

ORDINANCE NO. 1062

AN ORDINANCE OF THE CITY OF LYNN HAVEN, FLORIDA AMENDING CHAPTER 86 OF THE LYNN HAVEN CODE OF ORDINANCES; ESTABLISHING A MULTI-MODAL MOBILITY FEE TO SUPPORT THE ESTABLISHED MULTI-MODAL MOBILITY SYSTEM ENACTED IN THE COMPREHENSIVE PLAN; ESTABLISHING MOBILITY SYSTEM FEES AND DISCOUNTS FOR DEVELOPMENT IN THE URBAN CLUSTER AND COMMUNITY REDEVELOPMENT AREAS; PROVIDING FOR CODIFICATION; REPEALING ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lynn Haven, Florida (the "City") is committed to providing public transportation infrastructure, services, and facilities to all its citizens as the City continues to grow;

WHEREAS, new development imposes increased demands upon the City's public transportation infrastructure, services, and facilities;

WHEREAS, the City, in Ordinance No. 1047, amended the adopted Comprehensive Plan (the "Plan") to establish a Multi-Modal Mobility System;

WHEREAS, the Plan now requires that the City establish a multi-modal mobility fee to ensure that development fund, partially or fully, transportation network improvements that mitigate its impact to the transportation system;

WHEREAS, the City wishes to reduce vehicle miles traveled per household and minimize greenhouse gas emissions through interconnected developments that promote walking and bicycling as alternatives to personal motor vehicle use;

WHEREAS, the City Commission, after careful consideration of the independent study prepared by its consultant and the experience of other similarly situated cities, finds that the imposition of a mobility fee to finance specified public facilities, the demand for which is created by new development, is in the best interests of the general welfare of the City and its residents, is equitable, and does not impose an unfair burden on new development;

WHEREAS, in accordance with the Plan and the independent consultant report, the mobility fee shall be reduced for development within the Urban Cluster District and the Community Re-Development Area;

WHEREAS, the City, through its home rule powers, Chapter 163 of the Florida Statutes, and the Plan has the authority to impose a mobility fee in the City; and

WHEREAS, mobility fees collected pursuant to this ordinance shall be used only to support the multi-modal mobility system as defined in the Plan.

NOW THEREFORE, BE IT HEREBY ENACTED BY THE PEOPLE OF THE CITY OF LYNN HAVEN, FLORIDA:

SECTION 1. That Chapter 86 of the Code of Ordinances, City of Lynn Haven, Florida, is hereby amended to read as follows (deleted text, ~~stricken~~; new text, **double underlined and bold**):

[Articles I – II, Sections 86-1 through 86-69 remain unchanged]

Sec. 86-70. Multi-Modal Mobility Fee – Purpose and Intent.

(a) The purpose and intent of a multi-modal mobility fee in the City is to ensure that new development pays for its fair share of transportation infrastructure improvements and fully or partially fund

the multi-modal mobility system as identified in the comprehensive plan.

(b) While multi-modal mobility funds are restricted, they are not limited to roadway transportation infrastructure. Mobility fees may fund significant transit capital, including buses, stations, rail infrastructure, and trail and pedestrian networks.

Sec. 86-71. Imposition, Calculation and Collection of Multi-Modal Mobility Fees.

(a) Except as provided in this Chapter, the City shall impose multi-modal mobility fees as a condition of approval of all new development projects. No preliminary or final subdivision plat, parcel map, grading permit, building permit, final inspection, certificate of occupancy, or other development permit shall be approved unless the provisions of this section have been fulfilled.

(b) Multi-modal mobility fees shall be imposed on new development by including the following language in any document of development approval:

"Approval of this project is conditioned upon payment to the City of all applicable fees, as provided in Chapter 86 of the Code."

(c) Multi-modal mobility fees shall be collected by the City at the time, and as a condition of issuance of a final subdivision plat, parcel map, grading permit, building permit, final inspection, or certificate of occupancy, except that utility connection fees in Chapter 70 shall be collected at the time of application for connection to the utility system.

(d) The amount of an mobility fee shall be calculated based on recent, localized data and shall be set from time to time by resolution of the City Commission and published in Appendix A of this Code.

Section 86-72 Use and Accounting of Multi-Modal Mobility Fee Proceeds

(a) The City shall establish a separate account or accounting fund for the multi-modal mobility fee. The funds of such account shall be expended only for capital improvements which are part of the multi-modal mobility system as identified in the comprehensive plan. Multi-modal mobility fees may be used to pay the principal, interest and other costs of bonds, notes and other obligations issued or undertaken by or on behalf of the City to finance capital improvements of the multi-modal mobility system.

(b) Administrative charges to the multi-modal mobility fee account shall be limited to actual costs.

(c) The multi-modal mobility fee account created by the City shall be audited by a certified public accountant pursuant to Chapter 218, Florida Statutes, as part of the City's annual financial audit report.

[Sections 86-73 through 86-90 remain unchanged]

Sec. 86-91. Imposition, Calculation and Collection of Impact Fees.

(a) Except as provided in this Article, the City shall impose impact fees as a condition of approval of all new development projects. No preliminary or final subdivision plat, parcel map, grading permit, building permit, final inspection, certificate of occupancy, or other development permit shall be approved unless the provisions of this section have been fulfilled.

(b) Impact fees shall be imposed on new development by including the following language in any document of development approval:

"Approval of this project is conditioned upon payment to the City of all applicable impact fees, as provided in Chapter 86, Article V of the Code."

(c) Impact fees shall be collected by the City at the time, and as a condition of issuance of a final subdivision plat, parcel map, grading permit, building permit, final inspection, or certificate of occupancy, except that utility connection fees in Chapter 70 shall be collected at the time of application for connection to the utility system.

(d) The amount of an impact fee shall be calculated based on recent, localized data and shall be set from time to time by resolution of the City Commission and published in Appendix A of this Code. The City shall provide a minimum of ninety (90) days public notice prior to imposing any new or amended impact fee.

[All remaining sections in Chapter 86 remain unchanged]

SECTION 2. The City hereby adopts the multi-modal mobility fee schedule attached as an exhibit to this ordinance as the initial fee schedule to be included in Appendix "A" of the City of Lynn Haven Code of Ordinances.

APPENDIX A

City of Lynn Haven - Mobility Fee Schedule

Land Use Category	Citywide	50% Urban Cluster	10% CRA	Current Impact Fee
Residential (per dwelling unit)				
Single Family detached	\$ 1,000	\$ 500	\$ 100	\$ 449.68
Multi-family Apartments	\$ 700	\$ 350	\$ 70	\$ 314.77
Townhomes/Condominiums	\$ 600	\$ 300	\$ 60	\$ 314.77
Mobile Homes	\$ 500	\$ 250	\$ 50	\$ 269.81
Institutional/Recreational per 1,000 sq. ft. (ksf) or as specified				
Private School	\$ 550	\$ 275	\$ 55	\$ 4,496.76
Day Care Center	\$ 1,500	\$ 750	\$ 150	\$ 4,496.76
Health/Fitness Club	\$ 700	\$ 350	\$ 70	\$ 4,496.76
Assisted Living/Retirement Home	\$ 1,500	\$ 750	\$ 150	\$ 4,496.76
Assembly Hall & Place of Worship	\$ 650	\$ 325	\$ 65	\$ 4,496.76
Office per 1,000 sq. ft. (ksf)				
General Office	\$ 1,000	\$ 500	\$ 100	\$ 4,496.76
Medical/Dental Office	\$ 2,400	\$ 1,200	\$ 240	\$ 4,496.76
Industrial Buildings per 1,000 sq. ft. (ksf)				
Warehousing/Manufacturing	\$ 450	\$ 225	\$ 45	\$ 4,496.76
Mini-warehouse	\$ 250	\$ 125	\$ 25	\$ 4,496.76
Commercial/retail per 1,000 sq. ft. (ksf)				
Neighborhood (< 10,000 sf)	\$ 1,650	\$ 825	\$ 165	\$ 4,496.76
Community (10,000 - 100,000 sf)	\$ 2,450	\$ 1,225	\$ 245	\$ 4,496.76
Regional (> 100,000 sf)	\$ 3,650	\$ 1,825	\$ 365	\$ 4,496.76
Restaurant (sit-down)	\$ 4,000	\$ 2,000	\$ 400	\$ 4,496.76
Restaurant with Drive-thru	\$ 6,500	\$ 3,250	\$ 650	\$ 4,496.76
Bank/Credit Union (per drive thru lane)	\$ 3,000	\$ 1,500	\$ 300	\$ 4,496.76
Hotel (per room)	\$ 1,000	\$ 500	\$ 100	\$ 4,496.76

Notes: Current Impact Fee for all non-residential uses are per 1,000 sq. ft.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 4. The appropriate officers and agents of the City are authorized and directed to codify, include, and publish the provisions of this Ordinance within the Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained.

SECTION 5. This Ordinance shall take effect immediately after passage.

PASSED, APPROVED, AND ADOPTED this 12 day of September, 2018.

CITY OF LYNN HAVEN,
FLORIDA

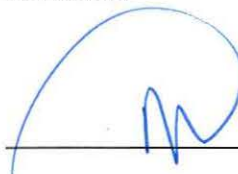
BY: 

Margo D. Anderson, Mayor

First Reading: August 14, 2018

Second Reading: September 12, 2018

ATTEST:



Michael E. White
City Manager/Clerk