



Mobility Plans

Policy Position Statement:

The Florida League of Cities SUPPORTS legislation that defines mobility plans and fees in order to provide the clarity and consistency needed to assist Florida’s cities in implementing alternative modes of transportation.

Background:

In 2009, the state convened a multi-member panel to look at alternatives to concurrency. That panel specifically attempted to find options to assist urban infill and redevelopment rather than current practices that focused on development everywhere.

In 2013, the Legislature decided to clarify the several types of transportation mitigation systems under Florida law and created mobility fees as a legally viable alternative. Three types of systems were identified in statute: concurrency, mobility plan with an adopted mobility fee and non-mobility fee-based systems. However, no new definitions were provided in statute. Additionally, there is no case law on mobility plans or mobility fees.

Since the law has been effect since 2013, 30 cities and 18 counties have adopted or are in various stages of approval or consideration for adoption of a mobility plan or mobility fee. Each system required that the fee charged be consistent with rational nexus based on established case law, now codified by 2019 legislation, and that Backlog could not be included in the formula.

Absent legislative guidance, city ordinances on mobility plans and mobility fees are open to attack over differing legal interpretations of the current state statute. Therefore, the Florida League of Cities supports legislation that provides guidance for the creation and adoption of alternative transportation mitigation systems such as mobility plans and mobility fees.

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