

1 Introduced by Council Member Diamond and Co-Sponsored by Council
2 Members Ferraro, Morgan, Salem, DeFoor and R. Gaffney and substituted
3 by the Finance Committee:
4

5 **ORDINANCE 2020-757-E**

6 AN ORDINANCE AMENDING SECTION 655.503 (MOBILITY
7 FEE REQUIREMENT, CERTIFICATE, APPLICATION
8 PROCESS AND CALCULATION), PART 5 (MOBILITY FEE),
9 CHAPTER 655 (CONCURRENCY AND MOBILITY MANAGEMENT
10 SYSTEM), *ORDINANCE CODE*, TO CLARIFY THE
11 ALLOWANCE OF A REDUCTION IN MOBILITY FEE
12 PAYMENTS, OUTSIDE OF DOWNTOWN, BASED ON TRIP
13 ADJUSTMENTS RELATED TO THE DEMOLITION OR
14 RENOVATION/REPURPOSING OF AN EXISTING USE
15 STRUCTURE; PROVIDING AN EFFECTIVE DATE.
16

17 **WHEREAS**, on September 13, 2011 the City Council adopted
18 Ordinance 2011-536-E which implemented the 2030 Mobility Plan, after
19 having opted out of transportation concurrency and the fair share
20 assessment contract system by Ordinance 2011-241-E on May 24, 2011;
21 and

22 **WHEREAS**, the 2030 Mobility Plan is used to calculate the cost
23 of the impact that a development will have upon the City's roadway
24 system, and requires the developer to pay a Mobility fee to assist
25 the City with the future cost of improving the City's transportation
26 system; and

27 **WHEREAS**, Mobility fees collected are required to be utilized by
28 the City to fund the improvement of the City's transportation system
29 through City Council approved projects as listed in Sec. 655.507,
30 *Ordinance Code*, that have a nexus with the developments that paid the
31 fees; and

* * *

(e) *Mobility fee calculation.* For the purpose of calculating a mobility fee, the following formula shall apply:

Mobility Fee	=	A × B × (C–Trip Reduction Adjustments–Existing Use Trips)
-----------------	---	--

where

A = Cost per VMT;

B = Average VMT per Development Area; and

C = Development Daily Vehicle Trips.

* * *

(3) *Development Daily Vehicle Trips and Trip Reduction Adjustments.*

Unless there is a local 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.

(4) Trip Reduction Adjustments.

(A) 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 and pedestrian/bicycle friendliness.

(B) Excluding the area of Downtown as defined in Sec. 656.361.2, Ordinance Code, The Development Daily Vehicle Trips generated shall also be reduced by the daily vehicle trips number of

1 Development Daily Vehicle Trips generated by the Existing Use on the
2 property. These reductions are non-transferable and may only be used
3 on the development site from which the Trip Reductions have been
4 generated.

5 (i) If an Existing Use structure is reoccupied,
6 or not substantially repurposed, remodeled, or
7 renovated, then the number of trips that would have
8 been generated by the Existing Use shall be subtracted
9 from the Development Daily Vehicle Trips calculated
10 for a proposed development that includes that
11 Existing Use parcel.

12 (ii) If a non-historic Existing Use structure
13 is demolished, or if an Existing Use structure was
14 demolished prior to the year 2021, then 125% of the
15 trips that were associated with that Existing Use
16 shall be subtracted from the Development Daily
17 Vehicle Trips calculated for a proposed development
18 that includes that Existing Use parcel.

19 (iii) If an Existing Use structure is
20 substantially repurposed, remodeled, or renovated,
21 then 150% of the trips that were associated with that
22 Existing Use shall be subtracted from the Development
23 Daily Vehicle Trips calculated for a proposed
24 development that includes that Existing Use parcel.
25 For the purposes of this Section, "substantially
26 repurposed, remodeled, or renovated" means that the
27 existing development is being expanded or renovated
28 for a value equal to 50 percent or more of the
29 assessed value of the combined lot improvements on
30 that parcel or parcels, according to the Property

1
2
3
4
5
6
7
8
9
10
11
12
13

Appraiser.

* * *

Section 2. Effective Date. This ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

Form Approved:

/s/ Shannon K. Eller

Office of General Counsel

Legislation Prepared By: Rory Diamond

GC-#1423577-v1-2020-757-E.docx