

**CONCURRENCY AND MOBILITY  
MANAGEMENT SYSTEM**

**HANDBOOK**

**FOR  
JACKSONVILLE, FLORIDA**

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## **City of Jacksonville Concurrency and Mobility Management System Handbook Acronyms**

ADT	Average Daily Traffic (weekday)
CCAS	Conditional Capacity Availability Statement
CDN	City Development Number
CIE	Capital Improvements Element
CIP	Capital Improvements Program
CMMS	Concurrency and Mobility Management System
CMMSO	Concurrency and Mobility Management System Office
CRC	Concurrency Reservation Certificate
DRI	Development of Regional Impact
FDOT	Florida Department of Transportation
ITE	Institute of Transportation Engineers
LOS	Level of Service
MFCC	Mobility Fee Calculation Certificate
VMT	Vehicle Miles Traveled
VPAC	Vested Property Affirmation Certificate

# **City of Jacksonville Concurrency and Mobility Management System Handbook**

## **1.0 Introduction**

The City of Jacksonville implemented the Concurrency Management System Ordinance, Chapter 655, of the Ordinance Code on April 1, 1991. It provides the local structure for administering the state law, Chapter 163, Part II, Florida Statutes. It also provides for vested rights, procedures for concurrency reviews, certificates ascertaining concurrency approvals, appeal mechanisms, and fee structures.

In September 2011, in order to adequately and efficiently address the City's mobility needs, the City replaced transportation concurrency with the 2030 Mobility Plan. The intent of the 2030 Mobility Plan is to replace the transportation concurrency management system with a holistic mobility approach that applies a fee system to new development based upon the link between land development and transportation. The new Part 5 of Chapter 655 established the process necessary to implement the 2030 Mobility Plan and combined it with concurrency to create the Concurrency and Mobility Management System (CMMS).

The local ordinance also provides for the establishment of the Concurrency and Mobility Management System Office (CMMSO). The CMMSO is part of the City's Planning and Development Department, an activity of the Department's Development Services Division. It is located on the second floor of the Ed Ball Building, 214 N. Hogan Street. Planners and other personnel associated with the CMMSO are responsible for coordinating and managing the City's Concurrency and Mobility Management System.

This handbook is primarily intended to be a guide for persons needing to complete one of the various applications or special forms associated with Jacksonville's Concurrency and Mobility Management System, and it also offers more specific information concerning the testing methodologies of the City's Concurrency and Mobility Management System Agencies. For additional information concerning the City's Concurrency and Mobility Management System, please consult Chapter 655, Ordinance Code.

## **2.0 General**

### **2.1.0 Authority**

This document shall be known as the Concurrency and Mobility Management System Handbook, as referenced in the City of Jacksonville Concurrency and Mobility Management System Ordinance, Chapter 655, Ordinance Code.

### **2.2.0 Purpose**

The purpose of this Concurrency and Mobility Management System Handbook is to define the Concurrency and Mobility requirements of the 2030 Comprehensive Plan. The Handbook outlines the requirements and procedures that must be followed by Applicants for new Developments in order to satisfy Concurrency and Mobility requirements.

### **2.3.0 Definitions**

*Average Daily Traffic (weekday)* means the total traffic volume during a given time period, more than a day and less than a year, divided by the number of days in that time period.

*Capacity* means a maximum and quantifiable ability for a public facility, except traffic circulation and mass transit to provide service to its users, calculated relative to a level of service infrastructure standard. It includes the following:

- (1) *Existing capacity* means used capacity plus capacity not used but available at the present time.
- (2) *Projected capacity* means existing capacity plus future capacity expected after improvement of the facility.
- (3) *Threshold capacity* means a level of capacity over which a warning signal will indicate that the facility will soon reach its existing capacity.
- (4) *Available capacity* means that portion of existing capacity not yet used or committed for use.
- (5) *Free capacity* means the amount of available capacity that can be offered to an applicant for a Conditional Capacity Availability Statement (CCAS) or Concurrency Reservation Certificate (CRC) which will not be depleted by pending applications.
- (6) *Improvement capacity* means added capacity potential expected by a capital improvement, but not including existing capacity, if any.
- (7) *Committed improvement capacity* means the increase in capacity associated with a capital improvement meeting the requirements set forth in Section 655.112 as of the date of acceptance of the application for a CCAS or CRC by the Concurrency and Mobility Management System Office (CMMSO), less any reserve priority capacity.

*Capital improvement element* means that element of the 2030 Comprehensive Plan adopted pursuant to Chapter 650, Ordinance Code and F.S. Ch. 163, Pt. II, which evaluates the need for public facilities as identified in the other 2030 Comprehensive Plan elements and as defined in the applicable definitions for each type of public facility, which estimates the cost of improvements for which the local government has fiscal responsibility, which analyzes the fiscal

capability of the local government to finance and construct improvements, which adopts financial policies to guide the funding of improvement, and which schedules the funding and construction of improvements in a manner necessary to ensure that capital improvements are provided when required based on needs identified in the other adopted 2030 Comprehensive Plan elements.

*Comprehensive Plan or plan* means the City of Jacksonville's 2030 Comprehensive Plan adopted pursuant to Ordinance 2009-791-E on November 10, 2009 by the City Council, with an effective date of February 4, 2010, as such a plan may be amended from time to time.

*Concurrency* means that the necessary public facilities and services to maintain the adopted level of service standards are available when the impacts of development occur.

*Concurrency and Mobility Management System (CMMS)* means the procedures and/or processes utilized by the City to assure that final development orders and final development permits are not issued unless the necessary facilities to support the development, except traffic circulation and mass transit are available concurrent with the impacts of the development and the traffic circulation and mass transit public facilities meet the performance standards as provided in a manner consistent with the 2030 Mobility Plan. These procedures and/or processes are specified in the Concurrency and Mobility Management System Handbook for Jacksonville, Florida.

*Concurrency Reservation Certificate (CRC)* means the official document issued by the City through the CMMSO upon finding that an application for the certificate in reference to a specific final development order or final development permit for a particular development will not result in the reduction of the adopted level of service standards for impacted potable water, sanitary sewer, recreation, public schools, drainage and solid waste facilities and services, as set forth in the 2030 Comprehensive Plan.

*Conditional Capacity Availability Statement (CCAS)* means the official document issued by the City through the CMMSO which precedes the review of an application for a CRC and which constitutes the issuance of reserve capacity or a statement of those conditions which must be fulfilled prior to the issuance of reserve capacity as to the public facilities, except traffic circulation and mass transit listed in Section 655.112, Ordinance Code.

*Development* means the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of a structure or land, or the division of land into three or more parcels according to a plat of record. The following activities or uses shall be taken to involve development.

1. A reconstruction, alteration of the size or material change in the external appearance of a structure or land.
2. A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure, or on land or a material increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land.
3. Alteration of a shore or bank of a river or stream, lake, pond or canal, including any coastal construction defined in F.S. Section 161.021.
4. Commencement of drilling, except to obtain soil samples, mining or excavation on a parcel of land.

5. Demolition of a structure.
6. Clearing of land as an adjunct of construction.
7. Deposit of refuse, solid or liquid waste or fill on a parcel of land.

*Development Area* means an area depicted on the FLUM series which controls the density, development characteristics, and other variables within plan categories. The City is organized by five tiers of Development Areas including: the Central Business District (CBD); the Urban Priority Area (UPA); the Urban Area (UA); the Suburban Area (SA); and the Rural Area (RA).

*Development order means* any order issued by the City granting, denying or granting with conditions an application for approval of a development project or activity. The term development order encompasses the following:

- (1) *Development permit* means an official document issued by the City which authorizes land alteration or the commencement of construction without the need for any further applications or approvals. Development permits include: all types of construction permits, such as plumbing, electrical, foundation, mechanical, etc., in addition to the building permit itself, grading, site clearing and demolition permits, septic tank permits, tree removal permits and sign permits.
- (2) *Preliminary development permit* means an official document issued by the City which authorizes certain types of preliminary development which either would not have an impact on levels of service or performance standards or would occur at a stage in the development process when the proposed project has not been precisely defined and where the density, intensity and type or use of the ultimate development is not known. A CRC or payment of a mobility fee is not required prior to the issuance of a preliminary development permit, which term shall include, but not be limited to: a site clearing permit, a demolition permit, a tree removal or relocation permit, a swimming pool permit, a septic tank permit, a sign permit, a fence permit, and an awning permit.
- (3) *Final development permit* means an official document issued by the City which authorizes the commencement of construction which would be expected to have an impact on levels of service or performance standards or would occur at a stage in the development process when the proposed project has been precisely defined and where the density, intensity and type or use of the ultimate development is known. A CRC and the payment of the mobility fee is required prior to the issuance of a final development permit, which term shall include, but not be limited to: a building permit, for any new building, addition, or accessory building, new mobile home move on, or trailer, park and camps, and converting use not found to be de minimis by the CMMSO; a building permit for any nonresidential alterations and repairs, foundation only, or other type of improvement not found to be de minimis or exempt.
- (4) *Preliminary development order* means a preliminary approval given by the City which does not authorize actual construction, alterations to land or structures or other development. A preliminary development order may authorize a change in the allowable use of land or a building, and may include conceptual approvals

where a series of approvals are required before authorization to commence land alteration or construction may be given by the City. A CRC or the payment of a mobility fee is not required prior to the issuance of a preliminary development order, which term shall include, but not be limited to: an order granting an administrative appeal, an amendment to the Future Land Use Map series of the 2030 Comprehensive Plan, an amendment to the 2030 Comprehensive Plan which affects land use or development standards, approval of preliminary sketch plans under Section 654.107, approval of site plans under Section 656.404, an order granting a zoning variance or exception, a rezoning and a written determination of consistency with the 2030 Comprehensive Plan.

- (5) *Final development order* means a final approval given by the City for a development project which has been precisely defined in terms of the intensity and use of the project. The final development order authorizes the project, whereas the preliminary development order or permit authorizes specific components of the project, such as, parking lot installation, landscaping, etc. A CRC is required prior to the issuance of a final development order, which term shall include, but not be limited to: approval of final construction plans for required improvements under Chapter 654, Ordinance Code, final plat approval under Chapter 654, Ordinance Code, approval of final construction and/or engineering plans under Chapter 320, Ordinance Code, and a local development order approving a Development of Regional Impact or Florida Quality Development. The payment of a mobility fee shall be required prior to approval of final construction and/or engineering plans under Chapter 320, Ordinance Code or building permits for single family residential construction.

*Existing Use* means the actual, present use or the last lawful use on the property.

*Expedited Mobility Fee Calculation Certificate* means the official document issued by the City through the CMMSO which constitutes the determination of the mobility fee calculation using the formula set forth in Chapter 655, Ordinance Code, without the Trip Reduction Adjustments.

*Internal Vehicular Interconnectivity* means access between two or more buildings in which vehicle trips can be made in both directions without using the off-site road system.

*Level of Service (LOS)* means an indicator of the extent or degree of service provided by, or proposed to be provided by, a facility based on and related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility of service.

*Memorandum of Agreement* means an informal agreement entered into by the developer and the Director of Planning and Development setting forth the terms which will serve as the basis of a future formal development agreement entered into pursuant to Part 2, Chapter 655, Ordinance Code.

*Mixed-Use Development* is typically a single real-estate development that consists of land uses corresponding to two or more ITE land use types between which trips can be made without

using the off-site road system. A mixed-use development may also be referred to as a multi-use development.

*Mobility Fee Calculation Certificate (MFCC)* means the official document issued by the City through the CMMSO which constitutes the determination of the mobility fee calculation using the formula set forth in Chapter 655, Ordinance code, with the trip reduction adjustments.

*Mobility Fee Contract* is a binding contract entered into between the City and a developer wherein a developer is authorized to proceed with a proposed development or the City has authorized Mobility Fee Credits to be issued for donation of eligible land, pursuant to Chapter 655, Ordinance code.

*Mobility Plan* refers to the 2030 Mobility Plan, adopted by reference.

*Mobility Score* is a measurement to determine the average quality of service of the Mobility Plan within each Mobility Zone. The Q/LOS value for each mode of transportation will be weighed based on location and need of each Mobility Zone so as to arrive at a Mobility Score for each Mobility Zone. A city-wide Mobility Score will also be determined from the average scores of all Mobility Zones.

*Mobility Zone* means a defined geographic area, as depicted in the Transportation and Capital Improvements Elements of the 2030 Comprehensive Plan, within each Development Area that is delineated so that its area is approximately equal to the average trip length of the underlying Development Area.

*Multi-Modal Transportation Corridor* is a corridor within which facilities for more than one transportation mode are accommodated and which provides facilities for movement between different transportation modes.

*Multi-use Path* is a shared-use pathway used by pedestrians, roller-bladers/skaters, runners, bicyclists, and other non-motorized users that is separated from motorized vehicular traffic by an open space or other barrier and is located within a public or private right-of-way.

*Pedestrian* shall be construed to include persons traveling on foot and persons in wheelchairs.

*Public Facilities or Services* means those facilities and services specified in the 2030 Comprehensive Plan for which level of service standards or other performance standards have been adopted: traffic circulation, potable water, sanitary sewer, solid waste, drainage, recreation, public schools and mass transit.

*Quality/Level of Service (Q/LOS)* is an indicator of the extent or degree of service provided by, or proposed to be provided by a transportation facility based on and related to the operational characteristics of the facility. As it related to traffic circulation, Q/LOS is a qualitative measure describing operational conditions within a traffic stream; generally described in terms of such factors as speed and travel time, freedom to maneuver, traffic interruptions, driver comfort and convenience, and safety.

*Reserve capacity* means that capacity for public facilities, except for traffic circulation and mass transit demanded by the impacts of CRC or CCAS applications on a “first come-first served” basis.

*Reserve priority capacity* means those capacities demanded by Developments of Regional Impact (DRI), Florida Quality Developments (FQD) or development capacities negotiated in a development agreement pursuant to Part 2, Chapter 655, Ordinance Code, and F. S. § 163.3202.

*Reviewing divisions* mean those specific divisions within the City agencies and departments affected by the provisions of this CMMS which have the responsibility to develop and utilize methods and procedures to assess a proposed development’s impact on public facilities, except traffic circulation and mass transit and which must approve or deny the proposed development based on the ability of each public facility, except traffic circulation and mass transit to absorb such impacts without decreasing the established level of service for that facility.

*Substantial deviation* means any proposed change from a final development order or final development permit for which a VPAC or CRC is required and which meets the criteria set forth in Section 655.113(a).

*Vested capacity* means the quantifiable impacts on public facilities by development authorized pursuant to finalized building permits approved for proposed developments which have been issued VPACs.

*Vested Property Affirmation Certificate (VPAC)* means the official document issued by the City through the CMMSO which waives all concurrency and mobility fee requirements for a final development permit or final development order issued prior to September 21, 1990 for a development which has commenced prior to the dates set forth in Section 655.109(a) of the Ordinance Code, provided such development does not substantially deviate, under the criteria set forth in Section 655.113 from the terms of the original development permit or development order, and further provided that such development continues in good faith toward completion.

*Vested Property Annual Status Report* means the complete and detailed report required to be submitted to the CMMSO by the holder of a VPAC on each anniversary of a development’s VPAC issuance which demonstrates and documents the development’s progress and continuance in good faith according to its original development permit or order.

*VMT* means vehicle miles traveled.

### **3.0 Concurrency Review Process**

#### **3.1.0 Concurrency Review**

- (1) In order to satisfy Concurrency, all proposed Development, except that Development found to be De minimis, Vested or Exempt under the provisions of Chapter 655, Ordinance Code, shall undergo a Concurrency Review prior to issuance of a building permit.
- (2) The Concurrency Review shall determine if there is adequate available Capacity in each of the concurrent facilities to accommodate the impact of the proposed new development.
- (3) Based on the results of the Concurrency Review, the CMMSO shall issue a CCAS or CRC, a conditional CCAS or CRC, or deny a CCAS or CRC.
- (4) The Applicant shall have the right to appeal the denial of a CCAS or CRC, pursuant to the procedures set forth in Section 6.0 and Section 655.114, Ordinance Code.

#### **3.1.1 De minimis Development Review**

- (1) The following development shall be deemed de minimis and not subject to a mobility fee or CMMS review, except as set forth within this section:
  - (a) A change in use of a structure completed as of Ordinance 2011-536-E, without addition of square footage, from a lawful use within a presently applicable zoning district to a similar permitted use, as defined by the applicable Institute of Transportation Engineers' land use code, within the same zoning district shall be exempt from all CMMSO review.
  - (b) A development that solely consists of a development activity that has no vehicle trip generation.
  - (c) All public facilities provided by the City of Jacksonville necessary to ensure the protection of the health and safety of the citizens of the City of Jacksonville.
  - (d) Any building used principally as a place wherein persons regularly assemble for religious worship, including sanctuaries, chapels and cathedrals and on-site building adjacent thereto, such as parsonages, friaries, convents, fellowship halls, Sunday schools and rectories, but not including day care centers, community recreation facilities, and private and/or secondary educational facilities.
  - (e) Any permits for outside retail sales of holiday items.
- (2) An applicant for any final development order or final development permit for such a development shall be required to file an application for a CRC pursuant to Section 655.111 hereof. The CMMSO shall process the application for a CRC in an expeditious manner and shall approve the building permit "De Minimis Approved." Such a building permit shall be exempt from the payment of the mobility fee and any further concurrency review.

### 3.1.2 Exemptions and Vested Rights

The following development or development activity shall be exempt from CMMS review and the payment of the mobility fee:

- (1) Requirements for vested rights. The provisions of Chapter 655, Ordinance Code, shall not affect the validity of any lawfully issued and effective final development orders or final development permits which were issued prior to April 25, 1991, provided that such development activity as is authorized by the order or permit has commenced prior to April 25, 1991, and is continuing in good faith towards completion.
- (2) DRI and FQD approvals. Nothing contained in Chapter 655, Ordinance Code shall limit or modify the rights of any person to complete any development that has been authorized as or vested as a Development of Regional Impact (DRI), or a Florida Quality Development (FQD) pursuant to F.S. Ch. 380, prior to the effective date of this Chapter, unless the development order authorizing such development contains provisions wherein the development is required to meet concurrency requirements or other local zoning, subdivision or growth management laws adopted subsequent to the development order; provided, however, that verification of the issuance of the development order shall be made by the CMMSO. An owner or developer of property which is subject to a DRI or FQD shall be required to comply with the procedures set forth in Section 655.110 in order to obtain a VPAC, but shall not be required to pay the application fee which would otherwise be charged for filing an application for a VPAC.
- (3) Prior concurrency approvals. Concurrency approvals for Conditional Capacity Availability Statements (CCAS), Concurrency Reservation Certificates (CRCs), Vested Property Affirmation Certificates (VPACs), Development Agreements and Redevelopment Agreements that have not expired shall be recognized and accepted until expiration. Development authorized by a fair share assessment contract may be completed in reliance upon and pursuant to the fair share assessment contract as set forth in Section 655.301 of Chapter 655, Ordinance Code.
- (4) Planned Unit Developments (PUDs) may be deemed vested where development has commenced and is continuing in good faith. For the purposes of this Chapter, it is determined that the adoption of an ordinance approving a Planned Unit Development (PUD) pursuant to Section 656.340, Ordinance Code, prior to April 25, 1991, may constitute substantial competent evidence which is sufficient to demonstrate that the requirements of subsections (5)(a), (b), (c) and (d) of this Section have been met, provided the applicant also demonstrates, by substantial competent evidence, to the satisfaction of the Director of Planning and Development that development pursuant to the PUD ordinance has commenced and is continuing in good faith in accordance with the written description of the intended plan of development, site plan and conditions approved as part of the ordinance creating the PUD. Any modification to the PUD enacted after April 25, 1991, that generate additional vehicle trips, are not exempt.

- (5) Requirements for common law vested rights. Nothing in Chapter 655, Ordinance Code, shall be construed to abrogate validly existing vested rights. However, it shall be the duty and responsibility of the person alleging vested rights to demonstrate affirmatively the legal requisites to establish such vested rights. The City shall recognize validly existing vested rights by the issuance of a VPAC, even if such rights are inconsistent with the 2030 Comprehensive Plan or the requirements of this Chapter, upon a determination by the CMMSO that the person alleging vested rights:
- (a) Has acted in good faith and in reasonable reliance;
  - (b) Upon a valid, unexpired act or omission of the government;
  - (c) Has made such a substantial change in position or incurred extensive obligations and expenses; and
  - (d) That it would be highly inequitable or unjust to destroy the rights he or she has acquired.

The following shall not be considered development expenditures or obligations in and of themselves: expenditures for legal or other professional services which are not related to the design or construction of improvements, taxes paid, or expenditures related to the acquisition of land. Furthermore, the mere existence of a particular zoning classification or a development permit or development order issued prior to the effective date of this Chapter shall not be determined to vest rights under this subsection (3) of this Section.

- (6) All public educational and ancillary plants as defined in Chapter 1013, Florida Statutes, or charter schools governed by Section 1002.33, Florida Statutes.
- (7) Transit stations and terminals; transit station parking; park-and-ride lots; intermodal public transit connection or transfer facilities; fixed bus, guideway, and rail stations; and airport passenger terminals and concourses, air cargo facilities, and hangars for the assembly, manufacture, maintenance, or storage of aircraft in conjunction with an airport. As used in this subsection, the term "terminals" does not include seaports or commercial or residential development constructed in conjunction with a use listed herein.
- (8) A maximum of two single family dwellings on a lot of record, as defined in Chapter 656 (Zoning Code), Ordinance Code.
- (9) Private primary and secondary education schools, including any on-site ancillary facilities, shall be exempt from the payment of the mobility fee but not from concurrency requirements.

### **3.2.0 Concurrency Applications**

#### **3.2.1 Conditional Capacity Availability Statement (CCAS)**

- (1) An applicant may make an application for a CCAS. An applicant for a CCAS shall file a completed application with the CMMSO on the form provided by that office according to the instructions contained in Appendix A. The applicant shall provide all the information requested on the application, to the extent applicable. Upon the payment

of the application fee to the Tax Collector, copies of the application shall be transmitted immediately to each reviewing division. The acceptance of an application for a CCAS shall constitute the issuance of reserve capacity as to those public facilities, except for traffic circulation and mass transit, for which there is free capacity on the date of acceptance of the application. Each reviewing division shall review the application for compliance with level of service standards according to the methodologies and criteria set forth in the Concurrency and Mobility Management System Handbook for Jacksonville, Florida.

- (2) Each CCAS shall expire automatically one year after the date of issuance unless the applicant applies for the final development order or development permit for which the CCAS was required within the one-year period. An applicant may receive from the CMMSO four extensions of up to six months each based upon a showing of good cause.

### **3.2.2 Concurrency Reservation Certificate (CRC)**

- (1) In the event the applicant has not previously obtained a CCAS, the applicant shall file a completed application for a CRC with the CMMSO on the form provided by that office according to the instructions contained in Appendix A. The applicant shall provide all the information requested on the application, to the extent applicable. Upon the payment of the application fee to the Tax Collector, copies of the application shall be transmitted immediately to each reviewing division. The acceptance of an application for a CRC shall constitute the issuance of reserve capacity as to those public facilities, except for traffic circulation and mass transit, for which there is free capacity on the date of acceptance of the application. Each reviewing division shall review the application for compliance with level of service standards according to the methodologies and criteria set forth in the Concurrency and Mobility Management System Handbook for Jacksonville, Florida.
- (2) In the event the applicant has previously obtained a CCAS and the CCAS has not expired, within ten days after filing an application for the final development order or development permit for which a CCAS has been issued the applicant shall notify the CMMSO of such application on forms provided by the CMMSO which notification, together with the CCAS, shall constitute a completed application for CRC.
- (3) Each CRC shall expire automatically one year after the date of issuance unless the applicant applies for the final development order or development permit for which the CRC was required within the one-year period. An applicant may receive from the CMMSO four extensions of up to six months each based upon a showing of good cause.

### **3.3.0 Procedures for Vested Property Affirmation Certificate (VPAC)**

- (1) An application for a determination of vested rights shall be submitted to the CMMSO of the Planning and Development Department on the form provided by that office according to the instructions contained in Appendix A. The application for the VPAC

shall contain information sufficient to permit a determination by the CMMSO pursuant to the criteria set forth in Section 655.109 and Section 3.1.2 of this Handbook.

### **3.3.1 VPAC Annual Status Report Form**

- (1) All holders of the Vested Property Affirmation Certificates whose proposed developments are not built out are required to complete an annual status report form. The purpose of this form is to monitor the development and to check compliance with the “continuing in good faith” concept pursuant to Section 655.110(c) and (f), Ordinance Code. The CMMSO usually mails the report form to the VPAC holder at least thirty (30) days prior to the anniversary date of the VPAC issuance, along with a written request to complete and return the form. Failure to submit the report by the anniversary date of the VPAC issuance day may result in the revocation of the VPAC by the CMMSO.

### **3.4.0 Informal Concurrency Reviews (ICR)**

- (1) Informal, written concurrency reviews of a proposed development's potential impacts will be issued within ten days of the acceptance of an application by the CMMSO for the informal review. Such applications shall be filed in the same manner as for a formal review, pursuant to the provisions of Section 655.111(b), except that the applicant shall attach a signed and notarized affidavit affirming the applicant's understanding that a formal CRC must be approved prior to the issuance of any final development order or final development permit. An informal written concurrency review is for information purposes only, is not binding upon the City and does not entitle the applicant to receive any final development order or final development permit.

### **3.5.0 City Development Number for De minimis or Exempt Projects**

- (1) Development projects that are De minimis or Exempt, pursuant to Chapter 655, Ordinance Code, but require 10-set Engineering review, require a City Development Number (CDN). A request for a CDN must be submitted to the CMMSO on the form provided in Appendix B. There is no fee associated with this request.

### **3.6.0 Concurrency Review Test Agencies and Contact Persons**

- (1) The Concurrency Test Agencies are comprised of technical staff from City departments. The contact list for each reviewing agency is listed in Appendix C.

### **3.7.0 Application Fees**

- (1) Applicants who submit an application for any Concurrency Review listed in Section 3 shall be required to pay an application review fee. The application fee structure list for Concurrency and Mobility Fee Applications are listed in Appendix D and online ([www.coj.net/DS](http://www.coj.net/DS)).

## **4.0 Concurrency Review Methodologies, Criteria and Design Capacities**

### **4.1.0 Potable Water and Sanitary Sewer**

- (1) This procedure establishes methods and criteria to be utilized by the JEA to evaluate applications for development orders and levels of service criteria, in conjunction with concurrency approval as required by Chapter 655, Ordinance Code.
- (2) To determine LOS for potable water and sanitary sewer, JEA requires an applicant to apply for an Availability Letter, which can be obtained online ([www.jea.com/Engineering\\_and\\_Construction/Water\\_and\\_Wastewater\\_Development/Self-Service\\_Center/Service\\_Availability\\_Form/](http://www.jea.com/Engineering_and_Construction/Water_and_Wastewater_Development/Self-Service_Center/Service_Availability_Form/)).
- (3) The Design Capacities and LOS standards for JEA can be found in Appendix E.

### **4.2.0 Solid Waste**

- (1) Methods and criteria utilized for Solid Waste evaluations of development orders are based on 2030 Comprehensive Plan Infrastructure Element Policy 1.4.6, which states that the City's adopted LOS standard for solid waste disposal shall be a generation rate of 6.7 lbs. per capita per day.
- (2) Design Capacity standards for Solid Waste can be found in Appendix E.

### **4.3.0 Drainage**

- (1) The information required to explicitly address the issues of capacity, either existing or planned, within the City's drainage system can be obtained online ([www.coj.net/DS](http://www.coj.net/DS)). The Goals, Objectives and Policies, as well as the Drainage criteria can be found in Appendix E.

### **4.4.0 Recreation**

- (1) Recreation activities for residential development to be tested for concurrency include the following:
  - (a) Active/Passive park Acreage
  - (b) Regional Park Acreage
  - (c) Swimming Pools
  - (d) Athletic Fields
  - (e) Courts
  - (f) Trails
- (2) Methods and criteria utilized for Recreation evaluations of development orders are consistent with the Recreation and Open Space Element of the 2030 Comprehensive Plan.
- (3) Design Capacity and LOS standards for Recreation can be found in Appendix E.

#### **4.5.0 Public Schools**

- (1) Public School evaluations pertain to residential development, unless exempt.
- (2) Methods and criteria utilized for all Duval County Public Schools including magnets and all instructional facility types shall be 105% of the permanent Florida Inventory of School House (FISH) capacity plus portables, based on the utilization rate as established by the State Requirements for Educational Facilities (SREF).
- (3) Design Capacity and LOS standards can be found in Appendix E.

## **5.0 Mobility Fee**

### **5.1.0 Mobility Fee Program**

In order to adequately and efficiently address the City's mobility needs the City has replaced transportation concurrency with the 2030 Mobility Plan. The intent of the 2030 Mobility Plan is to replace the transportation concurrency management system with a holistic mobility approach that applies a fee system to new development based upon the link between land development and transportation.

The mobility fee will be assessed for new development based on a calculated sum. The fee will then be used to make infrastructure improvements in the area of the new development. A fee adjustment system, as described in Section 2.2.1 of the Mobility Plan for the City of Jacksonville and in this Handbook below, will be utilized in conjunction with the mobility fee to facilitate a mobility-friendly land development pattern. One goal of the mobility fee system is to encourage shorter trips and the reduction of vehicle miles traveled (VMT) through the use of these mobility fee adjustments as financial incentives, thereby promoting a compact and interconnected land development form.

There are two types of mobility fee applications/calculations available to an applicant to determine their mobility fee. One is the Mobility Fee Calculation Certificate (MFCC), which includes the trip reduction adjustments described in Section 5.3.0(5). The second type of calculation is the Expedited Mobility Fee Calculation Certificate, which does not include any trip reduction adjustments as described in Section 5.3.0(5), but does have a four (4) day turnaround time from the date the application is found sufficient.

### **5.2.0 Mobility Fee Requirement, Certificate and Application Process**

- (1) Unless a fair share assessment payment is made per Section 655.301, Ordinance Code, or a development is deemed de minimis, per Section 655.108, Ordinance Code, and Section 3.1.1 of this Handbook, or exempt per Section 655.109, Ordinance Code, or Section 655.510, Ordinance Code, and per Section 3.1.2 of this Handbook, the mobility fee must be paid for the new development prior to approval of final construction and/or engineering plans under Chapter 320, Ordinance Code, or building permits for single family residential construction.
- (2) An applicant for a mobility fee calculation certificate shall file a completed application with the CMMSO on the form provided by that office. The applicant shall provide all the information requested on the application, to the extent applicable. The application shall be accepted by the CMMSO only if the application is completed in full and submitted with all supplementary information required. Upon the payment of the application fee, copies of the application shall be transmitted immediately to the Community Planning Division's Transportation Section.
- (3) The Community Planning Division's Transportation Section will complete a sufficiency review of the application. If the Community Planning Division's Transportation Section determines that the information contained in the application is insufficient to review the application, then the Community Planning Division's Transportation

Section, will within five days of its receipt of the application from the CMMSO notify the CMMSO of the application's insufficiencies. The CMMSO shall immediately notify the applicant of such insufficiencies.

- (4) Except for Expedited mobility fee calculation certificates per Section 5.5.0 below, the MFCC shall be issued by the CMMSO within 14 days from the date the application is accepted and deemed sufficient by the CMMSO, unless the application for a MFCC was submitted with an application for a CCAS for the development, per Section 655.111, or a CCAS application for the development has been pending with CMMSO for less than 31 days. If the application for a MFCC was submitted with a CCAS application for the development or a CCAS application for the development has been pending with CMMSO for less than 31 days, then the MFCC will be issued when the written decision concerning the CCAS for the development is issued.

### **5.3.0 Mobility Fee Calculation**

The mobility fee will be assessed as follows:

- (1) Mobility Fee =  $A \times B \times (C - \text{Trip Reduction Adjustments} - \text{Existing Use Trips})$ 
  - A = Cost per VMT (\$24.31)
  - B = Average VMT per Development Area; and
  - C = Project Daily Vehicle Trips.
- (2) The cost per VMT is determined by dividing the cost of the prioritized transportation improvement projects identified in the Capital Improvement Element (CIE) of the Comprehensive Plan by the projected change in VMT between 2010 and 2030 as set forth in the 2030 Mobility Plan.
- (3) The average trip length (Variable "B" in the equation above) for each Development Area (refer to Appendix J for the Development Area map) is summarized as follows:
  - (a) Central Business District – 9.09 miles
  - (b) Urban Priority Area – 9.24 miles
  - (c) Urban Area – 9.46 miles
  - (d) Suburban Area – 10.28 miles
  - (e) Rural Area – 12.27 miles
- (4) Unless there is a special trip generation study approved by the Planning and Development Department, the Institute of Transportation Engineers (ITE) most recent edition of "Trip Generation" shall be utilized to determine development daily vehicle trips. In the event the ITE "Trip Generation" manual does not list an ADT trip generation rate for a specific use, then either a similar ITE Code will be used, or the applicant shall have the option of conducting a trip generation study approved by the Planning and Development Department, as described in Section 5.4.0. The development daily vehicle trips generated shall be reduced using vehicle trip adjustments based upon physical measures, including but not limited to, residential density, mix of uses, existence of local serving retail, transit service,

pedestrian/bicycle friendliness, pass-by capture trips and diverted linked trips. The development daily vehicle trips generated shall also be reduced by the daily vehicle trips generated by the Existing Use on the property.

- (5) The mobility fee adjustment will be applied to adjust the trip generation (and ultimately to the mobility fee) if the proposed development meets specific design and location-based elements projected to reduce VMT and to encourage the use of alternative modes of transportation. Specifically, URBEMIS vehicle trip adjustments may be given based on the street intersection density, bicycle network completion, sidewalk network completion, household density, number of employees, a mix of uses, transit service, and presence of local servicing retail within a ½ mile radius of the proposed development. Policies which support the application of trip reduction adjustments to an assessed mobility fee are included within the Transportation Element of the Comprehensive Plan. A sample Mobility Fee Calculation worksheet utilizing the trip adjustments can be found in Appendix F.
- (6) An internal capture trip reduction shall be applied to adjust the trip generation if the proposed development contains a mix of uses. The trip reduction shall be calculated using the internal capture methodology contained in the current edition of the ITE "Trip Generation Handbook".
- (7) A pass-by capture trip reduction shall be applied to adjust the trip generation if the proposed development contains uses recognized as pass-by trip attractors. The pass-by trip reduction shall be based on the average pass-by trip reduction percentages contained in the current edition of the ITE "Trip Generation Handbook" (summarized in Table I-1). In the event the ITE "Trip Generation Handbook" does not list a pass-by trip reduction percentage for a specific use, then a related ITE Code may be used, or the applicant shall have the option of conducting a trip generation and pass-by study of similar uses, upon approval by the Planning and Development Department, per Section 5.4.1.
- (8) For prior uses involving demolition of the current structure or a change in use of a structure not meeting the de minimis criteria pursuant to Section 655.108, Ordinance Code, or exempt pursuant to Section 655.109, Ordinance Code, an average daily trip credit will be generated based on the last lawful use and applied to the mobility fee calculation. In the event the ITE "Trip Generation" manual does not list an ADT trip generation rate for a specific use, then either a similar ITE Code will be used, or the applicant shall also have the option of conducting a trip generation study approved by the Planning and Development Department, as described in Section 5.4.0.
- (9) If the proposed development contains uses recognized as diverted link trip attractors, a diverted linked trip reduction shall be applied to adjust the trip generation to account for the trip length reduction specified in the URBEMIS 2007 for Windows user guide version 9.2, Appendix C. The diverted linked trip reduction shall be calculated as seventy-five percent (75%) of the diverted linked trips calculated using the percentages contained in the current edition of the ITE "Trip Generation Handbook" (summarized in Table I-1). In the event the ITE "Trip Generation Handbook" does

not list a diverted linked trip reduction percentage for a specific use, then a related ITE Code may be used, or the applicant shall have the option of conducting a trip generation, pass-by, and diverted linked study of similar uses, per Section 5.4.1, upon approval by the Planning and Development Department.

### **5.3.1 Supplementary Guidelines Pertaining to Specific ITE Codes**

1. For an integrated group of commercial establishments equal to or less than 72,000 square feet of enclosed building area (does not include enclosed building area of outparcel(s)), the following parameters shall apply:
  - a) The trip generation rate and associated pass-by capture percentage for ITE Code 826 (Specialty Retail Center) as provided in Table I-1 in Appendix I shall be applied to the integrated group of commercial establishments excluding the outparcels, if any.
  - b) For outparcels the trip generation rate(s) and associated pass-by capture percentage(s) shall be calculated separately per the specific ITE Land Use Code for each outparcel as provided in Table I-1 in Appendix I.
  - c) Internal capture trip reduction using the methodologies contained in the most recent edition of ITE's Trip Generation Handbook shall be allowed between the integrated group of commercial establishments and outparcels that provide Internal Vehicular Interconnectivity between the uses.
  
2. For an integrated group of commercial establishments greater than 72,000 and equal to or less than 125,000 square feet of enclosed building area (does not include enclosed building area of the outparcel(s)), the following parameters shall apply:
  - a) The trip generation rate and associated pass-by capture percentage for ITE Code 820 (Shopping Center) as provided in Table I-1 in Appendix I shall be applied to all uses and outparcels except for those specifically excluded in Section 5.3.1.2.b.
  - b) For outparcels containing the land uses listed below, or for outparcels that do not provide Internal Vehicular Interconnectivity, the trip generation rate(s) and associated pass-by capture percentage(s) shall be calculated separately per the specific ITE Land Use Code for each outparcel as provided in Table I-1 in Appendix I.
    - i. ITE Land Use Code 851 – Convenience Market (Open 24 Hours)
    - ii. ITE Land Use Code 852 – Convenience Market (Open 415 to 16 Hours)
    - iii. ITE Land Use Code 853 – Convenience Market with Gasoline Pumps
    - iv. ITE Land Use Code 933 – Fast Food Restaurant without Drive-Through Window
    - v. ITE Land Use Code 934 – Fast Food Restaurant with Drive-Through Window
    - vi. ITE Land Use Code 937 – Coffee/Donut Shop with Drive-Through Window
    - vii. ITE Land Use Code 944 – Gasoline/Service Station
    - viii. ITE Land Use Code 945 - Gasoline/Service Station with Convenience Market

- ix. ITE Land Use Code 946 - Gasoline/Service Station with Convenience Market and Car Wash
  - c) Internal capture trip reduction using the methodologies contained in the most recent edition of ITE's Trip Generation Handbook shall be allowed between the integrated group of commercial establishments and outparcels not considered as ITE land Use Code 820 that provide Internal Vehicular Interconnectivity between the uses.
3. For an integrated group of commercial establishments greater than 125,000 square feet of enclosed building area (does not include enclosed building area of the outparcel(s)), the following parameters shall apply:
    - a) The trip generation rate and associated pass-by capture percentage for ITE Code 820 (Shopping Center) as provided in Table I-1 in Appendix I shall be applied to all uses and outparcels provided that the uses and outparcels have Internal Vehicular Interconnectivity.
    - b) Internal capture trip reduction shall not be allowed between the integrated group of commercial establishments and outparcels considered as ITE Land Use Code 820.
  4. For ITE Code 820, there must be a unified development master plan depicting all access points to the integrated commercial establishments and outparcels .

**5.3.2 ITE Codes without ADT Trip Generation, Pass-by Capture, or Diverted Linked Rates**

- (1) If a proposed use involves an ITE Code without an ADT trip generation, pass-by trip reduction, and/or diverted linked trip reduction rates, then the Mobility Fee may be calculated using a similar ITE Code containing an ADT trip generation, pass-by trip reduction, and/or diverted linked trip reduction rates, as applicable, upon approval of the Planning and Development Department. The applicant shall have the option of conducting a trip generation study as described in Section 5.4.0 to establish an ADT trip generation rate. The applicant shall also have the option of conducting studies of similar uses to establish pass-by capture or diverted linked trip reduction rates as described in Section 5.4.1.
- (2) If an applicant elects to conduct a trip generation pass-by capture reduction, or diverted linked reduction study, in accordance with Sections 5.4.0 or 5.4.1, the Applicant must notify the CMMSO in writing of its intent to perform the study and conduct a mandatory methodology meeting no later than thirty (30) days following issuance of the Mobility Fee Calculation Certificate.

**5.4.0 Trip Generation Study**

- (1) In the event an applicant chooses to conduct a trip generation study to determine the ADT trip generation rate, the methodology for conducting a trip generation study can be found in Appendix G. The applicant shall meet with CMMSO staff to review the parameters of the study before conducting the trip generation study. The Applicant shall have up to six (6) months, commencing on the date of the methodology meeting, to complete the study. This time may be extended by the Director upon showing of good cause.

#### **5.4.1 Pass-by Capture and Diverted Link Trip Reduction Studies**

- (1) In the event an applicant chooses to conduct trip generation, pass-by, and/or diverted link trip reduction studies or similar uses to establish trip generation, pass-by capture or diverted link trip reduction rates, the methodology for conducting the study shall be submitted to the CMMSO in writing. Upon submittal of the written methodology, the applicant shall schedule a mandatory methodology meeting with CMMSO staff to review and agree to the parameters of the study before commencing the study. The Applicant shall have up to six (6) months, commencing on the date of the methodology meeting, to complete the study. This time may be extended by the Director upon showing of good cause.

#### **5.5.0 Expedited Mobility Fee Calculation Certificate**

- (1) Expedited mobility fee calculation certificate. An applicant may request an expedited mobility fee calculation certificate. The expedited mobility fee calculation shall be determined using the formula set forth in Section 5.3.0 above without the Trip Reduction Adjustments. The CMMSO shall issue the expedited mobility fee calculation certificate within four (4) days from the date the application is accepted and deemed sufficient by the CMMSO.

#### **5.6.0 Duration of Mobility Fee Calculation Certificate**

A mobility fee calculation certificate or expedited mobility fee calculation certificate for proposed development of property is valid for one year from the date of issuance, unless it is:

- (1) Subject to a Mobility Fee Contract per Section 655.508, Ordinance Code, or
- (2) Extended for one year by the payment, prior to the expiration date, of the applicable annual inflation adjustments as determined by the FDOT Office of Policy Planning regarding generic cost per mile models as outlined in Appendix H.

#### **5.7.0 Mobility Fee Contract**

- (1) After a landowner or developer has obtained a MFCC or expedited mobility fee calculation certificate for proposed development of property, the landowner or developer may apply to the Planning and Development Department to enter into Mobility Fee Contract wherein the owner or developer of property desires to memorialize an agreement between the City and the landowner or developer concerning a mobility fee, including, but not limited to any arrangement for credits as

set forth in Section 655.507 and Section 655.511, Ordinance Code, establishment of a payment schedule of the mobility fee according to a phased development pattern, and/or to memorialize credits against future mobility fee payments for the demolition of any structure or use on the subject property. A copy of the application form and outline of the mobility fee contract process can be found in Appendix M.

- (2) The CMMSO shall review the Mobility Fee Contract application for sufficiency and, upon finding the Mobility Fee Contract application sufficient, deliver the application fee to the Tax Collector and transmit the application to the Community Planning Division's Transportation Section for review. The Community Planning Division's Transportation Section shall determine the applicable mobility fee payment schedule based upon the mobility fee calculated for the development, including the mix of uses, the proposed development phasing schedule, and any other relevant information pertaining to the development's performance and permitting schedule. Once the Community Planning Division's Transportation Section has determined the applicable mobility fee payment schedule, it shall forward the contract to the Office of General Counsel for review and approval of the contract form. Once the Office of General Counsel has approved the contract form, it shall forward the contract to the CMMSO, which will coordinate with the Director for review and execution of the contract.
- (3) If an applicant for a Mobility Fee Contract seeks credit for a transportation improvement project as described in Section 655.507, Ordinance Code, then an additional review is required by the Development Services Review Group and Public Works Department to determine compliance with the criteria per Section 655.507, Ordinance Code, prior to the application being forwarded to the Office of General Counsel, as noted above. Additional information regarding mobility fee credit for a transportation improvement project can be found in Section 5.8.0.
- (4) The Mobility Fee Contract seeking credit for a transportation improvement project shall be prepared by the Office of General Counsel based on the information contained in the application form for the Mobility Fee Contract.
- (5) After the Director has executed the Mobility Fee Contract, the CMMSO shall record a short form of the fully executed contract in the public records within five (5) calendar days of its receipt of same. Notwithstanding, any Mobility Fee Contract which includes any credit for any transportation improvement project not identified in the 2030 Mobility Plan or in the 2030 Comprehensive Plan as set forth in Section 655.507, Ordinance Code, shall require City Council review and approval prior to the Director executing such Mobility Fee Contract.

### **5.8.0 Transportation Improvement Projects Constructed by a Landowner or Developer**

A landowner or developer may construct, or cause to be constructed, an applicable

transportation improvement project within the same Mobility Zone(s) as a proposed development and receive credit for that applicable project, as set forth herein. However, any transportation improvements and land associated with those improvements that are required for a development's minimum transportation and traffic circulation design standards applicable to the development's standard access management, pursuant to federal, state or local laws or regulations, including but not limited to the Land Development Procedures Manual, shall not be considered as applicable transportation improvements eligible for credit pursuant to this section. The following shall be considered applicable transportation improvement projects:

- (1) Project(s) identified in the 2030 Mobility Plan that meet all of the following criteria:
  - (a) Using professionally accepted standards and criteria, to the satisfaction of the City, the transportation improvement project maintains or improves the adopted City-wide and Mobility Zone(s) minimum mobility score; and
  - (b) The transportation improvement project is identified in the 2030 Mobility Plan on either the (i) Prioritized Project List, (ii) Project Evaluation and Prioritization List, (iii) Committed Project List, (iv) Bicycle Mode Project Summary List or (v) Pedestrian Mode Project Summary List.
- (2) Projects not identified in the 2030 Mobility Plan for auto/truck mode(s) that meet all of the following criteria:
  - (a) It either:
    - (i) Maintains or improves the adopted 2030 City-wide and Mobility Zone(s) mobility score for the auto/truck mode, as calculated by deleting the 2030 Mobility Plan Prioritized Project List project set forth in Table 1, for such mode and substituting in its place the proposed transportation improvement project; or
    - (ii) Improves mobility within the applicable Mobility Zone(s), as evidenced by a professional traffic study provided by the applicant which utilizes and employs professionally accepted standards and criteria, subject to the review and approval of the Planning and Development Department, and has a minimum cost of \$3,000,000.00, calculated using the most recent cost estimate information issued by the FDOT, Office of Policy Planning regarding generic cost per mile models;
  - (b) Meets the requirements of the 2030 Mobility Plan as applicable, including the evaluation criteria set forth in Section 4.3.2, which is outlined in Appendix L;
  - (c) The City Council approves the proposed transportation improvement project; and
  - (d) The project is adopted into the next cycle of the 5-year CIE schedule.
- (3) Projects not identified in the 2030 Mobility Plan for bicycle and pedestrian mode(s) that meet all of the following criteria:
  - (a) Improves mobility within the applicable Mobility Zone(s), beyond the minimum standards required by law for such development, as evidenced by a professional traffic study provided by the applicant which utilizes and employs professionally

accepted standards and criteria, subject to the review and approval of the Planning and Development Department. The traffic study shall include and not be limited to information such as: a demonstration that the bicycle or pedestrian mode transportation improvement project improves the respective bicycle or pedestrian mode mobility within such Mobility Zone(s); documentation of existing conditions; pedestrian and bicycle counts; an assessment of the previous three year crash data including pedestrian and bicycle crashes; identification of any existing pedestrian and bicycle facilities;

- (b) Meets the requirements of the 2030 Mobility Plan as applicable, including the evaluation criteria set forth in Section 4.3, which is outlined in Appendix L;
  - (c) Connects to and compliments other available bicycle or pedestrian mode facilities, including transit access, within the Mobility Zone;
  - (d) The City Council approves the proposed transportation improvement project; and
  - (e) The project is adopted into the next cycle of the 5-year CIE schedule.
- (4) Projects not identified in the 2030 Mobility Plan for transit mode(s) that meet all of the following criteria:
- (a) It either:
    - (i) Maintains or improves the adopted 2030 City-wide and Mobility Zone(s) mobility score for the transit mode, as calculated by deleting the 2030 Mobility Plan Prioritized Project List project set forth in Table 1, for such mode and substituting in its place the proposed transportation improvement project; or
    - (ii) Improves mobility within the applicable Mobility Zone(s), as evidenced by a professional traffic study provided by the applicant which utilizes and employs professionally accepted standards and criteria, subject to the review and approval of the Planning and Development Department;
  - (b) Meets the requirements of the 2030 Mobility Plan as applicable, including the evaluation criteria set forth in Section 4.3.2, which is outlined in Appendix L;
  - (c) It is reviewed and approved by the Jacksonville Transportation Authority ("JTA");
  - (d) The City Council approves the proposed transportation improvement project; and
  - (e) The project is adopted into the next cycle of the 5-year CIE schedule.
- (5) Factors that the City may consider in its review of transportation improvement projects include but are not limited to the City's Multi-Modal Studies, the Comprehensive Plan, the Mobility Plan, the value of any calculated credits proposed to be issued and their relationship to the value of the proposed project's improvement of mobility, the status of existing infrastructure coupled with the needs of the City, an

analysis of the proposed development and its impacts to the surrounding areas and infrastructure, and any other applicable factors in the City's determination.

#### **5.8.1 Credit against Mobility Fee**

- (1) A landowner or developer who constructs, or causes to be constructed, an entire applicable transportation improvement project shall receive credit against the applicable mobility fee pursuant to Section 655.507(b), Ordinance Code, for the design, permitting, and construction of the entire applicable transportation improvement project.
- (2) Credit may be transferred to other landowners or developers for payment of a mobility fee owed to the City for development within the same Mobility Zone(s) as the transportation improvement project.
- (3) Credit for donated land as described in Section 5.8.5, may be transferred to other landowners or developers for payment of a mobility fee.

#### **5.8.2 Calculation of Credit**

- (1) The credit authorized for an applicable transportation improvement project shall be calculated using the most recent cost estimates information issued by the FDOT, Office of Policy Planning, regarding generic cost per mile models. The cost estimates for facilities and/or projects not identified in such FDOT cost estimates shall be approved by the Public Works Department, prior to the approval of any credit.
- (2) Credits authorized pursuant to this section shall be applicable to the particular mode from which the transportation improvement project was derived.
- (3) The credit for right-of-way donation described in Section 5.8.5 and authorized pursuant to Section 655.507, Ordinance Code, shall be equal to the value of the eligible land donated, based on the established value by the appraisal of an MAI appraiser. The landowner or developer and the City of Jacksonville Public Works Department shall mutually agree upon the appraiser and the scope of work of the appraisal assignment prior to the appraisal being performed. The Public Works Department's agreement shall be evidenced by a memorandum or letter executed by the Real Estate Officer, applicable Division Chief or the Director of the Public Works Department.

#### **5.8.3 Timing of Credit**

- (1) The costs shall be deemed incurred and credit shall be provided pursuant to this section when a contract for the construction of the entire transportation improvement project is awarded, and a payment and performance bond, or other form of security

approved by the Office of General Counsel, is provided to the City to guarantee the funding of the facilities and/or projects. The City shall be a co-obligee under the bond or other form of security.

#### **5.8.4 Public Works Department review**

- (1) Transportation improvement projects shall be approved by the Public Works Department prior to, and after constructions to verify completion and fulfillment of any mobility fee requirements.

#### **5.8.5 Right-of-way Donation**

- (1) A landowner or developer may receive credit in the Mobility Zone(s) for donating eligible land within the same Mobility Zone(s), if the land is necessary for an applicable transportation improvement project. However, no credit shall be given and eligibility shall not be established for the donation of any portion of land which would be required to be donated or dedicated for a development's minimum transportation and traffic circulation design standards applicable to the development's standard access management, pursuant to federal, state or local laws or regulations, including but not limited to the Land Development Procedures Manual.

## **6.0 Miscellaneous Provisions**

### **6.1.0 Development Agreement**

After a landowner or developer has obtained a CCAS or CRC for proposed development of property, the landowner or developer may apply to the Planning and Development Department to enter into a Part 2, Development Agreement pursuant to Chapter 655, Ordinance Code, and consistent with F.S. 163.3220 - 163.3243, and in a manner which promotes a strong commitment to comprehensive facilities planning, ensures adequate environmental protection and the provision of adequate public facilities, except for traffic circulation and mass transit, facilitates and promotes certainty in the development approval process, and reduces the economic costs of development by providing greater regulatory certainty.

### **6.2.0 Appeal Process**

Should an appeal be necessary, it shall be submitted to the CMMSO within thirty (30) days of the issuance of the written decision being appealed. The appeal application form and hearing procedure for appeals can be found in Appendix K.