Public Hearing 6 P.M. or as soon thereafter as the agenda permits. The City Commission will conduct these public hearings in its dual capacity as Local Planning Agency and City Commission.

02/ 4/2025

City of Boynton Beach
Agenda Item Request Form

Meeting Date: 02/ 4/2025

Proposed Ordinance No. 25-002- First Reading- An Ordinance of the City of Boynton Beach, Florida, amending Code of Ordinances Part III, "Land Development Regulations," Chapter 1, "General Administration," Article II, "Definitions," and Chapter 2, "Land Development Process," Article VI, "Impact and Selected Fees," Section 7, "Palm Beach County Fees" and establishing Section 10, "Mobility Fees;" providing for update of definitions; providing for repeal of the collection of County road impact fees within the mobility fee assessment area; providing for collection of mobility fees within the mobility fee assessment area; providing for authority; setting forth general provisions for mobility fees, definitions, purpose, the mobility fee technical report, and rules of construction; providing for imposition and a mobility fee schedule; providing for establishment of a mobility fee assessment area; providing for the process for review of alternative and special fee determinations, credits, establishment of a mobility fee benefit district, fund accounts, expenditures, refunds, effects on land development regulations, development of an administrative procedures and service charges, requirements for annual reporting, review and updates, agreements, interlocal agreements, vested rights, and penalties for violations; providing for conflicts; providing for severability; providing for scrivener's errors; providing for liberal interpretation; providing for modifications; providing for conflicts, severability and an effective date.

Requested Action:

Staff recommends approval of Proposed Ordinance No. 25-002, on First Reading.

Explanation of Request:

On October 24, 2023, the City Commission authorized a study to move forward with development of a mobility fee. The Florida Legislature adopted House Bill 479 in 2024 that amended Florida Statutes to provide further guidance to local governments pursuing alternatives to transportation concurrency and road impact fees. The amendment included definitions for mobility plans and mobility fees and explicitly stated that any local government may adopt an alternative transportation system based on a mobility plan and a mobility fee.

The Mobility Fee Technical Report documents the future growth, the data and methodology

used to develop a mobility fee to mitigate the impact of new development, and establishment of a benefit district within the City. The updated Mobility Plan Projects serve as the basis to develop the City's Mobility fee and provide a foundation for the City to provide proactively prioritize projects to meet the growth, travel, and mobility needs of the community in a manner that is coordinated with the Future Land Use Element in the City's Comprehensive Plan. The updated Mobility Plan Projects contains walking and streetscape enhancements, curbless shared streets, roadway improvements, shared-use paths, sidewalks, bike lanes, boardwalks, transit circulators, water taxi service, mobility hubs, and multimodal programs, services, and studies.

The Mobility Fee is based on the updated Mobility Plan Projects, which is consisting of improvements, programs, and services, to: (1) improve the City's multimodal transportation system; (2) promote compact, mixed-use, and interconnected development; and (3) enhance mobility within the City for residents, employees, businesses, students, and visitors. The Mobility Fee is intended to be assessed on all new development within the Mobility Fee Assessment Area.

- Mobility Fees are not: (1) a reoccurring tax; (2) assessed to existing residential or non-residential property; or (3) deposited into general revenue funds of the City.
- Mobility Fees are: (1) a streamlined one-time assessment on new development; (2) intended to offset the impact of new development; and (3) deposited into special revenue funds for Mobility Fees to be expended within a defined benefit district.

Mobility Fees are legally and statutorily required to be spent on Mobility Projects that provide a mobility benefit to the new development that paid the Mobility Fee.

How will this affect city programs or services? Approval of this Ordinance will also develop, enhance, and maintain the transportation system which will serve needs of all sectors of the City in a safe, efficient, cost effective, and aesthetically pleasing manner that promotes multi-modal transportation options including walking, bicycling, and public transit.

Account Line Item and Description: N/A

Fiscal Impact: The approval of the proposed ordinance increases City revenue by imposing a Mobility Fee.

Attachments:
Ord. 25-002 Agenda_Item_2728-2025_Ordinance_for__Imposition_of_Mobility Fee
Executive Summary for Mobility Plan Projects and Mobility Fee.pdf
Mobility Fee Technical Report with Updated Mobility Plan Projects.pdf

House Bill 479 Overview.pdf