT QLOS procedures was performed using the daily traffic volumes obtained from the horizon year 2035 NERPM4 model run to determine the roadway deficiencies. The roadway projects that mitigate the identified deficiencies were included in the Mobility Plan. For roadway segments where the model indicated lower volumes for year 2035 than the existing volumes, the State approved annual growth rate of 1.8% was used to obtain the 2035 volumes. Interstates were not considered as part of this analysis, since Interstate improvements are not funded on the local level. The failures that were observed within the model run are shown in Table 4.

**Table 4 – Roadway Needs**

Link ID	Roadway	Termini
1	SR 200/A1A	Amelia Island Parkway to Sadler Road
20	Amelia Island Parkway	14 <sup>th</sup> Street Ext. to Buccaneer Trail (C-105 A)
23	Buccaneer Trail (C-105A)	South Fletcher Ave. to Canopy Drive
26	First Coast Hwy (A1A)	South Fletcher Ave. to Amelia Island Parkway
27	First Coast Hwy (A1A)	Amelia Island Parkway to Beach Lagoon Road
45	SR 200/A1A	US 17 to Rubin Lane
45A	SR 200/A1A	Rubin Lane to Chester Road
55	US 17	Duval County Line to Harts Road
85	SR 200/US 301	Kingbird Drive to US 1
88	SR 115 (Lem Turner Rd)	Duval County Line to Church Road
89	SR 115 (Lem Turner Rd)	Church Road to US 1

### 3.5 Parallel Corridors

The use of parallel corridors is integral to the Mobility Plan and its affordability and function. In several cases, parallel roadways exist within Nassau County that provide alternative routes to congested corridors. This provides drivers an alternative when travel times are increased due to congestion on the major roadway networks.

Table 5 provides a list of parallel corridors that were used in the cordon line analysis for the Mobility Plan.

**Table 5 – Roadway Links in Cordon Line Analysis**

<b>Major Roadway</b>	<b>Parallel Route</b>	<b>Area</b>
State Road A1A	Clinch Drive	Amelia Island
State Road A1A	Amelia Concourse	Nassauville
State Road A1A	Pages Dairy Road	Yulee
State Road A1A	William Burgess Boulevard	Yulee
Buccaneer Trail (C-105A)	Amelia Island Parkway	Amelia Island
First Coast Hwy (A1A)	Amelia Island Parkway	Amelia Island
SR 115 (Lem Turner Road)	US.1/U.S. 23/S.R. 15	Callahan

As part of the cordon line analysis, the roadway traffic and roadway capacities from the major roadway and parallel route were added together. If the sum of the capacities was greater than or equal to the sum of the traffic, improvements to the failing segment were not considered necessary. The criteria used in this analysis included proximity and two connection points between the major roadway and parallel route (bypass condition). For the bypass condition, other roadways could be considered for making one or both of the connections. For example, Lime Street provides the second connection for Clinch Drive to State Road A1A on Amelia Island.

As part of this cordon line analysis, the observed failures reported for Links 1, 23, 26, 27, 45, 45A, 85, 88, and 89 were mitigated through parallel corridors.

### 3.6 Roadway Improvements

In order to address identified failures in the model within the 2035 time horizon, several roadway improvements are pipelined as part of the Mobility Plan. Pipelining is defined as collecting fees for future roadway projects that will be constructed in future years. These improvements are shown in Table 6.

**Table 6 – Roadway Improvements**

<b>Link</b>	<b>Roadway</b>	<b>Termini</b>	<b>Improvement</b>	<b>Estimated Cost</b>
1	SR 200/A1A	Amelia Island Parkway to Sadler Road	Widen A1A from 4 lanes to 6 lanes	\$3,785,000
20	Amelia Island Parkway	14 <sup>th</sup> Street Ext. to Buccaneer Trail (C-105 A)	Widen to 4 lane rural section; bike lanes; sidewalks; R/W acquisition	\$4,173,000
23	Buccaneer Trail (C-105A)	South Fletcher Ave. to Canopy Drive	Turn lane improvements on Amelia Island Parkway/A1A, sidewalks on Amelia Island Parkway	\$1,406,000
26	First Coast Hwy (A1A)	South Fletcher Ave. to Amelia Island Parkway	Targeted turn lane improvements (7 total)	\$3,322,000
27	First Coast Hwy (A1A)	Amelia Island Parkway to Beach Lagoon Road	None; considered constrained segment due to existing roundabouts and connection to bridge	
55	US 17	Duval County Line to Harts Road	Realign intersection with Harts Road; move existing signal to William Burgess Blvd; add turn lane; move link to William Burgess	\$2,965,000
85	SR 200/US 301	Kingbird Drive to US 1	Reconstruct US 301/US 1 intersection on all 4 approach legs	\$7,156,000

The roadway improvements that are identified within this table are the improvements necessary to provide adequate public transportation facilities in the 2035 time horizon for Nassau County. However, it is understood that this plan can and likely will be modified in future years to identify the improvements necessary when growth corridors are selected for development.

The roadway costs were estimated based on the Florida Department of Transportation's Generic Costs per Mile Models. These improvement costs will be indexed for inflation for every year that they are pushed into future years. Maps showing each area targeted for improvements as included in Appendix E.

### 3.7 Mobility Fee Calculation

The following sections describe the methodology of estimating mobility cost per trip in each of the planning areas.

#### **Plan/Improvement Based Mobility Fee (PLMF)**

- Estimate the Cost of Plan or Improvements for Mobility Fee (Plan Cost)
  - $\text{Plan Cost} = \text{Cost of Improvements} - \text{Committed Revenue}$

Committed revenue is defined as the revenue committed to capital improvements prior to the implementation of the Plan.

- Estimate growth in VMT (New  $\text{VMT}_{\text{growth}}$ )
  - $\text{New VMT}_{\text{growth}} = \text{VMT}_{\text{Horizon year}} - \text{VMT}_{\text{base year}}$
- Estimate Mobility Fee Rate
  - $\text{PL Mobility Fee Rate} = \text{Plan Cost} / \text{New VMT}_{\text{growth}}$
- Determine Mobility Fee for New Development
  - $\text{Mobility Fee} = \text{PL Mobility Fee Rate} * \text{ATL} * \text{TGR} * \frac{1}{2}$

The following details are required for the determination of Mobility Fee for new developments:

- Average Trip Length (ATL) by Planning Area
  - Travel Demand Model Runs
  - Origin Destination Studies
  - Travel Survey Studies
- Daily Trip Generation for New Development (TGR)

- ITE Trip Generation Manual Rates
- Individual Trip Generation Studies (Local/State)
- Credit Internal Capture (IC) and Pass-by Trips (PB)

The Plan Based Mobility Fee (PLMF) for new developments can be estimated as follows.

- **PLMF = (PL Mobility Fee Rate) \* (ATL) \* (TGR \* ½)**
- ATL is the average trip length.

The average trip length for non-residential land uses were obtained from the National Household Travel Survey (NHTS). The average trip lengths for non-residential land uses west of I-95 were further adjusted in the ratio of the average trip lengths between East of I-95 and West of I-95 from the NERPM travel demand model runs for Nassau County Mobility Plan Analysis. The average trip length data obtained from the NHTS and the adjusted trip lengths for non-residential land uses are included in Appendix F.

- TGR is the trip generation for the proposed development obtained as listed earlier
- Note: Multiplying by ½ divides the trip between each end resulting in net new one-way trips thus allocating responsibility to the development at each end.

### 3.8 Fee Schedule

As a replacement to the transportation impact fee and concurrency, a Mobility Fee is being proposed as part of this Mobility Plan to provide a funding source for the outlined improvements. The fee schedule is based on the roadway costs that were estimated as part of the Mobility Plan and an estimated 50% match from the State on all projects that propose improvements to a State facility or a proposed parallel corridor. The County has received these matches in the past through Strategic Intermodal System funding sources as well as other State/Federally funded programs. No debt obligations by Nassau County were considered in this analysis. The proposed fee schedule for Zones 1 and Zone 3 are listed in Table 7. The fees for the ENCPA (Zone 2) are included with the Mobility Plan applicable to that project.

If additional funding is secured in the future for these identified routes or other routes that are determined to mitigate identified deficiencies, the fee schedule will be adjusted accordingly. Also, if future modeling shows that isolated, targeted improvements can mitigate future roadway

deficiencies, these projects will be considered in the analysis and the fee schedule can be adjusted.

**Table 7 – Fee Schedule**

ITE Code	Land Use Type	Quantity Range		Units	Mobility Fee	
		Min	Max		East of I-95	West of I-95
	<b>Residential</b>					
210	Single Family Detached	-	-	Per DU	\$1,150.00	\$1,168.00
220	Multi-Family (Apartments)	-	-	Per DU	\$807.00	\$820.00
230	Condominium/Townhouse	-	-	Per DU	\$712.00	\$723.00
210	Other Residential (Same as Single Family)	-	-	Per DU	\$1,150.00	\$1,168.00
	<b>Non - Residential (Per 1,000 SF unless otherwise stated)</b>					
110	Industrial	-	-	SF	\$592.00	\$602.00
150	Warehouse	-	-	SF	\$453.00	\$460.00
151	Mini-warehouse	-	-	SF	\$218.00	\$222.00
710	General Office	0	10000	SF	\$1,009.00	\$1,025.00
710	General Office	10000	49999	SF	\$1,434.00	\$1,458.00
710	General Office	50000	99999	SF	\$1,223.00	\$1,243.00
710	General Office	100000	200000	SF	\$1,044.00	\$1,061.00
710	General Office	200000	299999	SF	\$951.00	\$966.00
710	General Office	300000		SF	\$845.00	\$859.00
720	Medical Office	-	-	SF	\$3,388.00	\$3,443.00
760	Research and Development Center	-	-	SF	\$745.00	\$757.00
812	Building Materials and Lumber Store	-	-	SF	\$1,997.00	\$2,030.00

ITE Code	Land Use Type	Quantity Range		Units	Mobility Fee	
		Min	Max		East of I-95	West of I-95
817	Garden Center	-	-	SF	\$2,286.00	\$2,323.00
820	Shopping Center	0	49999	SF	\$2,866.00	\$2,912.00
820	Shopping Center	50000	99999	SF	\$2,623.00	\$2,665.00
820	Shopping Center	100000	29999	SF	\$2,098.00	\$2,132.00
820	Shopping Center	300000		SF	\$1,850.00	\$1,880.00
841	Car Dealerships	-	-	SF	\$3,082.00	\$3,131.00
850	Supermarket	-	-	SF	\$3,341.00	\$3,395.00
853	Convenience Market w/ Gas Pumps	-	-	SF	\$4,289.00	\$4,358.00
890	Furniture Store	-	-	SF	\$152.00	\$154.00
932	Restaurant	-	-	SF	\$2,170.00	\$2,205.00
934	Fast Food Restaurant (w/ drive-thru)	-	-	SF	\$4,861.00	\$4,940.00
	<b>Non - Residential (Per unit quantity as stated below)</b>					
912	Drive-In bank			Per Lane/Window	\$3,358.00	\$3,413.00
310	Hotel/Motel			Per Room	\$577.00	\$586.00
560	Church			Per Seat	\$62.00	\$63.00

1. Descriptions listed within the ITE manual will be used to categorize the land uses listed within Table 7.

An applicant may choose to pre-pay a mobility fee in order to vest a proposed development. The amount will be calculated from the fee schedule that is in place at the time the applicant wishes to pre-pay. This is an at-risk process by the applicant and the applicant will not be afforded any recovery of these fees if he/she chooses to pre-pay and development does not occur. However, if a proposed development plan changes, credits will be given to an applicant for the fees that have already been pre-paid.

### 3.9 Indexing

Currently, Nassau County reviews its transportation impact fees to adjust them to respond to cost trends. With this update to its fee structure, the County is reserving the right to adjust mobility fees at any time, with full fee program reviews to be undertaken no less frequently than every three years. Fees will not be automatically indexed and Board of County Commissioner action will be required to alter the fees. Fee adjustments for inflation/deflation or other increases/decreases in costs will be performed when the plan is updated. It is the intent to update this Mobility Plan no less than 3 years after initial adoption or subsequent modification and no greater than 5 years after initial adoption or subsequent modification.

### 3.10 Mixed Use/Interconnectivity Incentives

As outlined in the Guiding Principles from the Mobility Impact Fee and Concurrency Task Force, a mixed use incentive is proposed to encourage a varying residential/commercial product as well as interconnectivity. The applicant must demonstrate that the internal capture of the mixed use development creates a minimum 10% reduction of overall transportation impacts in order to be eligible for this incentive. The fee reduction will be identical to the internal capture percentage demonstrated for a project. Only acceptable ITE methodologies and calculations can be used for this determination. This evaluation will be reviewed and approved by the County or the County's designee. The maximum fee reduction that can be observed for any project is 30%.

The applicant must demonstrate that all of the mixed land uses will be phased and constructed in a reasonable time frame such that the internal capture of trips that is proposed is realized after construction. For example, if a project consists of 80% residential and 20% commercial to achieve the requisite internal capture rate, both land uses must be constructed in an incremental fashion so that the construction percentages match the proposed land use percentages.

If an applicant phases a project such that a second land use is introduced at a later date, the applicant may request fee reductions for the future phase when the pre-established mixed use percentages are met. If County staff determines that a development does not construct in

accordance with the proposed mixed use percentages, the County reserves the right to recover previously credited Mobility Fees and/or discontinue the issuance of building permits for the development.

An additional 5% interconnectivity credit is also proposed as part of this Mobility Plan to encourage the interconnectivity of vehicles and pedestrians between adjacent developments and outside roadway facilities. The intent of this credit is also created to encourage infill. This credit will be applied when a development allows for cross access for vehicles and pedestrians on all bordering property boundaries (except where wetlands or surface waters exist). County staff will have the discretion to eliminate a vehicular or pedestrian access requirement if conflicting land uses or other circumstances exist where cross access is not in the best interest of the applicant and the adjacent property owner.

## **4.0 Implementation**

### **4.1 Mobility Fee Application**

Nassau County will create a form in which an applicant will describe a proposed project including the following:

1. Project Name
2. Project Location
3. Type of development, including uses and size of proposed development
4. Trip Generation for the project for use in driveway connection design
5. Proposed Phasing of Project

The trip generation portion of the application is solely used to determine the access management design, such as turn lane design, for a project. These improvements will relate solely to a project's driveway connection or improvements that are the direct result of U-turns for access into or out of the site and will be funded by the applicant as it relates to the project's access. Offsite improvements that are not tied to the access for a project will not be the responsibility of the applicant. All trip generation will be performed in accordance with accepted ITE methodologies.

### **4.2 Application Fee**

In order for staff and/or outside consultant to review the application, a small administration fee may be adopted by the Nassau County Board of County Commissioners.

### **4.3 Mobility Fee Certificate**

In order to provide assurance that an applicant's Mobility Fee will not change, a Mobility Fee Certificate will be issued to an applicant after an application is reviewed and approved by the County. This certificate will vest a specific fee amount for a specific land use based on the fee schedule in place at the time the application is made to the County and considered complete. This certificate will be valid for 12 months from the date of issuance and will assure an applicant that the fee amount will remain the same throughout the life of the certificate.

The Mobility Fee will be paid in full at the time of Certificate of Occupancy for a proposed project. If occupancy is phased over time for a project, the Fee will be paid when an applicant occupies the project and creates an actual impact on the roadway network.

#### 4.4 Example Fee Calculation

It is useful to provide example calculations for the Mobility Fee for one of the land use categories. In the following examples, the net Mobility Fee is calculated for the General Office land use category (ITE 710) using information from the proposed suburban Mobility Fee schedule, and an example of the Total Impact Cost is also provided. For each land use category of the fee schedules, the same equations are used to calculate the net Mobility Fee:

Total Mobility Fee = Building SF x Cost per zone/1,000 SF.

For a 10,000 SF general office building west of I-95 (Zone 3), the fee is as follows:

$$\underline{\text{Total Mobility Fee} = 10,000 \text{ SF} \times \$1,025 / 1,000 \text{ SF} = \$10,250.00}$$

#### 4.5 Calculation of Mobility Fee for Land Uses not listed within the Mobility Plan

When a land use is not specifically listed within Table 7 of this report and an equivalent land use cannot be reasonably assigned, as an alternative, the applicant may calculate the new trip generation using methodologies outlined in the Institute of Traffic Engineers (ITE) Trip Generation manual. When assessing the fee, the total trip generation will be divided by 2 to only account for the trips that enter the project. Internal capture may be considered as part of this trip calculation and must conform to acceptable ITE practices and standards. The fee will then be assessed on a predetermined fee rate and the Average Trip Length calculated for the specific land use. These manual calculations will rarely equate exactly to the values published in Table 7, as this table uses average values for common land uses. The cost should be based on the following equation:

$$\text{Total Mobility Fee} = (\text{PL Mobility Fee Rate}) * (\text{ATL}) * (\text{TGR} * \frac{1}{2})$$

For a 10,000 SF general office building west of I-95 (Zone 3), the fee is as follows:

$$\text{TGR} = 11.01 * 10 = 110.1 \text{ Daily Trips}$$

$$\text{ATL} = 13.77 \text{ Miles for West of I-95 or Zone 3 (Appendix F)}$$

$$\text{PL Mobility Fee Rate} = \$ 13.54 \text{ (For Zone 3)}$$

$$\underline{\text{Mobility Fee for 10,000 SF General Office} = \$ 13.54 \times 13.77 \times 110.1 \times \frac{1}{2} = \$10,263.84}$$

#### 4.6 Challenges

If an applicant believes that their project has unique circumstances that results in lower trip generation or distribution, a specific traffic analysis may be performed for the project. The analysis will consider the unique characteristics of the use or site and will demonstrate this through methods that conform to standard ITE practices. This analysis will be subject to County staff review and may utilize the cost per trip calculation outlined in Section 4.4 of this report. If an applicant chooses to perform a site specific study, other incentives (e.g. mixed use incentive) may be eliminated or reduced at the discretion of staff.

#### 4.7 Vesting

Existing uses that meet the County's definition as a legitimate business operation or a residential lot with vertical improvement(s) that meets the County's definition for occupancy will be vested for the applicable Mobility Fee. This fee may be credited toward a new fee that may be due as part of the redevelopment of a property.

#### 4.8 Incentives

The medical office and commercial land uses were incentivized as part of this plan. They were chosen to be incentivized based on the job creation observed for these land uses and their importance throughout the County.

This reduction in fees for these land uses will translate into a shortfall of \$2.82 million over the 2035 time horizon in Zone 1 (\$128,000 per year) and \$3.29 million for Zone 3 (\$150,000 per year) over the 2035 time horizon. Since the build out of these elements will generate less revenue than what is necessary to fund the improvements within this plan, the County must look to another funding source to offset the shortfalls from these incentivized land uses. Consequently, ad valorem taxes, gas taxes, or other funding sources can be used to compensate for these reductions. If State or Federal funding is increased above the projections within this plan, these may also be used to compensate for the shortfall. Additionally, the assessments for the medical office and commercial properties will increase significantly after development and a percentage of the additional ad valorem taxes generated from these increased assessment may be used to mitigate the difference. At its discretion, the County may establish a tax increment finance program to cover these shortfalls.

#### 4.9 Interlocal Participation

This Plan has been created for the residents of Nassau County, but funding is only contemplated from County, State or Federal sources and no funding is considered at the time of Plan adoption from any municipalities within Nassau County. Consequently, if new construction is contemplated within an incorporated area of the County, the provisions of this Plan shall not be enforced within a municipality unless the County and the municipality enter into an interlocal agreement setting forth the terms and conditions under which the provisions of this Plan shall be implemented within the municipality.

Appendix A

Nassau County TAS

Nassau County Transportation Analysis  
February 15, 2012

Printed on 05/16/12

(A) LINK ID No	(B) Count Station	(C) ROADWAY	(D) FROM/TO	(F) LANES/ CLASSIFICATION	(G) SEG LENG. (MI)	(H) LOS STND.	(I) TABLE OR STUDY	(J) MAX. PK. HR. CAP. (Veh./Hr.)	(K) Year of Count	(L) 24-HR Volume (AADT)	(N) LINK K(100) FACTOR	(O) PM PK. HRL CURRENT VOLUME	(Q) Approved Concurrency Traffic	(R) PROJECTED PM PK. HR.	(S) Percent Capacity Used	(T) PROJECTED PM PK. HRL CAPACITY	(U) Link Status	(W) LINK ID No.	
															(O+Q)	(R/J)	(T-R)		
1	C-1056	S.R. 200'S R.A1A	Amelia Island Parkway to Sadler Road	4-MA	1.028	D	ART-TAB	4200	2007	39,000	0.0870	3393	1634	5,027	120%	(827)	Deficient	1	
2	0102	S. 8th Street	Sadler Road to Lime Street	4-MA	1.138	D	ART-TAB	3950	2008	18,600	0.1020	1603	320	2,013	51%	1,937	OK	2	
3	5002	S. 8th Street	Lime Street to Atlantic Avenue	2-MA	1.055	C(FB)	ART-TAB	1860	2009	10,500	0.1030	1071	153	1,224	68%	636	OK	3	
4	5003	Atlantic Avenue (S.R.A1A)	8th Street to 14th Street	2-MA	0.444	C(FB)	4-5	1260	2009	5,500	0.1020	541	44	585	48%	675	OK	4	
6	5012	Atlantic Avenue (S.R.A1A)	14th Street to Fletcher Avenue	2-MA	1.184	C(FB)	4-5	1260	2009	7,900	0.1020	775	88	863	89%	397	OK	6	
8	5005	Fletcher Avenue (S.R.A1A)	Atlantic Avenue to Sadler Road	2-MA	2.021	C(FB)	4-5	1260	2009	4,700	0.1020	479	31	510	41%	790	OK	8	
10	5007	Fletcher Avenue (S.R.A1A)	Sadler Road to Simmons Road	2-MA	1.003	C(FB)	4-5	1260	2009	7,800	0.1020	796	25	821	65%	439	OK	10	
11	0138	Fletcher Avenue (S.R.A1A)	Simmons Road to Amelia Island Parkway	2-MA	1.892	C(FB)	4-5	1260	2009	6,600	0.1020	673	66	739	59%	521	OK	11	
12	0114	Fletcher Avenue (S.R.A1A)	Amelia Island Parkway to Buccaneer Trail (S.R. 105A)	2-MA	0.756	D	4-5	1490	2009	5,200	0.1020	530	178	708	48%	782	OK	12	
14	C-02	14th Street	Pogy Place to Atlantic Avenue	2-MaC	2.200	D	4-5	720	2009	3,230	0.0960	310	154	464	64%	256	OK	14	
15	C-03	14th Street	Atlantic Avenue to Hickory Street	2-MaC	0.700	D	ARTPLAN	1130	2009	9,097	0.0960	873	79	953	84%	177	OK	15	
16	C-04	14th Street	Hickory Street to Jasmine Street	2-MaC	0.170	D	ARTPLAN	1750	2009	12,247	0.0960	1178	111	1,287	74%	463	OK	16	
16A	C-04A	14th Street	Jasmine Street to Lime Street	2-MaC	0.170	D	ARTPLAN	2010	2009	12,247	0.0960	1178	194	1,370	68%	640	OK	16A	
17	C-05	14th Street	Lime Street to Sadler Road	4-MaC	1.060	D	4-5	2810	2008	16,908	0.0960	1498	338	1,837	85%	973	OK	17	
18	C-06	14th Street	Sadler Road to Amelia Island Parkway	2-MaC	1.110	D	4-5	1300	2009	7,405	0.0960	711	184	875	67%	425	OK	18	
19	C-07	Amelia Island Parkway	S.R. 200'S R.A1A to 14th Street Extension	2-MaC	1.090	D	ARTPLAN	1870	2009	9,029	0.0960	867	886	1,552	83%	318	OK	19	
20	C-08	Amelia Island Parkway	14th Street Extension to Buccaneer Trail (C-105A)	2-MaC	1.090	D	UZLTAB	1660	2009	12,895	0.0960	1238	252	1,490	90%	170	Critical	20	
21	C-09	Amelia Island Parkway	Buccaneer Trail (C-105A) to Fletcher Avenue	2-MaC	1.090	D	4-5	1300	2009	4,325	0.0960	415	136	550	42%	750	OK	21	
22	C-10	Amelia Island Parkway	Fletcher Avenue to Scott Road	2-MaC	0.950	D	4-5	1300	2009	5,225	0.0960	502	92	594	48%	706	OK	22	
22A	C-10A	Amelia Island Parkway	Scott Road to S.R.A1A/Julia Street	2-MaC	0.095	D	4-5	1300	2009	3,101	0.0960	296	44	342	26%	958	OK	22A	
23	C-11	Buccaneer Trail (C-105A)	Gerbing Road/South Fletcher Avenue to Canopy Drive	2-MaC	0.500	D	4-5	720	2009	8,908	0.0960	826	100	926	129%	(208)	Deficient	23	
23A	C-11A	Buccaneer Trail (C-105A)	Canopy Drive to Amelia Island Parkway	2-MaC	0.720	D	4-5	1300	2008	8,100	0.0960	778	68	846	65%	454	OK	23A	
24	C-12	Amelia Road	Amelia Island Parkway to S.R. 200	2-MaC	1.420	D	4-5	720	2009	1,140	0.0960	109	93	203	28%	517	OK	24	
25	0161	First Coast Highway (S.R.A1A)	Gerbing RD./S. Fletcher AV. to Amelia Island Pkwy./Julia ST	2-MA	1.301	D	UZLN-TAB	1910	2009	10,500	0.1020	1071	287	1,358	71%	552	OK	25	
27	C-14	First Coast Highway (S.R.A1A)	Amelia Island Parkway/Julia Street to Beach Lagoon Road	2-MA	1.581	D	4-5	1490	2004	9,843	0.0960	926	122	1,048	70%	442	OK	27	
28	3068	First Coast Highway (S.R.A1A)	Beach Lagoon Road to Nassau Sound	2-MA	2.631	D	4-5	1490	2009	3,700	0.1020	377	20	397	27%	1,093	OK	28	
29	C-15	Sadler Road	8th Street to 14th Street	4-MaC	0.290	D	4-5	2810	2008	20,185	0.0960	1930	467	2,397	85%	413	OK	29	
30	C-16	Sadler Road	14th Street to Fletcher Avenue	4-MaC	1.000	D	4-5	2810	2009	10,154	0.0960	975	199	1,174	42%	1,636	OK	30	
31	C-17	Lime Street	8th Street to 14th Street	2-MaC	0.490	D	4-5	720	2009	2,583	0.0960	248	37	285	40%	435	OK	31	
32	C-18	Lime Street	14th Street to Citrona Drive	2-MaC	0.490	D	4-5	720	2009	3,885	0.0960	352	45	397	55%	323	OK	32	
33	C-19	Citrona Drive	Atlantic Avenue to Jasmine Street	2-MaC	0.881	D	4-5	720	2009	3,510	0.0960	337	14	351	49%	369	OK	33	
34	C-20	Citrona Drive	Jasmine Street to Sadler Road	2-MaC	1.167	D	4-5	900	2009	5,844	0.0960	542	122	664	74%	236	OK	34	
35	C-21	Will Hardee Road	Sadler Road to Simmons Road	2-MaC	1.160	D	4-5	900	2009	2,170	0.0960	208	31	239	27%	661	OK	35	
36	C-22	Simmons Road	Amelia Road to Will Hardee Road	2-MaC	0.530	D	4-5	720	2009	2,236	0.0960	215	37	252	35%	468	OK	36	
37	C-23	Simmons Road	Will Hardee Road to Fletcher Avenue	2-MaC	0.520	D	4-5	720	2009	2,245	0.0960	216	21	236	33%	484	OK	37	
38	C-24	Jasmine Street	14th Street to Citrona Drive	2-MaC	1.200	D	4-5	720	2009	3,021	0.0960	290	43	333	46%	387	OK	38	
39	C-25	T. J. Couson Road	8th Street (S.R. 200) to 14th Street	2-MaC	0.240	D	4-5	900	2009	5,025	0.0960	482	119	602	67%	298	OK	39	
40	3489	I-95	Duval County Line to S.R. 200'S R.A1A	6-F	2.960	C	4-5	8110	2008	59,000	0.1021	6024	809	6,833	84%	1,277	OK	40	
41	0158	I-95	S.R. 200'S R.A1A to U.S. 17	6-F	5.140	C	4-5	8110	2009	49,600	0.1016	5029	932	5,961	74%	2,149	OK	41	
42	0132	I-95	U.S. 17 to Georgia State Line	6-F	4.100	C	4-5	8110	2009	58,261	0.1018	5716	271	5,987	74%	2,123	OK	42	
43	0110	S.R. 200'S R.A1A	Griffin Road to Edwards Road	4-PA	3.754	C	4-5	4190	2009	9,100	0.1020	928	486	1,414	34%	2,778	OK	43	
43A	0110	S.R. 200'S R.A1A	Edwards Road to I-95	4-PA	1.582	C	4-5	4190	2009	9,100	0.1020	928	1610	2,538	61%	1,652	Critical	43A	
44	0182	S.R. 200'S R.A1A	I-95 eastbound off ramp to Still Quarters Road	4-MA	2.320	C	FOOT	4360	2009	17,538	0.0930	1631	2185	3,816	88%	544	OK	44	
44A	0182	S.R. 200'S R.A1A	Still Quarters Road to U.S. 17	6-MA	1.310	D	4	5628	2009	17,538	0.0930	1631	1630	3,261	58%	2,367	OK	44A	
45	0101	S.R. 200'S R.A1A	U.S. 17 to Rubin Lane	6-MA	0.951	D	4	5628	2009	38,500	0.1020	3723	2323	6,046	107%	(418)	Deficient	45	
45A	C-111	S.R. 200'S R.A1A	Rubin Lane to Chester Road	4-MA	2.800	D	ARTPLAN	5370	2007	35,000	0.0960	3115	2378	5,493	102%	(123)	Deficient	45A	
46	C-110	S.R. 200'S R.A1A	Chester Road to Blackrock Road	4-MA	1.133	D	ARTPLAN	5370	2007	41,000	0.0960	3630	1638	5,328	96%	42	Critical	46	
47	C-109	S.R. 200'S R.A1A	Blackrock Road to Old Nassauville Road	4-MA	0.900	D	ARTPLAN	4580	2007	41,000	0.0960	4059	1540	5,599	122%	(1,019)	Deficient	47	
48	0103	S.R. 200'S R.A1A	Old Nassauville Road to Amelia Island Parkway	4-MA	2.889	D	ARTPLAN	5090	2009	40,500	0.1020	4131	2292	6,423	128%	(1,333)	Deficient	48	
49	C-45	(C.R. 200A) (Pages Dairy Road)	U.S. 17 to Chester Road	2-MaC	3.940	D	4-5	1300	2009	3,004	0.0960	288	387	676	52%	624	OK	49	
50	C-46	(C.R. 107N) (Blackrock Road)	Chester Road to S.R. 200'S R.A1A	2-MaC	5.130	D	4-5	900	2009	2,700	0.0960	259	524	784	87%	116	OK	50	
51	C-47	(C.R. 107S) (Old Nassauville Road)	S.R. 200'S R.A1A to Amelia Concourse	2-MaC	1.910	D	4-5	1490	2009	6,403	0.0960	616	1521	2,136	143%	(845)	Deficient	51	
51A	C-47A	(C.R. 107S) (Old Nassauville Road)	Amelia Concourse to Santa Juana Road	2-MaC	1.750	D	4-5	1490	2009	6,730	0.0960	646	642	1,288	86%	202	OK	51A	
51B	C-122	Roses Bluff Road	Chester Road West	2-MaC	1.170	D	4-5	900	2009	1,587	0.0960	153	274	427	47%	473	OK	51B	
52	C-48	Chester Road	S.R. 200'S R.A1A to Pages Dairy Road (C.R. 200A)	4-MaC	0.460	D	4-5	3115	2009	7,931	0.0960	761	995	1,756	56%	1,369	OK	52	
53	C-49	Chester Road	Pages Dairy Road to Blackrock Road	2-MaC	3.270	D	5	1480	2009	6,637	0.0840	558	754	1,312	89%	168	OK	53	
53A	C-120	Amelia Concourse	S.R. 200'S R.A1A to C.R. 107S (Nassauville Road)	4-MaC	3.799	D	4-5	2810	2009	7,211	0.0960	692	2169	2,951	122%	(41)	Deficient	53A	
54	C-50	Barnwell Road	S.R. 200'S R.A1A to Oyster Bay Drive	2-MaC	2.250	D	4-5	900	2009	3,251	0.0960	312	200	512	57%	388	OK	54	
54A	C-103	Mner Road	Haddock Road to S.R. 200'S R.A1A	2-MaC	2.570	D	4-5	900	2009	7,070	0.0960	679	697	1,378	153%	(476)	Deficient	54A	
55	C-51	U.S. 17 (S.R. 5)	Duval County Line to Harts Road	2-PA	1.758	D	ARTPLAN	1930	2009	11,057	0.0960	1061	682	1,743	90%	187	Critical	55	
56	0013	U.S. 17 (S.R. 5)	Harts Road to S.R. 200'S R.A1A	2-PA	2.279	D	HIGHPLAN	1930	2009	10,800	0.1020	1102	743	1,845	96%	85	Critical	56	
57	0104	U.S. 17 (S.R. 5)	S.R. 200'S R.A1A to Pages Dairy Road	4-PA	0.237	D	4-5	3290	2009	10,800	0.1020	1102	612						

(A) LINK ID No.	(B) Count Station	(C) ROADWAY	(D) FROM/TO	(F) LANES/ CLASSI- FICATION	(G) SEG. LENG. (MI.)	(H) LOS STND.	(I) TABLE OR STUDY	(J) MAX. PK. HR. CAP. (Veh./Hr.)	(K) Year of Count	(L) 24-HR Volume (AADT)	(M) LINK K/100 FACTOR	(O) PM PK. HR. CURRENT VOLUME	(Q) Approved Concurrency Traffic	(R) PROJECTED PM PK. HR.	(S) Percent Capacity Used (R/J)	(T) PROJECTED PM PK. HR. CAPACITY (J-R)	(U) Link Status	(W) LINK ID No.
59	C-53	U.S.17 (S.R.5)	C.R.108 to I-95	2-MA	2,228	D	4-5	1490	2008	7,589	0.0980	744	448	1,192	80%	298	OK	59
60	0162	U.S.17 (S.R.5)	I-95 to Georgia State Line	2-PA	2,427	D	4-6	1930	2009	3,000	0.1020	308	1572	1,878	87%	52	Critical	60
60A	C-106	Harts Road	S.R.200S R.A1A to U.S.17	2-MC	2,350	D	4-5	900	2009	1,568	0.0980	161	320	471	52%	429	OK	60A
60B	C-107	Harts Road	U.S.17 to Haddock Road	2-MC	1,030	D	4-5	900	2009	3,785	0.0980	363	74	437	49%	463	OK	60B
61	C-39	C.R.108	Middle Road (C.R.121A) to U.S.17 (S.R.5)	2-MaC	3,008	D	4-6	1190	2009	2,538	0.0980	249	96	345	29%	845	OK	61
62	C-112	William Burgess Boulevard	S.R.200S R.A1A to U.S.17	2-MaC	2,910	D	4-6	1300	2009	1,163	0.0980	112	383	495	36%	805	OK	62
63	0019	U.S.1A1.S.23/U.S.301(S.R.15)	Muscell White Road to C.R.108	4-PA	8,832	C	4-6	4000	2009	13,400	0.0950	1279	445	1,718	43%	2,282	OK	63
64	0140	U.S.1A1.S.23/U.S.301(S.R.15)	C.R.108 to C.R.121	4-PA	6,788	C	4-6	4000	2009	11,100	0.1020	1132	116	1,248	31%	2,752	OK	64
65	0047	U.S.1A1.S.23/U.S.301(S.R.15)	C.R.121 to Georgia State Line	4-PA	0,164	C	4-6	4000	2009	8,984	0.0950	852	20	872	22%	3,128	OK	65
66	C-30	C.R.121	C.R.108/C.R.121 Split to Bay Road (C.R.115)	2-MaC	9,560	D	4-6	1190	2009	423	0.0980	41	101	142	12%	1,048	OK	66
67	C-31	C.R.121	C.R.115 (Bay Road) to Andrews Road	2-MaC	3,895	D	4-6	1190	2009	875	0.0980	86	77	163	14%	1,027	OK	67
68	C-32	C.R.121	Andrews Road to U.S.1A1/S.301	2-MaC	3,555	D	4-6	1190	2009	1,748	0.0980	112	21	133	11%	1,057	OK	68
69	C-36	C.R.118 (Bay Road)	C.R.121 to C.R.108	2-MC	3,970	D	4-6	1190	2009	1,479	0.0980	145	574	719	80%	471	OK	69
70	C-37	Kings Ferry Rd (C.R.115A)	C.R.108 to Kings Ferry Road	2-MC	8,020	D	4-6	1190	2009	1,169	0.0980	115	81	176	15%	1,014	OK	70
71	C-115	C.R.108	C.R.121 to C.R.115 (Bay Road)	2-MaC	1,530	D	4-6	1190	2009	1,032	0.0980	101	66	167	14%	1,023	OK	71
71A	C-38	C.R.108	Kings Ferry Road (C.R.115A) to Middle Road (C.R.121A)	2-MaC	6,264	D	4-6	1190	2009	2,154	0.0980	211	65	276	23%	914	OK	71A
72	C-40	Middle Road (C.R.121A)	Kings Ferry Road (C.R.115A) to C.R.108	2-MaC	8,510	D	4-6	1190	2009	585	0.0980	57	12	89	6%	1,121	OK	72
73	C-41	Middle Road (C.R.121A)	C.R.108 to Griffin Road	2-MC	4,580	D	4-6	1190	2009	528	0.0980	52	16	68	6%	1,122	OK	73
74	C-42	Lessee Road	C.R.108 to Middle Road (C.R.121A)	2-MC	7,500	D	4-6	1190	2009	427	0.0980	42	0	42	4%	1,148	OK	74
75	C-43	C.R.115 (Old Dixie Highway)	U.S.1A1/S.23/U.S.301 to Henry Smith Road	2-MC	8,560	D	4-6	1190	2009	1,054	0.0980	103	471	574	48%	616	OK	75
76	C-54	Andrews Road	C.R.121 to U.S.1A1/S.23/U.S.301	2-MC	3,180	D	4-6	1190	2009	1,072	0.0980	106	15	120	10%	1,070	OK	76
76A	C-105	Lake Hampton Road	U.S.1 to Murfree Road	2-MC	3,300	D	4-6	1190	2009	720	0.0980	71	19	90	8%	1,100	OK	76A
77	3229	U.S.1A1/S.23/S.R.15	Duval County Line to Ratliff Road	4-PA	0,532	C	4-6	4000	2006	16,900	0.0968	1636	208	1,844	46%	2,156	OK	77
78	0125	U.S.1A1/S.23/S.R.15	Ratliff Road to S.R.115 (Lam Turner Road)	4-PA	3,814	C	4-6	4000	2006	13,000	0.1020	1328	524	1,850	46%	2,150	OK	78
79	0122	U.S.1A1/S.23/U.S.301/S.R.15	S.R.115 (Lam Turner Road) to Old Dixie Highway (C.R.115)	4-PA	0,956	C	4-6	4000	2009	15,900	0.0950	1511	893	2,404	60%	1,587	OK	79
80	0004	U.S.1A1/S.23/U.S.301/S.R.15	C.R.115 to Muscell White Road	4-PA	1,315	C	4-6	4000	2009	14,700	0.0950	1397	320	1,717	43%	2,284	OK	80
81A	C206	Griffin Road East	A1A to Bridge	2-MC	2,500	D	4-5	900	2009	952	0.0980	91	0	91	10%	809	OK	81A
81B	C206	Griffin Road West	Bridge to Muscell White Road	2-MC	1,700	D	4-5	900	2009	937	0.0960	90	0	90	10%	810	OK	81B
82	0236	S.R.200U S.301	Duval County Line to C.R.119	2-PA	1,930	C	4-5	1130	2006	4,279	0.0965	413	25	438	39%	692	OK	82
83	3160	S.R.200U S.301	C.R.119 to Crawford Road	2-PA	9,305	C	4-5	1130	2006	5,200	0.1020	530	113	643	57%	487	OK	83
84	9005	S.R.200U S.301	Crawford Road to Kingbird Drive	2-PA	2,943	C	4-5	1130	2009	5,300	0.1020	541	114	555	58%	475	OK	84
85	8108	S.R.200U S.301	Kingbird Drive to U.S.1A1/S.23	4-PA	1,315	C	4-5	3150	2009	6,500	0.1020	663	145	808	26%	2,342	OK	85
86	0117	S.R.200S R.A1A	U.S.1A1/S.23 to Evelyn Street	4-PA	2,121	C	4-6	3150	2009	13,700	0.0102	140	338	478	15%	2,672	OK	86
87	0110	S.R.200S R.A1A	Evelyn Street to Griffin Road	4-PA	5,881.82	C	4-5	4190	2009	9,100	0.1020	928	345	1,273	30%	2,917	OK	87
88	9914	S.R.115 (Lam Turner Road)	Duval County Line to Church Road	2-MA	4,321	D	4-6	1490	2008	9,700	0.0839	911	454	1,365	92%	125	Critical	88
89	0015	S.R.115 (Lam Turner Road)	Church Road to U.S.1A1/S.23	2-MA	3,117	D	4-5	1490	2009	7,400	0.1020	735	572	1,327	69%	163	OK	89
90	C-26	C.R.121	Duval County Line to C.R.119	2-MaC	7,970	D	4-6	1190	2009	1,493	0.0980	146	105	251	21%	938	OK	90
91	C-27	C.R.121	C.R.119 to C.R.2 (Crawford Road)	2-MaC	7,960	D	4-6	1190	2009	1,564	0.0980	153	133	286	24%	804	OK	91
92	C-28	C.R.121	C.R.2 (Crawford Road) to C.R.108 (River Road)	2-MaC	9,550	D	4-6	1190	2009	2,209	0.0980	216	34	250	21%	940	OK	92
93	C-29	C.R.121	C.R.108 (River Road) to C.R.108/C.R.121 Split	2-MaC	1,288	D	4-6	1190	2009	1,518	0.0980	148	94	243	20%	947	OK	93
94	C-33	C.R.118	U.S.301 to C.R.121	2-MC	5,560	D	4-6	1190	2006	1,300	0.0980	127	6	133	11%	1,057	OK	94
95	C-34	C.R.108 (River Road)	C.R.121 to U.S.1	2-MaC	11,000	D	4-6	1100	2009	3,287	0.0980	322	621	843	77%	257	OK	95
96	C-121	Ford Road	U.S.301 to Duval County Line	2-MC	3,310	D	4-6	1100	2009	1,277	0.0980	125	46	171	16%	929	OK	96
97	C-44	Ratliff Road	Thomas Creek Road to U.S.1	2-MC	3,790	D	4-6	1100	2009	1,322	0.0980	130	36	168	15%	934	OK	97
98	C-55	C.R.2	C.R.121 to Georgia State Line	2-MaC	1,530	D	4-6	1100	2009	2,985	0.0980	293	0	293	27%	807	OK	98
99	C-108	Crawford Road	U.S.301 to C.R.121	2-MaC	7,330	D	4-6	1100	2009	1,68	0.0980	16	109	125	11%	975	OK	99
100	7001	8th Street	Alachua Street to Port	2-MA	0,458	C	4-5	670	2006	3,600	0.1020	367	0	367	56%	303	OK	100
101	F-02	8th Street	Atlantic to Alachua Street	2-MA	0,084	C	4-5	670	2007	4,500	0.0960	432	0	432	64%	238	OK	101
102	F-03	Alachua Street	Front Street to 8th Street	2-MC	0,350	C	4-5	670	2001	1,604	0.0960	154	7	161	24%	509	OK	102
103	F-04	Carroll Street	Front Street to 8th Street	2-MaC	0,358	C	4-5	670	2006	5,838	0.0960	560	44	604	90%	66	Critical	103
104	F-05	Ash Street	Front Street to 8th Street	2-MC	0,364	C	4-5	670	2001	2,218	0.0960	213	0	213	32%	457	OK	104
105	F-06	W. Fletcher	1st Street North	2-MC	1,337	C	4-5	670	2001	1,486	0.0960	143	0	143	21%	527	OK	105
106	F-07	W. Fletcher	Atlantic Avenue to 1st Street	2-MC	0,174	C	4-5	670	2001	1,579	0.0960	152	0	152	23%	518	OK	106
107	F-08	Beech Street	14th Street to Citrona Drive	2-MC	0,480	C	4-5	670	2001	2,239	0.0960	215	7	222	33%	448	OK	107
108	F-08	Beech Street	8th Street to 14th Street	2-MC	0,448	C	4-5	670	2001	1,229	0.0960	118	5	123	18%	547	OK	108
109	F-09	Gum Street	3rd Street to 8th Street	2-MC	0,020	C	4-5	670	2001	2,027	0.0960	195	0	195	29%	475	OK	109
110	F-09	3rd Street	Gum Street to Ash Street	2-MC	0,535	C	4-5	670	2001	961	0.0960	92	0	92	14%	578	OK	110
111	F-10	Jasmine Street	Citrona Drive to S. Fletcher Avenue	2-MC	0,722	C	4-5	670	2004	2,390	0.0960	229	6	235	35%	411	OK	111
117	B-3009	SR90	Baker County Lane to Duval County Line	2-MC		D	4-6	1340	2009	4,500	0.0950	428	0	428	32%	913	OK	117
118	B-3134	I-10	Baker County Lane to Duval County Line	4-F		B	4-6	3670	2008	3,150	0.1059	334	0	334	9%	3,336	OK	118

## Appendix B

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### FDOT Hourly Traffic Counts - Traffic Variation by 15 min Intervals

COUNTY: 74  
 STATION: 0101  
 DESCRIPTION: SRA1A 0.4MI E OF US 17 AT YULEE  
 START DATE: 08/17/2011  
 START TIME: 0800

TIME	DIRECTION: E					DIRECTION: W					COMBINED TOTAL
	1ST	2ND	3RD	4TH	TOTAL	1ST	2ND	3RD	4TH	TOTAL	
0000	48	21	26	18	113	38	34	30	38	140	253
0100	21	23	22	14	80	28	28	22	18	96	176
0200	18	12	11	12	53	28	19	13	22	82	135
0300	17	16	28	21	82	20	17	17	14	68	150
0400	17	22	37	28	104	28	36	53	53	170	274
0500	48	56	96	143	343	94	133	144	175	546	889
0600	116	153	238	248	755	250	292	319	335	1196	1951
0700	246	266	319	377	1208	433	496	433	382	1744	2952
0800	273	267	297	249	1086	307	311	311	315	1244	2330
0900	186	250	236	233	905	261	264	252	260	1037	1942
1000	236	210	239	210	895	223	241	248	227	939	1834
1100	224	256	239	267	986	248	243	240	270	1001	1987
1200	243	242	241	223	955	251	277	284	286	1098	2053
1300	253	249	307	287	1096	312	317	282	272	1183	2279
1400	287	280	275	322	1164	236	315	319	312	1182	2346
1500	268	339	332	322	1261	314	298	281	330	1223	2484
1600	343	364	432	344	1483	331	373	317	342	1363	2846
1700	434	403	412	391	1640	303	413	368	294	1378	3018
1800	359	316	309	245	1229	247	278	229	170	924	2153
1900	206	216	200	176	798	210	174	161	151	696	1494
2000	148	162	180	166	656	161	137	141	163	602	1258
2100	145	116	126	122	509	117	119	98	98	432	941
2200	91	78	82	73	324	92	68	76	73	309	633
2300	58	61	64	49	232	52	65	54	30	201	433

24-HOUR TOTALS: 17957 18854 36811

	DIRECTION: E		DIRECTION: W		COMBINED DIRECTIONS	
	HOUR	VOLUME	HOUR	VOLUME	HOUR	VOLUME
A.M.	730	1236	700	1744	700	2952
P.M.	1700	1640	1645	1426	1645	3019
DAILY	1700	1640	700	1744	1645	3019

COUNTY: 74  
 STATION: 0101  
 DESCRIPTION: SRA1A 0.4MI E OF US 17 AT YULEE  
 START DATE: 08/18/2011  
 START TIME: 0800

TIME	DIRECTION: E					DIRECTION: W					COMBINED TOTAL
	1ST	2ND	3RD	4TH	TOTAL	1ST	2ND	3RD	4TH	TOTAL	
0000	40	35	33	29	137	39	49	28	32	148	285
0100	28	16	14	8	66	17	31	25	28	101	167
0200	24	10	19	20	73	26	26	12	22	86	159
0300	18	22	17	27	84	16	29	20	20	85	169
0400	16	26	31	43	116	28	36	54	50	168	284
0500	41	52	87	131	311	73	105	138	176	492	803
0600	95	153	200	240	688	223	238	267	302	1030	1718
0700	219	252	353	370	1204	420	366	462	352	1600	2804
0800	315	295	304	267	1181	324	308	349	275	1256	2437
0900	249	231	247	278	1005	260	239	272	266	1037	2042
1000	232	228	244	236	940	286	250	302	285	1123	2063
1100	246	252	281	253	1032	255	261	267	271	1054	2086
1200	267	249	215	293	1024	273	293	227	258	1051	2075
1300	276	269	265	285	1095	297	285	269	310	1161	2256
1400	307	270	288	313	1178	264	307	313	320	1204	2382
1500	293	346	339	360	1338	366	260	161	355	1342	2680
1600	377	384	448	414	1623	340	374	315	361	1390	3013
1700	404	410	422	390	1626	358	400	369	323	1450	3076
1800	372	309	264	263	1208	301	262	191	194	948	2156
1900	240	227	213	176	856	199	147	141	163	650	1506
2000	198	209	187	135	729	136	124	136	100	496	1225
2100	151	116	126	121	514	110	103	101	92	406	920
2200	97	91	95	63	346	85	71	59	79	294	640
2300	67	62	61	39	229	59	61	49	37	206	435
24-HOUR TOTALS:	18603					18778					37381

	PEAK VOLUME INFORMATION					
	DIRECTION: E		DIRECTION: W		COMBINED DIRECTIONS	
	HOUR	VOLUME	HOUR	VOLUME	HOUR	VOLUME
A.M.	730	1333	700	1600	700	2804
P.M.	1630	1676	1645	1488	1645	3138
DAILY	1630	1676	700	1600	1645	3138

**15 Minute Traffic Variation**

Ratio of Existing to Reserved Traffic

0.740263229

15 Min Interval	15 Min Traffic Volume	15 Min Reserved Traffic	15 Min Max Capacity
12:00 AM	86	64	1407
12:15 AM	55	41	1407
12:30 AM	56	41	1407
12:45 AM	56	41	1407
1:00 AM	49	36	1407
1:15 AM	51	38	1407
1:30 AM	44	33	1407
1:45 AM	32	24	1407
2:00 AM	46	34	1407
2:15 AM	31	23	1407
2:30 AM	24	18	1407
2:45 AM	34	25	1407
3:00 AM	37	27	1407
3:15 AM	33	24	1407
3:30 AM	45	33	1407
3:45 AM	35	26	1407
4:00 AM	45	33	1407
4:15 AM	58	43	1407
4:30 AM	90	67	1407
4:45 AM	81	60	1407
5:00 AM	142	105	1407
5:15 AM	189	140	1407
5:30 AM	240	178	1407
5:45 AM	318	235	1407
6:00 AM	366	271	1407
6:15 AM	445	329	1407
6:30 AM	557	412	1407
6:45 AM	583	432	1407
7:00 AM	679	503	1407
7:15 AM	762	564	1407
7:30 AM	752	557	1407
7:45 AM	759	562	1407
8:00 AM	580	429	1407
8:15 AM	578	428	1407
8:30 AM	608	450	1407
8:45 AM	564	418	1407
9:00 AM	447	331	1407
9:15 AM	514	380	1407
9:30 AM	488	361	1407
9:45 AM	493	365	1407
10:00 AM	459	340	1407
10:15 AM	451	334	1407
10:30 AM	487	361	1407
10:45 AM	437	323	1407
11:00 AM	472	349	1407
11:15 AM	499	369	1407
11:30 AM	479	355	1407
11:45 AM	537	398	1407
12:00 PM	494	366	1407

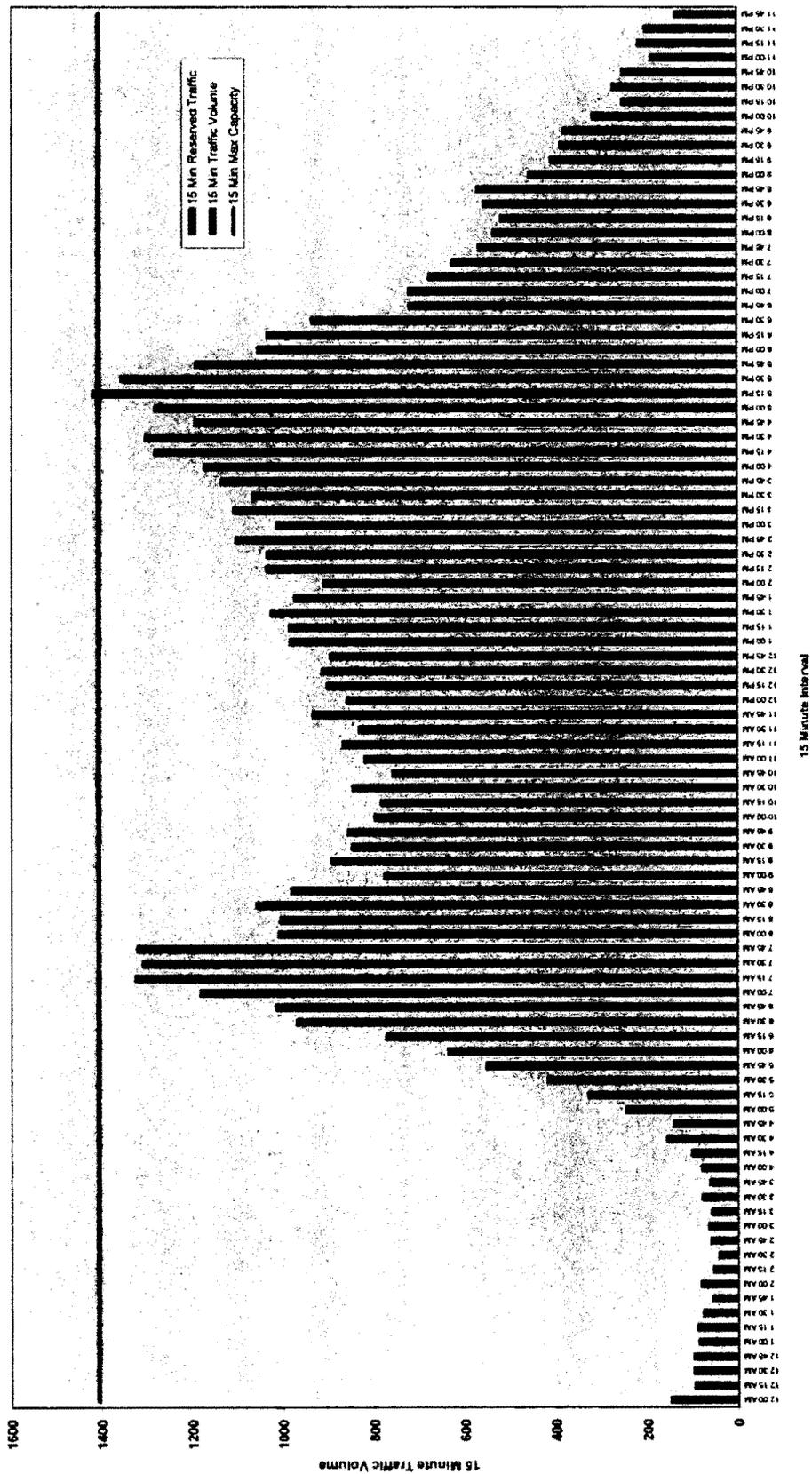
**15 Minute Traffic Variation**

Ratio of Existing to Reserved Traffic

0.740263229

15 Min Interval	15 Min Traffic Volume	15 Min Reserved Traffic	15 Min Max Capacity
12:15 PM	519	384	1407
12:30 PM	525	389	1407
12:45 PM	515	381	1407
1:00 PM	565	418	1407
1:15 PM	566	419	1407
1:30 PM	589	436	1407
1:45 PM	559	414	1407
2:00 PM	523	387	1407
2:15 PM	595	440	1407
2:30 PM	594	440	1407
2:45 PM	634	469	1407
3:00 PM	582	431	1407
3:15 PM	637	472	1407
3:30 PM	613	454	1407
3:45 PM	652	483	1407
4:00 PM	674	499	1407
4:15 PM	737	546	1407
4:30 PM	749	554	1407
4:45 PM	686	508	1407
5:00 PM	737	546	1407
5:15 PM	816	604	1407
5:30 PM	780	577	1407
5:45 PM	685	507	1407
6:00 PM	606	449	1407
6:15 PM	594	440	1407
6:30 PM	538	398	1407
6:45 PM	415	307	1407
7:00 PM	416	308	1407
7:15 PM	390	289	1407
7:30 PM	361	267	1407
7:45 PM	327	242	1407
8:00 PM	309	229	1407
8:15 PM	299	221	1407
8:30 PM	321	238	1407
8:45 PM	329	244	1407
9:00 PM	262	194	1407
9:15 PM	235	174	1407
9:30 PM	224	166	1407
9:45 PM	220	163	1407
10:00 PM	183	135	1407
10:15 PM	146	108	1407
10:30 PM	158	117	1407
10:45 PM	146	108	1407
11:00 PM	110	81	1407
11:15 PM	126	93	1407
11:30 PM	118	87	1407
11:45 PM	79	58	1407

SR A1A - East of US 17 (4 Lanes) 15 Minute Traffic Variation



Appendix C

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Socio-Economic Data  
Additions for Year 2035  
NERMP4



Appendix D

Horizon Year 2035 (DSAP1)  
– Roadway Link Analysis



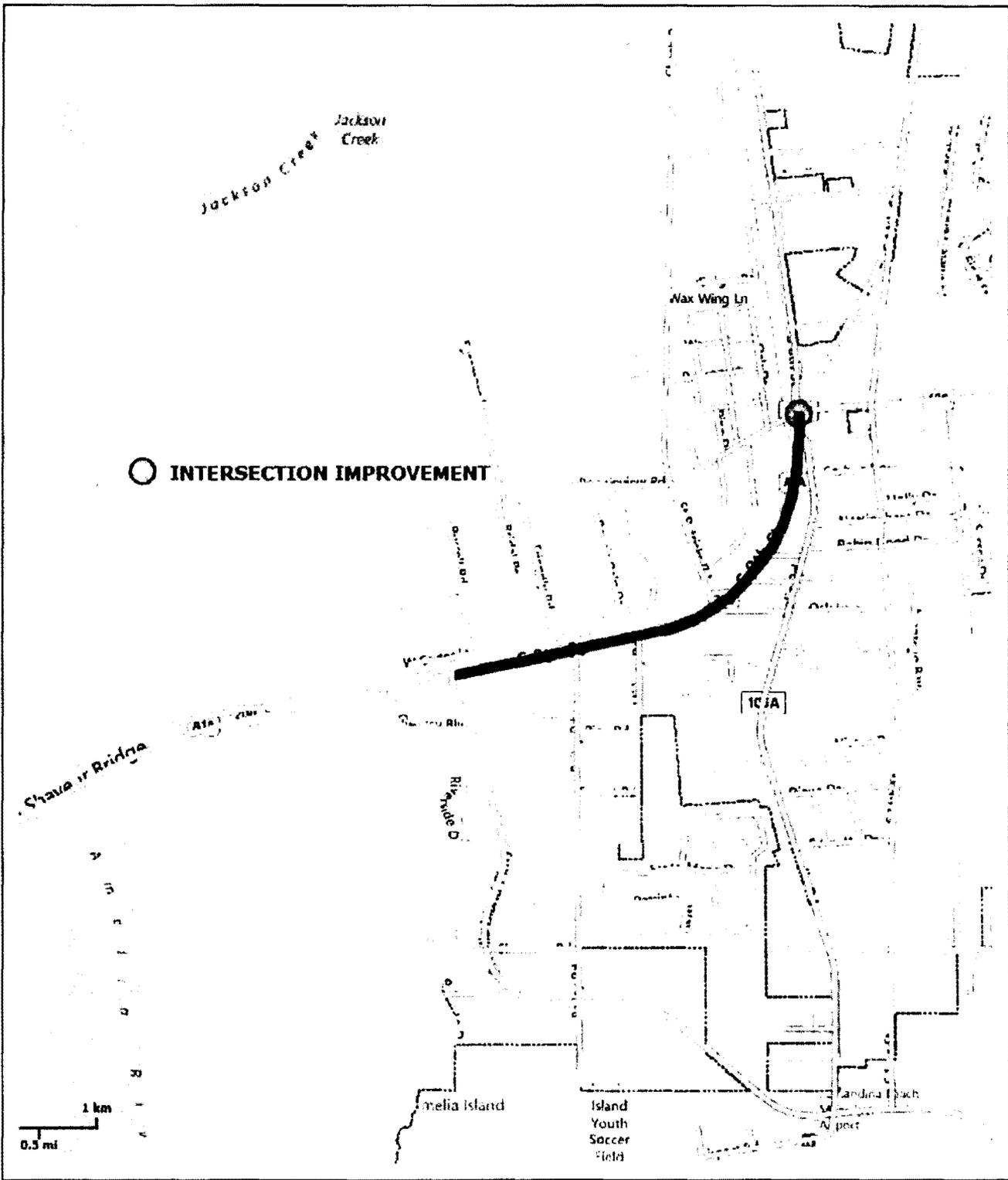
Appendix D  
Mendocino County Agency Analysis

Line ID	Route(s)	Term(s)	Lines/Classification	Planned and Proposed Improvements	Segment Length (Miles)	US Standard	Modified LOS Standard	Table Study	Peak Hour Capacity (Veh./Hr)	Max Daily Capacity (Veh/Day)	ICU Daily Capacity (Veh/Day)	Modified Daily Capacity (Veh/Day)	Final Max Daily Capacity (Veh/Day)	Prepared Study for Capacity Analysis	2015 DSAD/2015 ADAT	2025 DSAD/2025 ADAT < Existing ADAT	Adjusted 2025 County ADAT	Year 2025 DSAD/2025 ADAT (Approved/Estimated)
73	Middle Road (SR 127A)		2-MAC		4.90	D	D	4-6	1,100	13,000	13,000	13,000	13,000		677	677	877	
74	Green Road		2-MAC		7.50	D	D	4-6	1,100	13,000	13,000	13,000	13,000		4	4	427	
75	SR 119 to Green Road (SR 121A)		2-MAC		3.16	D	D	4-6	1,100	13,000	13,000	13,000	13,000		1,074	1,074	1,325	
76	Green Road		2-MAC		3.16	D	D	4-6	1,100	13,000	13,000	13,000	13,000		1,074	1,074	1,325	
77	SR 119 to Green Road (SR 121A)		2-MAC		3.16	D	D	4-6	1,100	13,000	13,000	13,000	13,000		1,074	1,074	1,325	
78	SR 119 to Green Road (SR 121A)		2-MAC		3.16	D	D	4-6	1,100	13,000	13,000	13,000	13,000		1,074	1,074	1,325	
79	SR 119 to Green Road (SR 121A)		2-MAC		3.16	D	D	4-6	1,100	13,000	13,000	13,000	13,000		1,074	1,074	1,325	
80	SR 119 to Green Road (SR 121A)		2-MAC		3.16	D	D	4-6	1,100	13,000	13,000	13,000	13,000		1,074	1,074	1,325	
81A	Green Road East		2-MAC		2.50	C	C	4-5	900	9,000	9,000	9,000	9,000		524	524	524	
81B	Green Road West		2-MAC		1.70	D	D	4-5	900	9,000	9,000	9,000	9,000		524	524	524	
82	SR 200A to SR 201		2-PA	4 PA	1,900	C	D	4-5	1,300	15,000	15,000	15,000	15,000		43,782	43,782	43,782	
83	SR 200A to SR 201		2-PA	4 PA	8,200	C	D	4-5	1,300	15,000	15,000	15,000	15,000		43,782	43,782	43,782	
84	SR 200A to SR 201		2-PA	4 PA	2,000	C	D	4-5	1,300	15,000	15,000	15,000	15,000		43,782	43,782	43,782	
85	SR 200A to SR 201		2-PA	4 PA	2,000	C	D	4-5	1,300	15,000	15,000	15,000	15,000		43,782	43,782	43,782	
86	SR 200A to SR 201		2-PA	4 PA	2,000	C	D	4-5	1,300	15,000	15,000	15,000	15,000		43,782	43,782	43,782	
87	SR 200A to SR 201		2-PA	4 PA	2,000	C	D	4-5	1,300	15,000	15,000	15,000	15,000		43,782	43,782	43,782	
88	SR 200A to SR 201		2-PA	4 PA	2,000	C	D	4-5	1,300	15,000	15,000	15,000	15,000		43,782	43,782	43,782	
89	SR 200A to SR 201		2-PA	4 PA	2,000	C	D	4-5	1,300	15,000	15,000	15,000	15,000		43,782	43,782	43,782	
90	SR 121 to SR 122		2-MAC		7.70	D	D	4-6	1,100	13,000	13,000	13,000	13,000		1,074	1,074	1,325	
91	SR 121 to SR 122		2-MAC		7.70	D	D	4-6	1,100	13,000	13,000	13,000	13,000		1,074	1,074	1,325	
92	SR 121 to SR 122		2-MAC		7.70	D	D	4-6	1,100	13,000	13,000	13,000	13,000		1,074	1,074	1,325	
93	SR 121 to SR 122		2-MAC		7.70	D	D	4-6	1,100	13,000	13,000	13,000	13,000		1,074	1,074	1,325	
94	SR 119 to SR 121		2-MAC		5,950	D	D	4-6	1,100	13,000	13,000	13,000	13,000		2,294	2,294	2,294	
95	SR 119 to SR 121		2-MAC		11,000	D	D	4-6	1,100	13,000	13,000	13,000	13,000		6,923	6,923	6,923	
96	SR 119 to SR 121		2-MAC		3,210	D	D	4-6	1,100	13,000	13,000	13,000	13,000		4,088	4,088	4,088	
97	SR 119 to SR 121		2-MAC		1,350	D	D	4-6	1,100	13,000	13,000	13,000	13,000		3,025	3,025	3,025	
98	SR 119 to SR 121		2-MAC		7,330	D	D	4-6	1,100	13,000	13,000	13,000	13,000		1,868	1,868	1,868	
99	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
100	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
101	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
102	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
103	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
104	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
105	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
106	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
107	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
108	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
109	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
110	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
111	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
112	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
113	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
114	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
115	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
116	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
117	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
118	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
119	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
120	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
121	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
122	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
123	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
124	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
125	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
126	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
127	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
128	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
129	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
130	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
131	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
132	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
133	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
134	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
135	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
136	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
137	SR 119 to SR 121		2-MAC		0,556	C	D	4-6	870	7,740	7,740	7,740	7,740		1,453	1,453	1,453	
138	SR 119 to SR 121																	

Appendix E

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Roadway Improvement Projects



THIS MAP HAS BEEN COMPILED FROM THE MOST AUTHENTIC INFORMATION AVAILABLE NEITHER NASSAU COUNTY, ITS MUNICIPALITIES, NOR THE NASSAU COUNTY PROPERTY APPRAISER'S OFFICE ASSUMES RESPONSIBILITY FOR ERRORS OR OMISSIONS CONTAINED HEREIN. THIS IS NOT A SURVEY

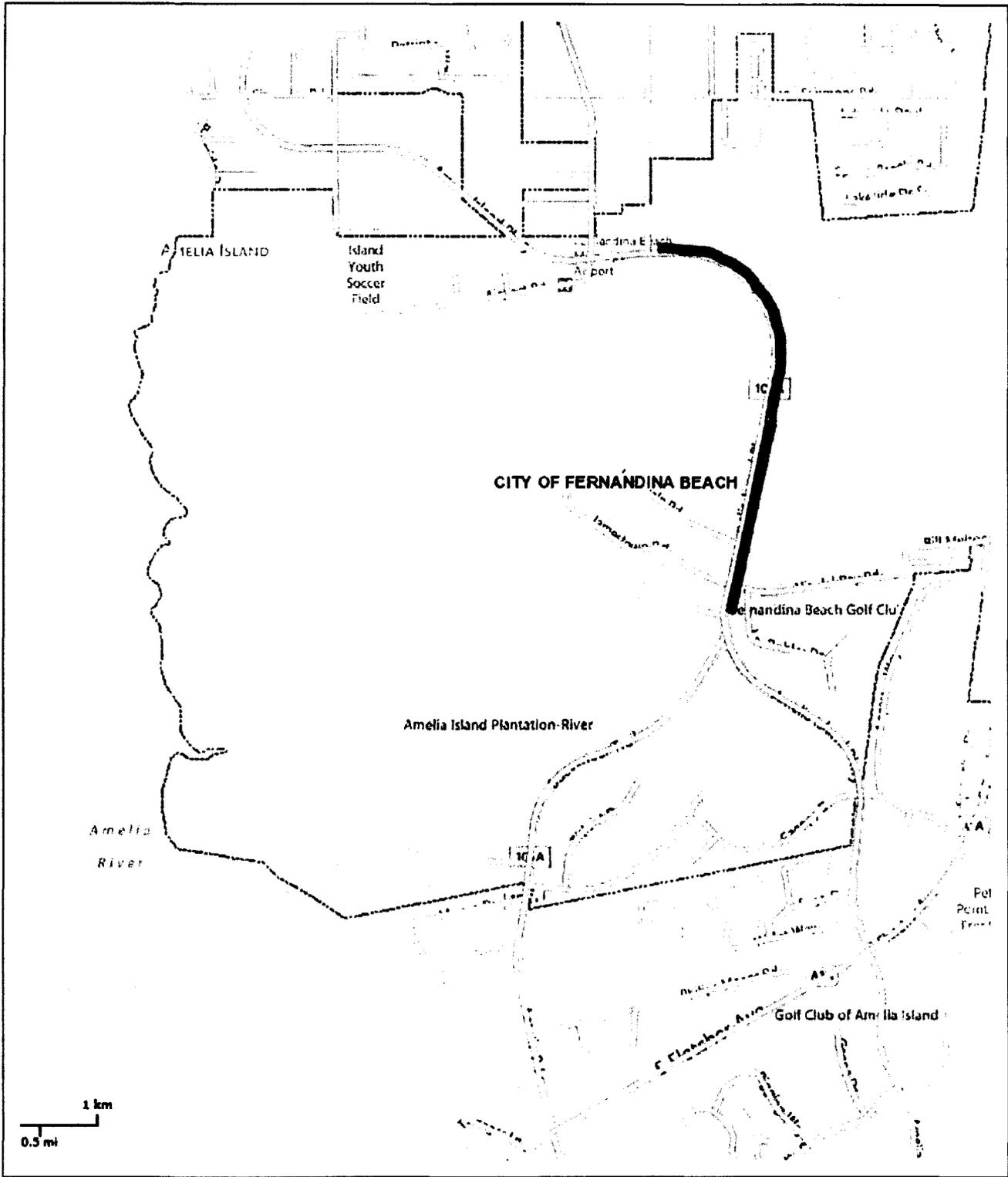
**GIS NASSAU COUNTY**

**Nassau County Geographic Information System**

*A service provided by the Nassau County Property Appraiser's Office.*

**LINK 1 IMPROVEMENTS**

Printed: Nov 14, 2013



THIS MAP HAS BEEN COMPILED FROM THE MOST AUTHENTIC INFORMATION AVAILABLE NEITHER NASSAU COUNTY, ITS MUNICIPALITIES, NOR THE NASSAU COUNTY PROPERTY APPRAISER'S OFFICE ASSUMES RESPONSIBILITY FOR ERRORS OR OMISSIONS CONTAINED HEREIN THIS IS NOT A SURVEY

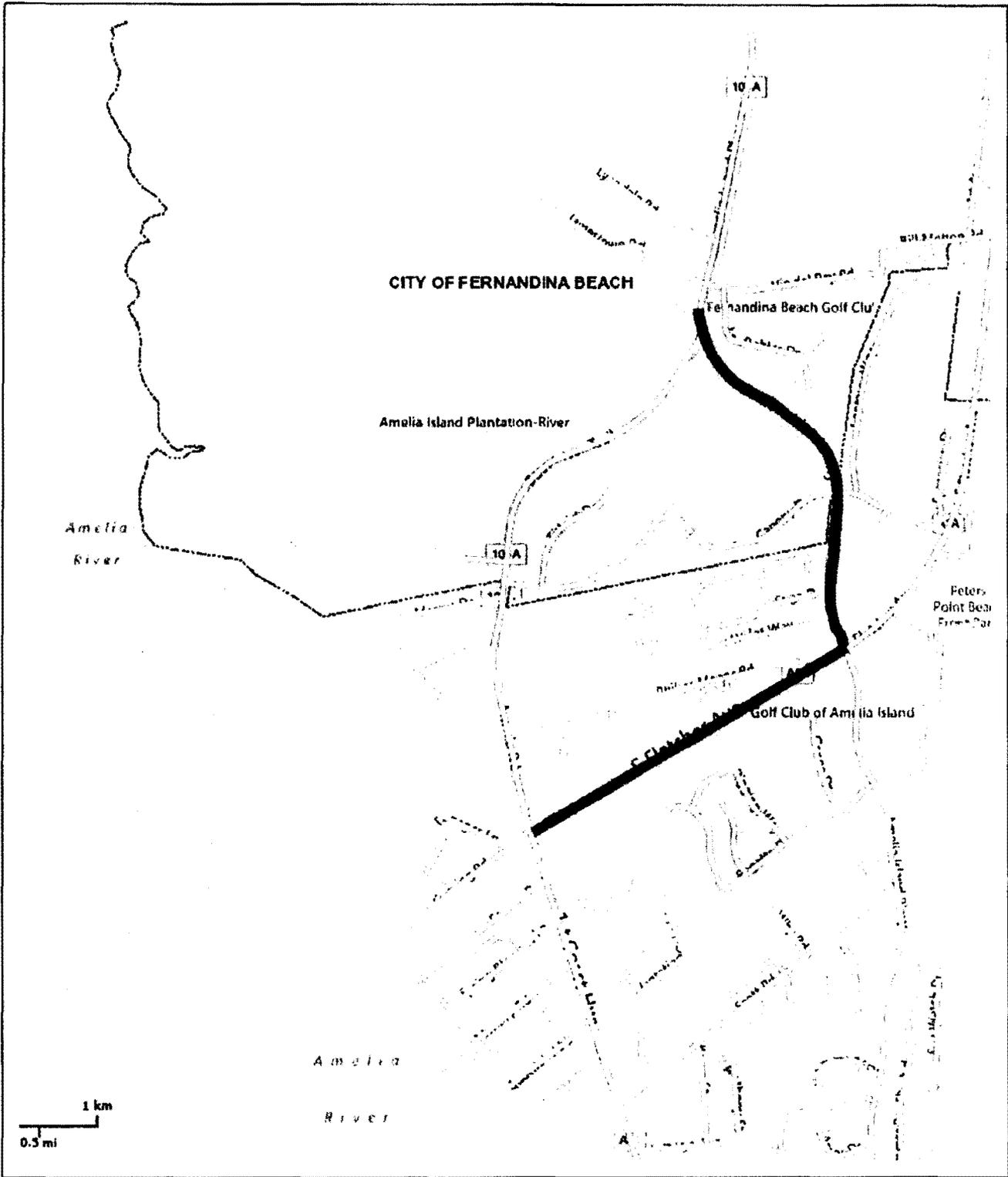
**GIS NASSAU COUNTY**

**Nassau County  
Geographic Information  
System**

*A service provided by the  
Nassau County  
Property Appraiser's  
Office.*

**LINK 20 (AMELIA IS PKWY)**

Printed: Feb 11, 2013



THIS MAP HAS BEEN COMPILED FROM THE MOST AUTHENTIC INFORMATION AVAILABLE NEITHER NASSAU COUNTY, ITS MUNICIPALITIES, NOR THE NASSAU COUNTY PROPERTY APPRAISER'S OFFICE ASSUMES RESPONSIBILITY FOR ERRORS OR OMISSIONS CONTAINED HEREIN. THIS IS NOT A SURVEY.

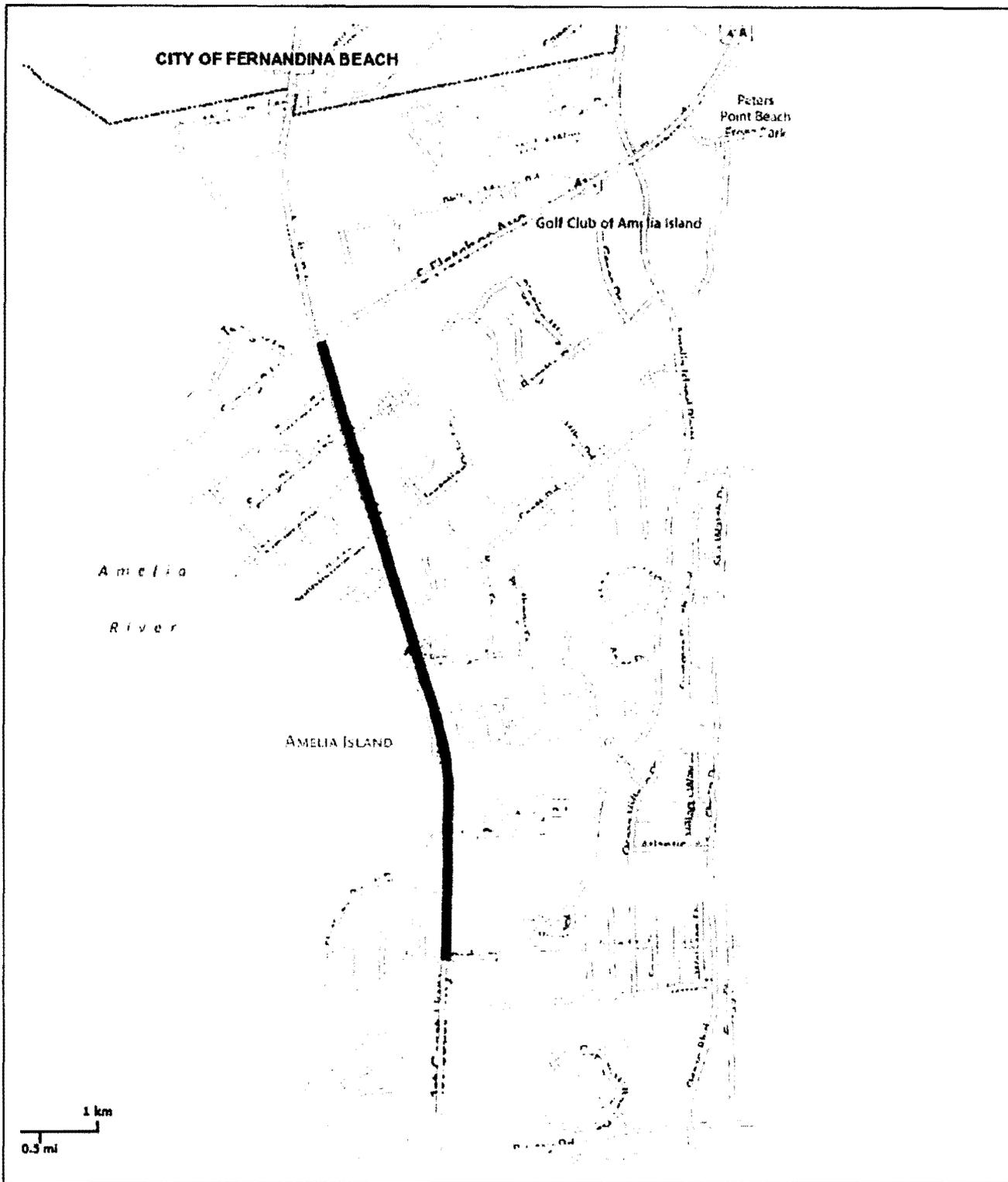
**GIS NASSAU COUNTY**

**Nassau County  
Geographic Information  
System**

*A service provided by the  
Nassau County  
Property Appraiser's  
Office.*

**LINK 23 (BUC TRL)**

Printed: Feb 11, 2013



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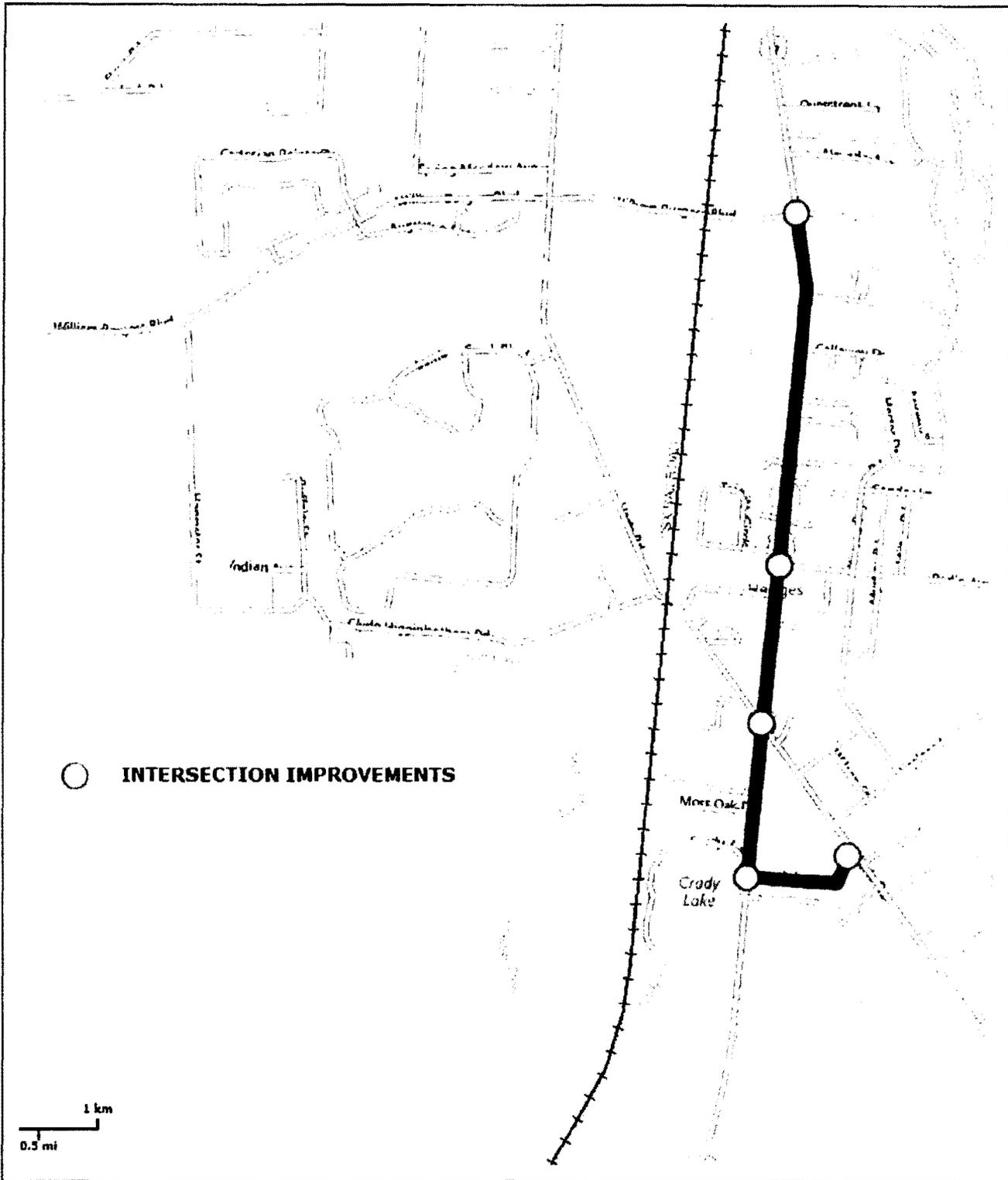
**GIS** NASSAU COUNTY

Nassau County  
Geographic Information  
System

*A service provided by the  
Nassau County  
Property Appraiser's  
Office.*

**LINK 26 (FCH)**

Printed: Feb 11, 2013



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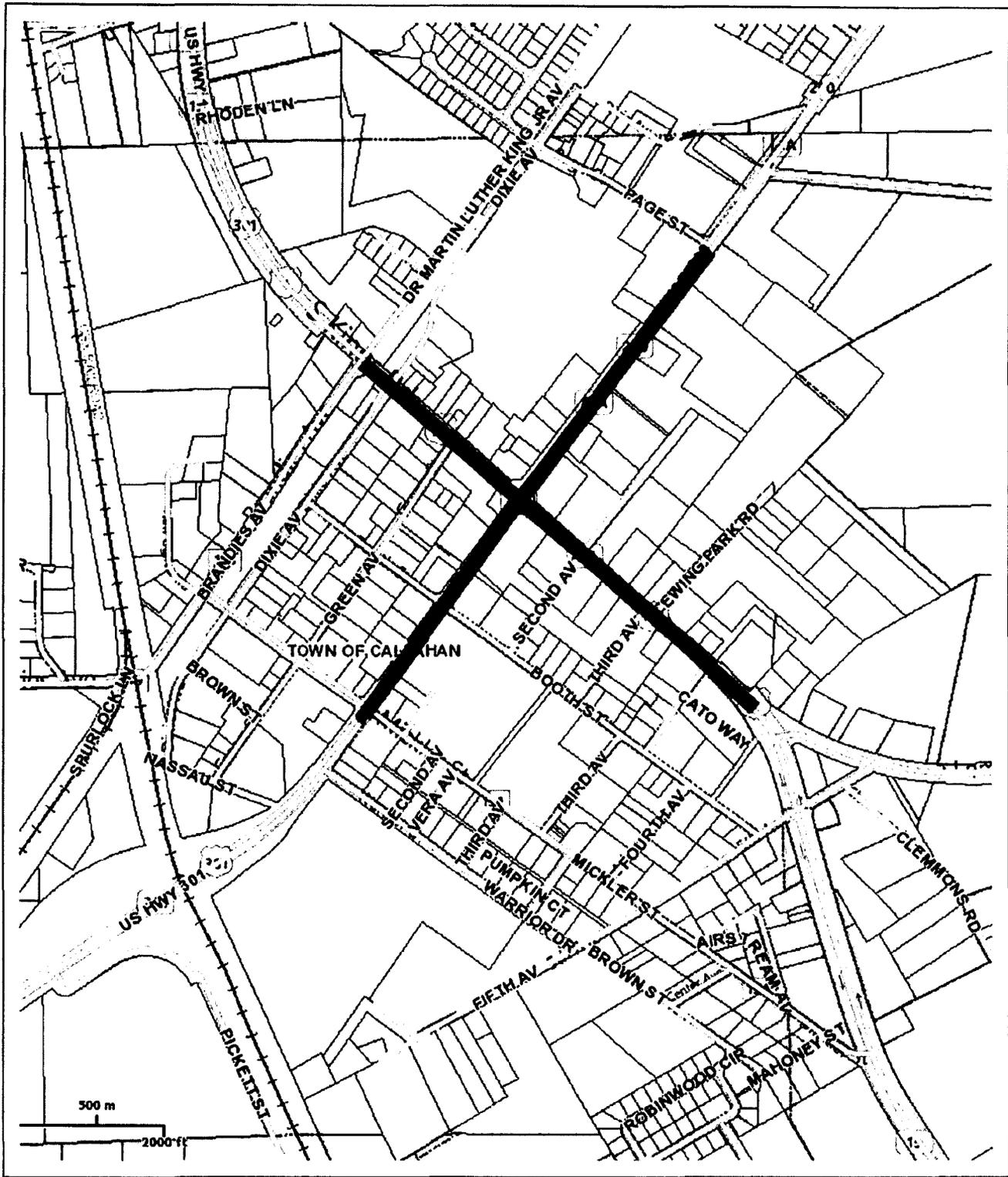
**GIS NASSAU COUNTY**

**Nassau County  
Geographic Information  
System**

*A service provided by the  
Nassau County  
Property Appraiser's  
Office*

**LINK 55 IMPROVEMENTS**

Printed: Aug 15, 2013

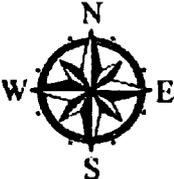


THIS MAP HAS BEEN COMPILED FROM THE MOST AUTHENTIC INFORMATION AVAILABLE NEITHER NASSAU COUNTY, ITS MUNICIPALITIES, NOR THE NASSAU COUNTY PROPERTY APPRAISER'S OFFICE ASSUMES RESPONSIBILITY FOR ERRORS OR OMISSIONS CONTAINED HEREIN. THIS IS NOT A SURVEY



Nassau County  
 Geographic Information System  
 A service provided by the  
 Nassau County  
 Property Appraiser's  
 Office

## LINK 85/79 IMPROVEMENTS



Printed: Aug 15, 2013

## Appendix F

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### Average Trip Length Data

**Appendix F**  
**Average Trip Lengths for Non-Residential Land Uses**  
**Nassau County Mobility Plan**

ITE Code	Land Use Type	Average Trip Length (miles) *	
		East of I-95	West of I-95 **
<b>Residential</b>			
210	Single Family Detached	11.69	16.59
220	Multi-Family (Apartments)	11.69	16.59
230	Condominium/Townhouse	11.69	16.59
310	Hotel/Motel	11.69	16.59
210	Other Residential (Same as Single Family)	11.69	16.59
<b>Non - Residential (Per 1,000 SF unless otherwise stated)</b>			
110	Industrial	9.70	13.77
150	Warehouse	9.70	13.77
151	Mini-warehouse	9.70	13.77
720	Medical Office	9.90	14.05
710	General Office	9.70	13.77
710	General Office	9.70	13.77
710	General Office	9.70	13.77
710	General Office	9.70	13.77
710	General Office	9.70	13.77
710	General Office	9.70	13.77
710	General Office	9.70	13.77
760	Research and Development Center	9.70	13.77
812	Building Materials and Lumber Store	5.40	7.66
817	Garden Center	6.70	9.51
820	Shopping Center	6.70	9.51
820	Shopping Center	6.70	9.51
820	Shopping Center	6.70	9.51
820	Shopping Center	6.70	9.51
820	Shopping Center	6.70	9.51
932	Restaurant ***	3.17	4.50
934	Fast Food Restaurant (w/ drive-thru) ***	2.05	2.91
841	Car Dealerships	9.70	13.77
850	Supermarket	5.40	7.66
853	Convenience Market w/ Gas Pumps ***	1.51	2.14
890	Furniture Store	6.70	9.51
<b>Non - Residential (Per unit quantity as stated below)</b>			
912	Drive-In bank	4.80	6.81
560	Church	11.69	16.59

**Notes:**

\* Average Trip Length for Residential Land Uses obtained from NERPM (Travel Demand Model) runs for Nassau County Mobility Plan Analysis.

\* Average Trip Length for Non-residential Land Uses were adjusted based on the National Household Travel Survey (NHTS) and NERPM runs for Nassau County Mobility Plan Analysis

\*\* NHTS Average Trip Length for Non-residential Land Uses West of I-95 were adjusted in the ratio similar to the NERPM Average Trip Lengths used in Residential Land Uses

\*\*\*\* Average Trip Lengths for Land Use Codes 932, 934, 853 were obtained from Pasco County Mobility Plan

Average Vehicle Trip Length by Purpose	
Trip Purpose	Trip Length (miles)
Vacation	31.4
Other	19.0
Work-related business	17.2
Visit friends/relatives	15.7
To/from work	12.2
Medical services	9.9
All trips	9.7
School/Daycare/Church	8.8
Social/recreational	8.6
Family/personal business	6.8
Shopping	6.5

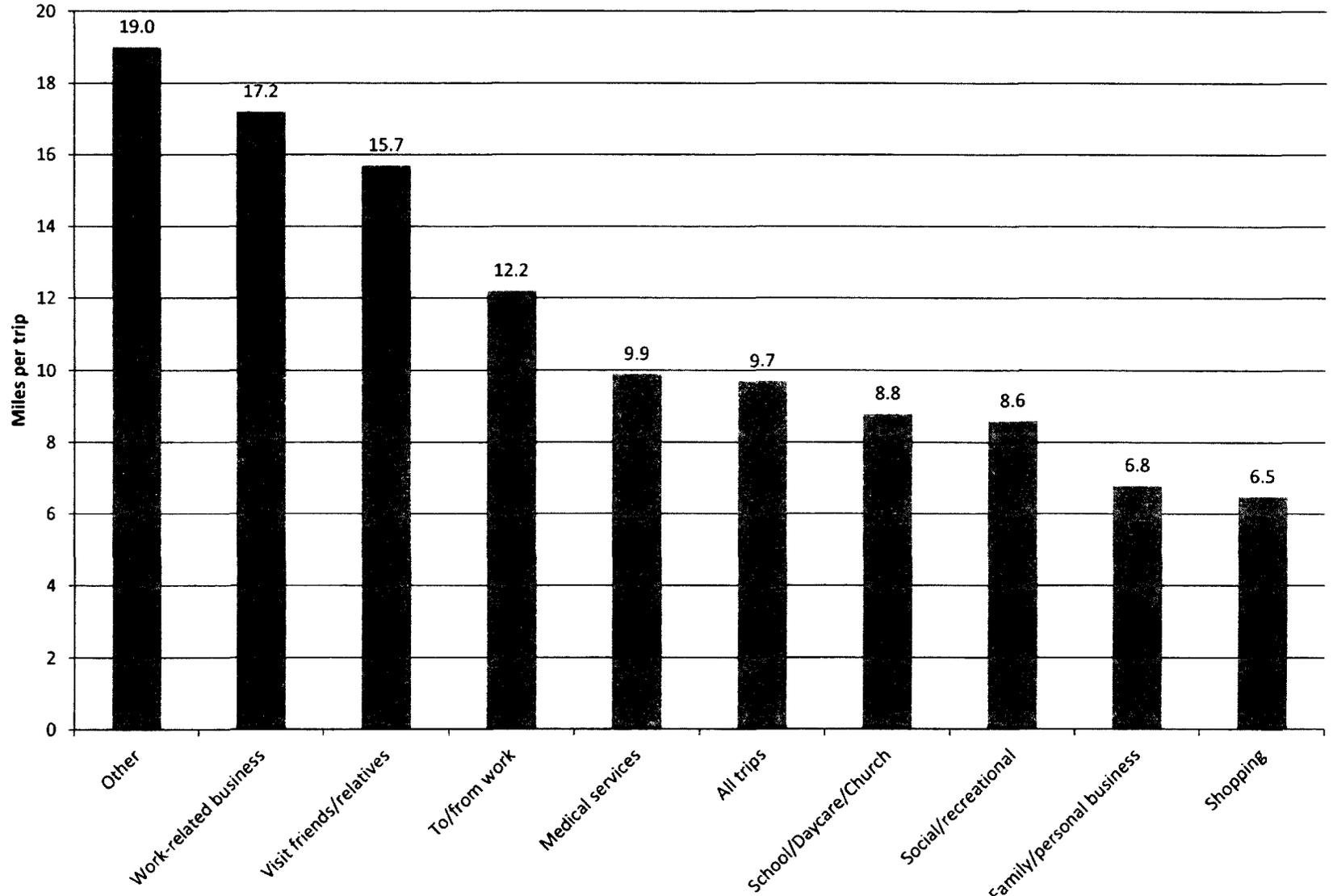
**Data Source:**

Oak Ridge National Laboratory. National Household Travel Survey and Transportation Energy Data Book #30.  
 Accessed 9-28-2011 at <http://cta.oml.gov/data/index.shtml>

**Notes:**

Worksheet available at [www.afdc.energy.gov/afdc/data/](http://www.afdc.energy.gov/afdc/data/)  
 Updated on 05/27/2011

## Average Vehicle Trip Length by Purpose



# Summary of Task Force Guiding Principles

- New Growth Should Pay for Itself
  - This goal can be met using a Mobility Fee to pay for new growth.
- Positive Impacts Credited.
  - Can be more competitive by adding an economic element (Alachua and Pasco).
- Competitive with Adjacent Jurisdictions
  - Mobility Fee is being used by our largest competitor to the south.
- Encourage infill
  - Mobility Fee could include an incentive to encourage infill.
- Fairness
  - System adopted should be predictable, fair, and efficient

# Summary of Task Force Guiding Principles

- Keep it Simple
  - The Mobility Fee would include a clear system for staff use that would require minimal input from applicant in order to return the respective Fee.
- Encourage Mixed Use
  - The Mobility Fee would be reduced for mixed use projects since vehicle trip lengths could be reduced or eliminated
- Minimize Urban Sprawl
  - Mobility Fee will be based on VMT not Trips. Therefore, there is an incentive to reduce VMT.
  - Water and sewer will be encouraged in areas with higher densities.

**CITY COMMISSION AGENDA ITEM**  
*City of Fernandina Beach*



2017-86

**SUBJECT:** Resolution  
Interlocal Agreement - Nassau County Board of County Commissioners

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**ITEM TYPE:** Resolution

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**REQUESTED ACTION:** Adopt Resolution 2017-86

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**SYNOPSIS:** Resolution 2016-52 was found to be flawed in its reference to the previously established Nassau County Transportation Benefit Districts. The revisions contained in the Resolution approving the Interlocal Agreement provides an accurate reference to the Nassau County Mobility Zone 1 for collection of mobility impact fees.

This Interlocal Agreement authorizes the City to collect Nassau County Mobility Fees on behalf of Nassau County when a project is within the City limits. The attached agreement outlines the fee collection process and attachments illustrate how fees are calculated.

The City and County have operated under a similar Interlocal Agreement in the past for the collection of Transportation Impact Fees. The collection of these impact fees was suspended for a number of years due to the economic recession; during this period, the County, in accordance with State-wide direction, worked to transition its assessment of transit related impacts away from the former traffic-based "concurrency" model to one based on overall mobility strategies to accommodate future growth. An extensive study of mobility needs and growth patterns, known as the Nassau County Mobility Plan, was adopted by the County as a basis for a new fee structure tied to development impacts. Nassau County Ordinance 2014-16 adopts the Mobility Fee Study and associated Mobility Fee rates.

(Please note that, in accordance with direction in the Comprehensive Plan, the City is beginning its efforts to develop a mobility plan specific to the City's transportation network. The City's study will focus on intermodal improvements, in an effort to plan for and fund mobility related improvements for all modes of transportation. Upon completion and adoption, the City will begin assessing and collecting Mobility Fees in addition to those collected by the County.)

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**FISCAL IMPACT:** Restores the funding source for County mobility improvements which serve the needs of both City and County residents.

All fees collected will be transferred on a monthly basis to the Nassau County Clerk of Court and a report to the Nassau County Building Official containing a copy of the remittance shall be provided. All fees will be deposited into the Nassau County Mobility Fee Trust Fund for use in Nassau County Mobility Zone 1.

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**CITY ATTORNEY COMMENTS:** No additional comments.

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**CITY MANAGER RECOMMENDATION(S):** I recommend that the City Commission adopt proposed Resolution 2017-86.

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Dale Martin, City Manager

Tammi Bach, City Attorney

Vee Sellers, Paralegal

Date:05/23/2017

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**COMMISSION ACTION:** Adopt

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