The City of

Boynton Beach

City Commission Agenda

Tuesday, October 24, 2023, 6:00 PM

City Hall Commission Chambers
100 E. Ocean Avenue

Boynton Beach City Commission

Ty Penserga, Mayor (At Large)
Thomas Turkin, Vice Mayor (District III)
Angela Cruz, Commissioner (District I)
Woodrow L Hay, Commissioner (District II)
Aimee Kelley, Commissioner (District IV)

Daniel Dugger, City Manager
David Tolces, Interim City Attorney
Maylee De Jesus, City Clerk

Mobility Workshop

Mission
To create a sustainable community by providing exceptional municipal services, in a financially responsible manner.

America's Gateway to the Gulfstream

www.boynton-beach.org

Welcome
Thank you for attending the City Commission Meeting

General Rules & Procedures for Public Participation at City of Boynton Beach Commission Meetings

The Agenda:

There is an official agenda for every meeting of the City Commissioners, which determines the order of business conducted at the meeting. The City Commission will not take action upon any matter, proposal, or item of business, which is not listed upon the official agenda, unless a majority of the Commission has first consented to the presentation for consideration and action.

- **Consent Agenda Items:** These are items which the Commission does not need to discuss individually and which are voted on as a group.
- **Regular Agenda Items:** These are items which the Commission will discuss individually in the order listed on the agenda.
- **Voice Vote:** A voice vote by the Commission indicates approval of the agenda item. This can be by either a regular voice vote with "Ayes & Nays" or by a roll call vote.

1. **Openings**

   A. Call to Order - Mayor Ty Penserga
   Roll Call.

   Invocation by Commissioner Hay

   Pledge of Allegiance to the Flag led by Commissioner Hay.

   Agenda Approval:
   1. Additions, Deletions, Corrections
   2. Adoption

2. **Other**

3. **Presentation**

   A. Presentation by Jonathan Paul, NUE Urban Concepts of the City of Boynton Beach Complete Streets Mobility Plan and proposed Mobility Fee.
   Discuss the Mobility Plan and next steps.

4. **Adjournment**

Notice

If a person decides to appeal to any decision made by the City Commission with respect to any matter considered at this meeting, He/She will need a record of the proceedings and, for such purpose, He/She may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

The City shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in and enjoy the benefits of a service, program, or activity conducted by the City. Please contact the City Clerk's office, (561) 742-6060 or (TTY) 1-800-955-8771, at least 48 hours prior to the program or activity in order for the City to reasonably accommodate your request.

Additional agenda items may be added subsequent to the publication of the agenda on the City's web site. Information regarding items added to the agenda after it is published on the City's web site can be obtained from the office of the City Clerk.

City of Boynton Beach
Agenda Item Request Form

Meeting Date: 10/24/2023

Presentation by Jonathan Paul, NUE Urban Concepts of the City of Boynton Beach Complete Streets Mobility Plan and proposed Mobility Fee.

Requested Action: Discuss the Mobility Plan and next steps.

Explanation of Request: The City recognizes the public's growing need and desire for a balanced transportation network that adequately accommodates all modes of transportation to improve safety and comfort for people walking, biking, driving, and using transit. This is an acknowledgement of the paradigm shift away from a conventional, automobile-focused, "incomplete" approach to roadway and street design, to one that ensures all transportation modes are represented and considered, resulting in "complete" streets that can be safely used and enjoyed by users of all modes of transportation. The Complete Streets Mobility Plan formalizes the City's approach to complete streets. Instead of a transportation network focused on LOS, or Level of Service, the plan establishes a transportation network based upon QOS, or Quality of Service. QOS ultimately shifts priorities in street design decisions so that people biking, walking, and riding transit share the same level of safety and comfort as automobile drivers. Discussion will also include the Downtown Parking Master Plan.

How will this affect city programs or services? N/A

Fiscal Impact: N/A

Attachments:
Resolution R21-150-Adopted Complete Street Mobility Plan- Mobility Fee Technical Report.pdf

RESOLUTION R21-150

A RESOLUTION OF THE CITY OF BOYNTON BEACH, FLORIDA, ADOPTING THE BOYNTON BEACH COMPLETE STREETS MOBILITY PLAN AND MOBILITY FEE TECHNICAL REPORT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2011, the Legislature eliminated state mandated transportation concurrency and made it optional for any local government, while in 2013, the Legislature encouraged local governments to adopt mobility plans and fees as an alternative to transportation concurrency, proportionate share and road impact fees; and

WHEREAS, pursuant to the State Statute changes, City staff coordinated with Nue Urban Concepts to develop a Complete Streets Mobility Plan and Mobility Fee Technical Report; and

WHEREAS, the proposed Plan incorporates multimodal projects that were previously identified in the 2016 Boynton Beach Community Redevelopment Plan, Boynton Beach Greenways, Blueways, and Trails Plan, Transportation Planning Agency's 2045 Long Range Transportation Plan, and the Florida Department of Transportation's Work Program and also recommends additional projects to achieve a more connected transportation network for all modes of travel; and

WHEREAS, upon the recommendation of staff, the City Commission deems it to be in the best interests of the citizens and residents of the City of Boynton Beach to adopt the Boynton Beach Complete Streets Mobility Plan and Mobility Fee Technical Report.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF BOYNTON BEACH, FLORIDA, THAT:

Section 1. The foregoing "Whereas" clauses are true and correct and are hereby ratified and confirmed by the City Commission.

Section 2. The City Commission of the City of Boynton Beach, Florida, hereby adopts the Boynton Beach Complete Streets Mobility Plan and Mobility Fee Technical Report, copies of which are attached hereto and made a part hereof as Exhibits "A" and "B".

Section 3. This Resolution shall become effective immediately upon passage.

PASSED AND ADOPTED this 2nd day of November, 2021.

CITY OF BOYNTON BEACH, FLORIDA

	YES	NO
Mayor – Steven B. Grant	✓	
Vice Mayor – Woodrow L. Hay	✓	
Commissioner – Justin Katz	✓	
Commissioner – Christina L. Romelus	✓	
Commissioner – Ty Penserga	✓	
VOTE	5-0	

ATTEST:

Crystal Gibson, MMC
City Clerk

(Corporate Seal)



BOYNTON BEACH

COMPLETE STREETS MOBILITY PLAN

BOYNTON BEACH

COMPLETE STREETS MOBILITY PLAN



City Commission

Steven B. Grant, Mayor
Woodrow L. Hay, Vice Mayor
Justin Katz, Commissioner
Christina Romelus, Commissioner
Ty Penserga, Commissioner

City Staff

Lori LaVerriere, City Manager
Adam Temple, Director of Development
Amanda B. Radigan, Principal Planner
Paola Mendoza, Associate Engineer
Craig Pinder, Planner II

ADOPTION DATE: NOVEMBER 2, 2021

Executive Summary

The transportation network of the City of Boynton Beach is comprised of an interconnected system of streets, trails, railroads, blueways, and a freeway. The existing network accommodates (to varying degrees) people walking, biking, driving, and using transit for a variety of reasons, such as commuting or for leisure. Maintaining a transportation network that adequately accommodates all users is crucial to fostering commerce and enhancing the quality of life in Boynton Beach.

Until recently, the typical approach to addressing traffic congestion in most cities across the nation has been to plan and design the transportation network around the movement of automobiles. This is evident in the ubiquitous presence of using Level of Service (LOS) to measure roadway performance. LOS is focused only on vehicular throughput, and is based on performance measures like vehicular speed, density, congestion, etc. with minimal consideration of other transportation modes. This has the undesirable consequence of creating streets that are unsafe and uncomfortable for people who want to walk, bike, or use a micromobility device, such as a skateboard or scooter.

The City recognizes the public's growing need and desire for a balanced transportation network that adequately accommodates all modes of transportation to improve safety and comfort for people walking, biking, driving, and using transit. This is an acknowledgement of the paradigm shift away from a conventional, automobile-focused, "incomplete" approach to roadway and street design, to one that ensures all transportation modes are represented and considered, resulting in "complete" streets that can be safely used and enjoyed by users of all modes of transportation.

This Complete Streets Mobility Plan formalizes the City's approach to complete streets. Instead of a transportation network focused on LOS, the plan establishes a transportation network based upon QOS, or Quality of Service. QOS ultimately shifts priorities in street design decisions so that people biking, walking, and riding transit share the same level of safety and comfort as automobile drivers.

KEY FINDINGS OF THE EXISTING CONDITIONS ANALYSIS

The existing conditions report and related research yielded the following findings:

Demographics:

- The city's population is expected to grow by approximately 22% through 2045. This represents an increase from the current population of 78,495 to a projected population size of 95,848.
- Approximately 88% or 27,978 workers commute from outside the city.
- Approximately 96.5% of owner-occupied households, as compared to 89.5% of renter occupied households, have at least one vehicle available.
- Out of the 34,069 residents who are employed, only 3,909 (12.3%) work in Boynton Beach. The remaining 30,160 residents work outside of the city limits.

Crashes:

- Over 10,900 crashes have been recorded on the city's streets between 2014 and 2019.
- Although pedestrians, bicyclists, and motorcyclists are only involved in 4.3% of all crashes, they represent 58.6% of all traffic fatalities.

- Crashes are most likely to occur between the daytime hours of 7:00 A.M. to 7:00 P.M., with approximately 78%, or 3 out of 4 of all crashes occurring during that time.
- Fatalities and incapacitating-injury crashes also peak during daytime hours at 60% and 52%, respectively.

COMPLETE STREETS MOBILITY PLAN RECOMMENDATIONS

Multimodal Mobility Hubs and Districts

The Boynton Beach Complete Streets Mobility Plan proposes primary and secondary multimodal mobility hubs and districts, which include anticipated major destinations, a mix of land uses, and existing major destinations in the urban and suburban sections of the city. The plan was developed around providing multimodal connections to these areas using key corridors within in the city and the proposed hubs and districts.

Shift from Level of Service (LOS) to Quality of Service (QOS) Standards

Establishing QOS standards based on posted speed limits instead of automobile volume more accurately meets the intended purpose of a street or road, reflects the desired level of people walking, bicycling, and riding transit, and ensures adequate access to adjacent land uses. The QOS standards also move the City towards the goal of Vision Zero, which aims to achieve a transportation network with no fatalities or serious injuries involving automobile traffic. Under Street QOS, the posted speed limit is intended to be served as the design standard, with the express intent of providing the City the opportunity to implement its Complete Streets, and to allow for design and redesign of streets to create safer conditions for people.

Bike Facilities

The proposed bike facilities in Boynton Beach promote the vision to create a holistic bicycle network that allows users to ride a bike seamlessly between all multimodal mobility hubs and districts throughout the city. The proposed network includes sharrows, buffered bike lanes, shared use paths, and paved trails.

Pedestrian Facilities

The greatest need for sidewalks exists in the neighborhoods located east of Interstate 95. Less than 50 percent of the streets in these neighborhoods have sidewalks, with even less around the primary multimodal mobility hub. As such, the plan will assist the City with prioritizing new sidewalk construction in these neighborhoods.

Transit

The Plan recommends the establishment of a local transit route to provide service to and connect all multimodal mobility hubs and districts. This includes connecting the existing Tri-Rail train station west of Interstate 95 with the proposed intermodal mobility station located downtown. This proposed route is preliminary and is subject to change.

MOVING FORWARD

The Plan incorporates multimodal projects that were previously identified in the 2016 Boynton Beach Community Redevelopment Plan, Boynton Beach Greenways, Blueways, and Trails Plan, 2045 Long Range Transportation Plan, and the FDOT Work Program. In addition, the Plan recommends additional projects to achieve a fully connected transportation network for all modes of travel. These projects establish the basis for the City to establish a mobility fee which will replace Palm Beach County's road impact fee, therefore enabling the City to collect funds to construct the recommended roadway improvements outlined in this Plan.

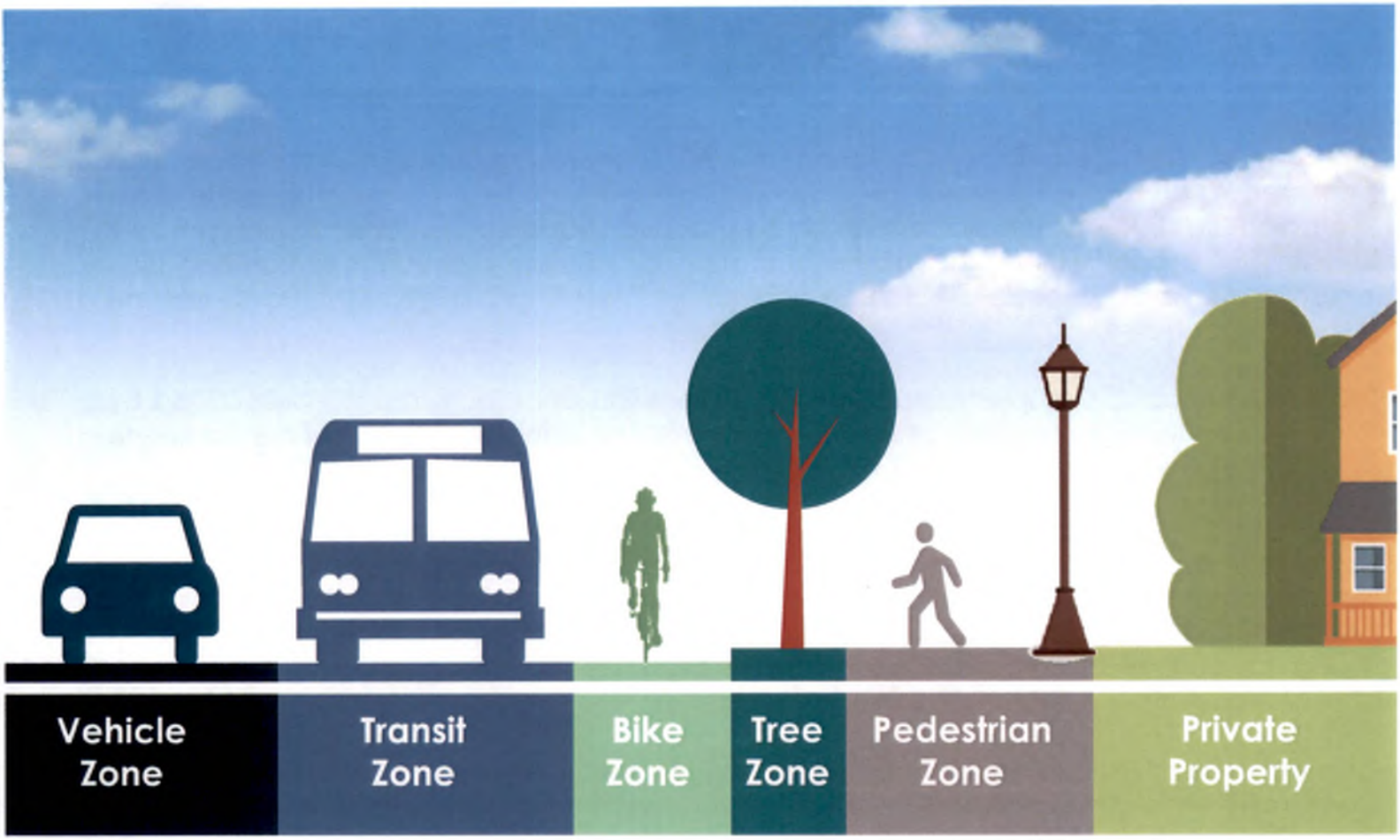
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INTRODUCTION





What are Complete Streets?

"Complete Streets" is a transportation design philosophy and policy that places the same priority on pedestrians, bicyclists, and transit users as motor vehicle drivers. This design approach requires streets to be planned, designed, constructed, and operated in a manner to accommodate safe, equitable, convenient, and comfortable travel, as well as provide access for users of all ages and abilities regardless of their mode of transportation. Complete Streets aim to improve the quality of life for users by designing streets that are both safe public spaces and enable high-performance, sustainable transportation networks.

Almost all trips begin and end with walking. As such, complete streets policies require that all construction projects begin by assessing how the right-of-way can best serve its users. This design approach advances the fundamental principle of creating safe and comfortable streets. Currently, the number of serious injuries and fatalities that occur on our streets is astonishing. According to a 2015 study conducted by the National Highway Traffic Safety Administration, 94 percent of crashes are due to human error. The Complete Streets design approach recognizes the need to address the issue of traffic safety at a system level because most traffic crashes are preventable and the severity of the remaining crashes can be minimized.

Complete Streets are context sensitive and offer many design elements which can be incorporated into a project; however, projects may differ depending upon the surrounding land-use context. For example, shade trees and wide sidewalks would be prioritized in a downtown environment rather than in an industrial environment due to the differences in which people interact and use those environments.

Complete Streets Policy

The Boynton Beach City Commission approved the Complete Streets Policy on June 16, 2020, affirming the City's commitment to "connect the community through safe, accessible, and multi-modal systems that improve the quality of life in Boynton Beach" as stated in the City's Strategic Plan. The Policy calls for the City to gradually transform its transportation network to one that supports all modes of transportation by equitably investing in transportation infrastructure which benefits all residents and visitors. The full language of the Policy can be found in *Appendix C*.

The Boynton Beach Complete Streets policy outlines the approach that will be pursued by the City to achieve a Complete Streets network, which includes the creation of this Complete Streets Mobility Plan. The main goals of the policy are:

Safety and Convenience for All Transportation Users
Create a transportation system that is designed and operated in ways that ensure the safety, security, comfort, access, and convenience for all users of all ages and abilities, including pedestrians, bicyclists, public transit users and operators, emergency responders, transporters of commercial goods, motor vehicles, and freight providers, therefore decreasing the potential of vehicular, bicycle, and pedestrian-related crashes.

Connected Facilities that Accommodate All Travel Modes
Create an inviting transportation system that includes an integrated, safe, reliable, comfortable, and efficient network of fully connected multimodal facilities which accommodates access to all modes of travel.

Increase Walking, Bicycling, and Public Transit
Create a transportation system that encourages walking, bicycling, and public transit by providing a variety of safe and convenient walking and bicycling options.

Economic Development
Create a transportation system that promotes economic development that will benefit from and contribute to a more connected and livable community, and supports redevelopment of and connectivity to activity centers.

Vision Zero Equity & Data Driven Approach
Create a transportation system that views road safety as a social equity issue and recognizes that the concentration of traffic safety problems results from under-investment in certain communities, and to the greatest extent possible, ensures equity by actively pursuing the elimination of health, economic and access disparities. The City's goal is to eliminate traffic fatalities and severe injuries among all road users, and to ensure safe, healthy, equitable mobility for all.

Community Health & Sustainability
Create a transportation system that advances the Boynton Beach Climate Action Plan through reducing automobile dependency by transforming the city into a community where people walk, bike, take transit or carpool for most trips, and improves environmental and community health (i.e. reduce fossil fuel consumption & greenhouse gas emissions; decrease air and noise pollution; improve air quality; encourage social interaction and physical activity; preserve the natural environment; etc.).


Wraps
Avocado
Smoothies



EXISTING CONDITIONS



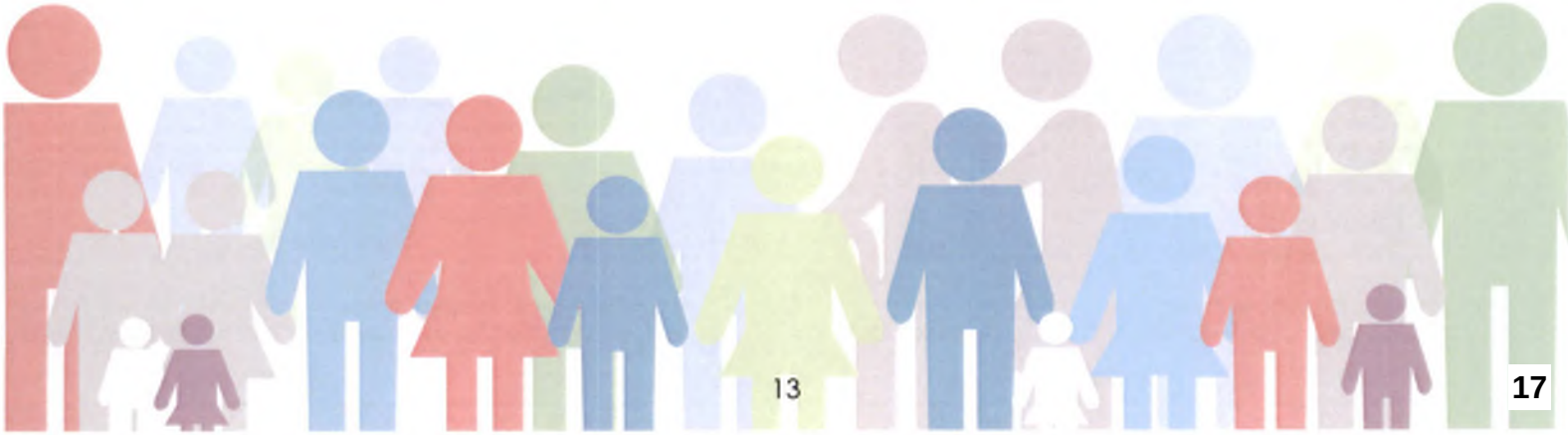


Population and Jobs

Boynton Beach is the third largest city in Palm Beach County, after West Palm Beach and Boca Raton. The county's fourth most populous city is Boynton Beach's neighbor to the south, Delray Beach. As *Table 1* demonstrates, West Palm Beach and Boca Raton are employment centers, while Boynton Beach has the lowest jobs-to-household ratio of the four aforementioned municipalities.

	Boynton Beach	West Palm Beach	Boca Raton	Delray Beach
Population	78,495	116,781	95,139	67,168
Households	29,917	41,511	41,504	28,582
Jobs	31,887	90,235	105,701	34,439
Jobs to Households	1.07	2.17	2.55	1.20

Table 1. ***Population and Jobs***
Source: Population: UF BEBR 2020; households US *Census ACS 2019: Jobs: US Census OnTheMap 2018*



Job Density

The job density map shows that the city's largest employment centers are located along Congress Avenue (commercial corridor), Gateway (Quantum Park), and Seacrest (Bethesda Hospital East)



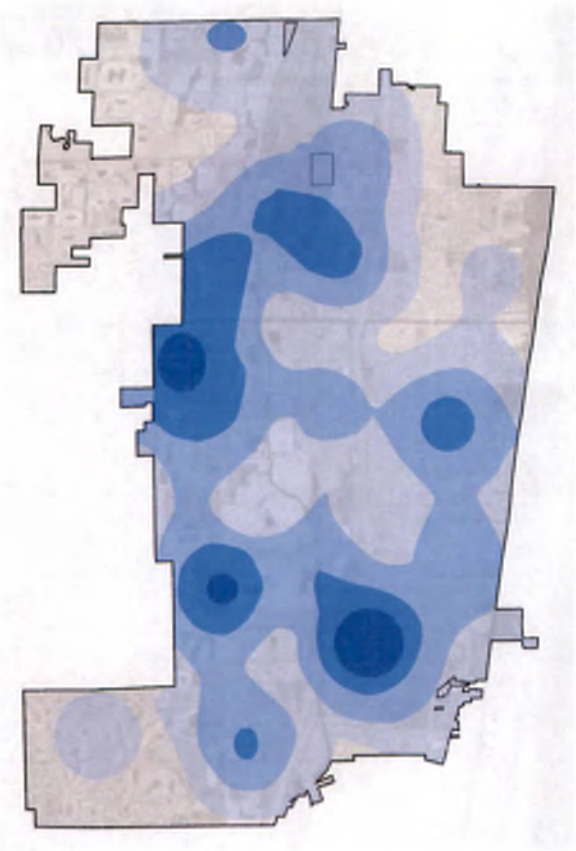


Figure 1. ***Job Density Map***
Source: Origin-Destination Employment Statistics, OnTheMap 2018

Work Commute Flows

The most recent US census data for origin-destination employment patterns (2018, Inflow/Outflow) shows that, out of 31,887 people who work in the city, only 3,909 (12.3%) also live in Boynton Beach. The remaining 27,978 workers commute from outside of the city.

Out of 34,069 city residents who are employed, 30,160 (88.5%) commute to work outside of the city boundaries.

	Total	% Share
Employed in Boynton Beach	**31,887**	**100%**
Employed in Boynton Beach but Living Outside	27,978	87.7%
Employed and Living in Boynton Beach	3,909	12.3%
Living in Boynton Beach	**34,069**	**100%**
Living in Boynton Beach but Employed Outside	30,160	88.5%
Employed and Living Boynton Beach	3,909	11.5%

Table 2. ***Work Commute Flows***
Source: Origin-Destination Employment Statistics, OnTheMap 2018

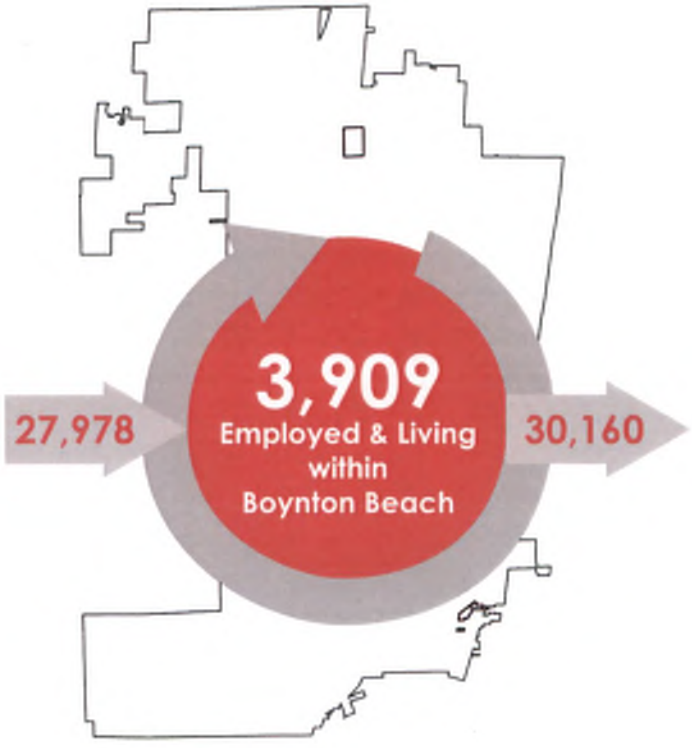


Figure 2. ***Work Commute Flows***
Source: Origin-Destination Employment Statistics, OnTheMap 2018

Commute Distance



US Census Origin-Destination employment statistics show that over 24% of workers who live in the city travel at least 25 miles to their jobs. *Table 4* below shows how they get there.

	Total	% Share
Distance from home to work, Workers Live in Boynton Beach	34,069	100%
Less than 10 miles	14,739	43.3%
10 - 24 miles	11,084	32.5%
25 - 50 miles	3,576	10.5%
Greater than 50 miles	4,673	13.7%
Distance from home to work, Employed in Boynton Beach	31,887	100%
Less than 10 miles	15,282	47.9%
10 - 24 miles	7,566	23.7%
25 - 50 miles	3,267	10.2%
Greater than 50 miles	5,772	18.1%

Table 3. ***Commute Distance***
Source: US CensusOrigin-Destination Employment Statistics, OnTheMap 2018

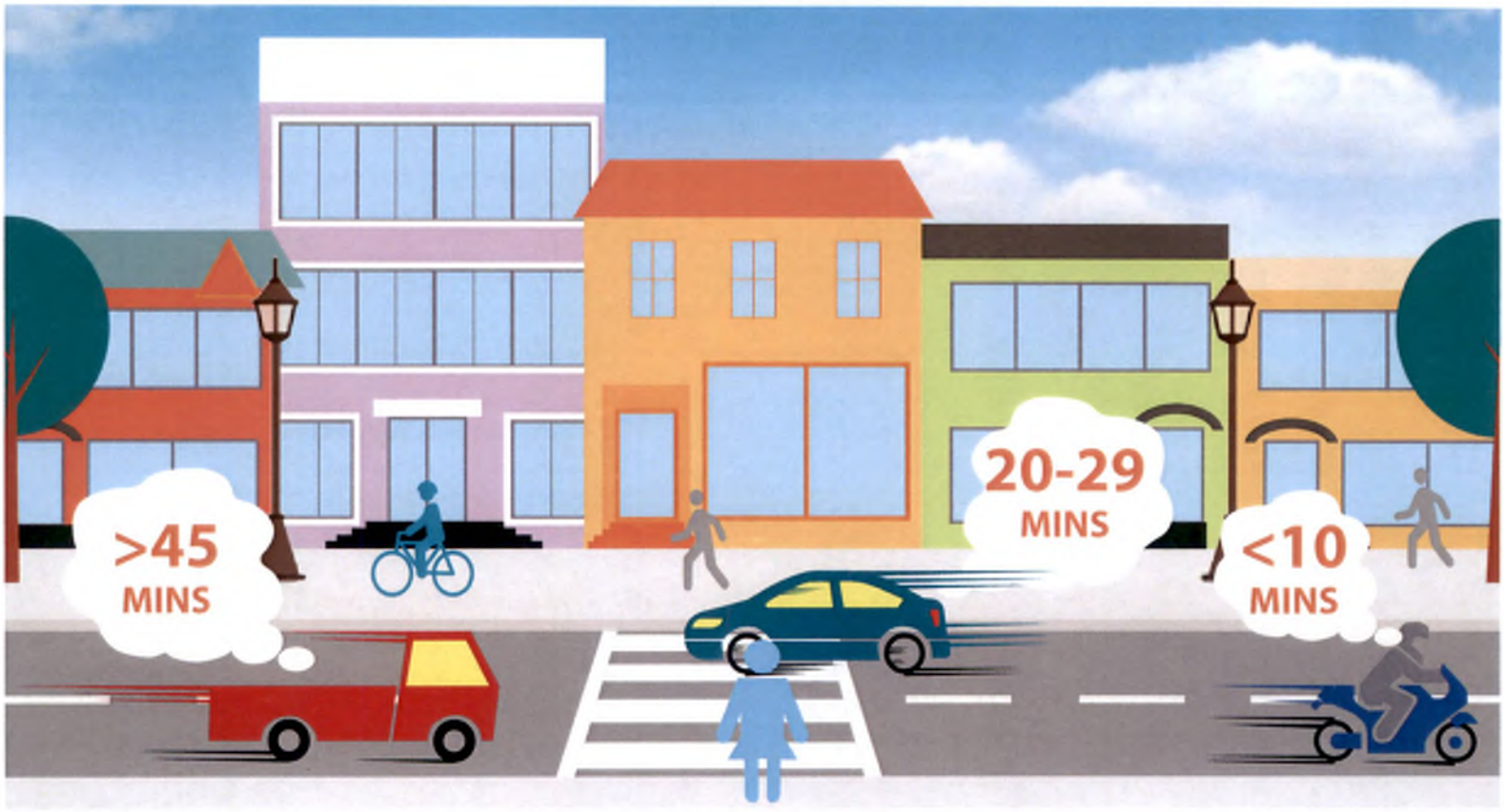
Mode of Travel



Approximately 81.6% of the city's residents drive to work alone. The percentage of single-occupancy vehicle commutes has not significantly changed since 2010 (comparable ACS data), while use of public transit may have increased slightly.

	Total	% Share
	37,350	100%
Drove Alone	30,494	81.6%
Carpooled	3,095	8.3%
Public Transit	794	2.1%
Bicycled	200	0.5%
Walked	468	1.3%
Other	1,031	2.8%
Worked at Home	1,268	3.4%

Table 4. ***Mode of Travel***
Source: US CensusOrigin-Destination Employment Statistics, OnTheMap 2018



Vehicle Availability



Approximately 96.5% of owner-occupied households—as compared to 89.5% of renter-occupied households—have at least one vehicle available. An estimated 10.5% of renters have no vehicle available, versus only 3.5% of owners.

	Owner-Occupied		Renter-Occupied	
	Number	% Share	Number	% Share
Availability Total	17,951	100%	11,767	100%
No vehicle available	635	3.5%	1,239	10.5%
1 vehicle available	8,371	46.6%	5,513	46.9%
2 vehicles available	6,199	34.5%	4,178	35.5%
3 vehicles available	2,189	12.2%	720	6.1%
4+ vehicles available	557	3.1%	117	1.0%

Table 5. ***Number of vehicles avaible per household***
Source: US Census, ACS 2019

Travel Time



Nearly 39% of all city residents travel more than 30 minutes to their place of employment, while for 37% of workers, the commute is less than 20 minutes.

	Total	% Share
All workers, travelling	36,082	100%
Less than 10 minutes	2,803	7.8%
10-19 minutes	10,425	28.9%
20-29 minutes	8,961	24.8%
30-44 minutes	9,611	26.6%
45 minutes or more	4,282	11.9%

Table 6. ***Mode of Travel***
Source: US Census, ACS 2019

Households

According to the latest ACS data (2019), the city's number of households is 29,718. Some 34% are occupied by a single-person. Approximately 39.6% of households rent their dwelling. The average household size is currently 2.56, and is higher for renters (2.67) than owners (2.49).

The majority of owner-occupied households live in single-family homes or townhomes, while most renters live in multifamily housing. Garden-style apartments, typically in buildings with 5 to 19 units, are the most popular choice (29.8%) for renters living in multifamily developments.

Notably, a significant percentage of renter-occupied units are in buildings with more than 50 dwelling units (21.3%). This is mostly due to the prevalence of large multifamily apartment projects constructed during the last decade, which increased the percentage share from 12.1% in 2010 to 21.3% in 2019. Approximately 58.4% of these households are single-person households.

	Owner-Occupied		Renter-Occupied	
	Number	% Share	Number	% Share
Housing units/ Households	17,951	100%	11,767	100%
Single-Family	13,261	73.9%	3,671	31.2%
2 to 4 Units per Building	1,125	6.3%	1,015	8.6%
5 to 19 Units per Building	1,472	8.2%	3,504	29.8%
20 to 49 Units per Building	945	5.3%	970	8.2%
50+ Units per Building	797	4.4%	2,512	21.3%
Mobile Home	945	5.3%	970	8.2%
Boat, RV, Van, etc.	0	0.0%	0	0.0%

Table 7. ***Type of Households***
Source: US Census, ACS 2019

Growth in Boynton Beach



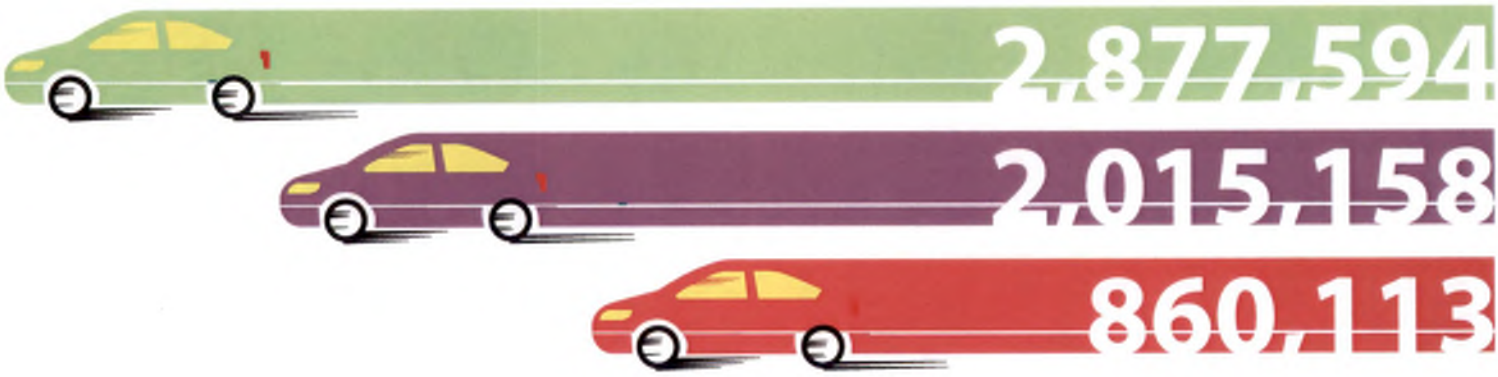
Figure 3. ***Population Growth in Boynton Beach***
Source: UOF BEBR annual estimates

During the 2010-2020 period, Boynton Beach grew, on average, at 1.41% per year. The City is almost built out, so the majority of new construction will proceed through redevelopment in areas where mixed uses with higher residential densities are envisioned by City and CRA plans. The implementation of these plans will likely result in significant spurts of population growth within the next 25 years. The Palm Beach County population projections for the City are 87,639 for 2030 and 95,848 for 2045. In addition, the South East Regional Planning Model (SERPM) version 8.0 forecasts the number of hotel rooms to reach 1,712 in 2045. These projections underscore the need for future multimodal transportation improvements to meet increased travel demands.

	Population	Employment	Hotel Rooms
2020	78,495	31,887	947
Projections 2045	95,848	39,009	1,712
Increase	17,353	7,122	765

Table 8. ***Boynton Beach 2045 Projections***
Source: PBC Population Projections; US Census OnTheMap 2018 Employment (projection assuming constant Pop/Empl ratio); SERPM 8.0 Hotel Rooms

Vehicle Miles of Travel (VMT)



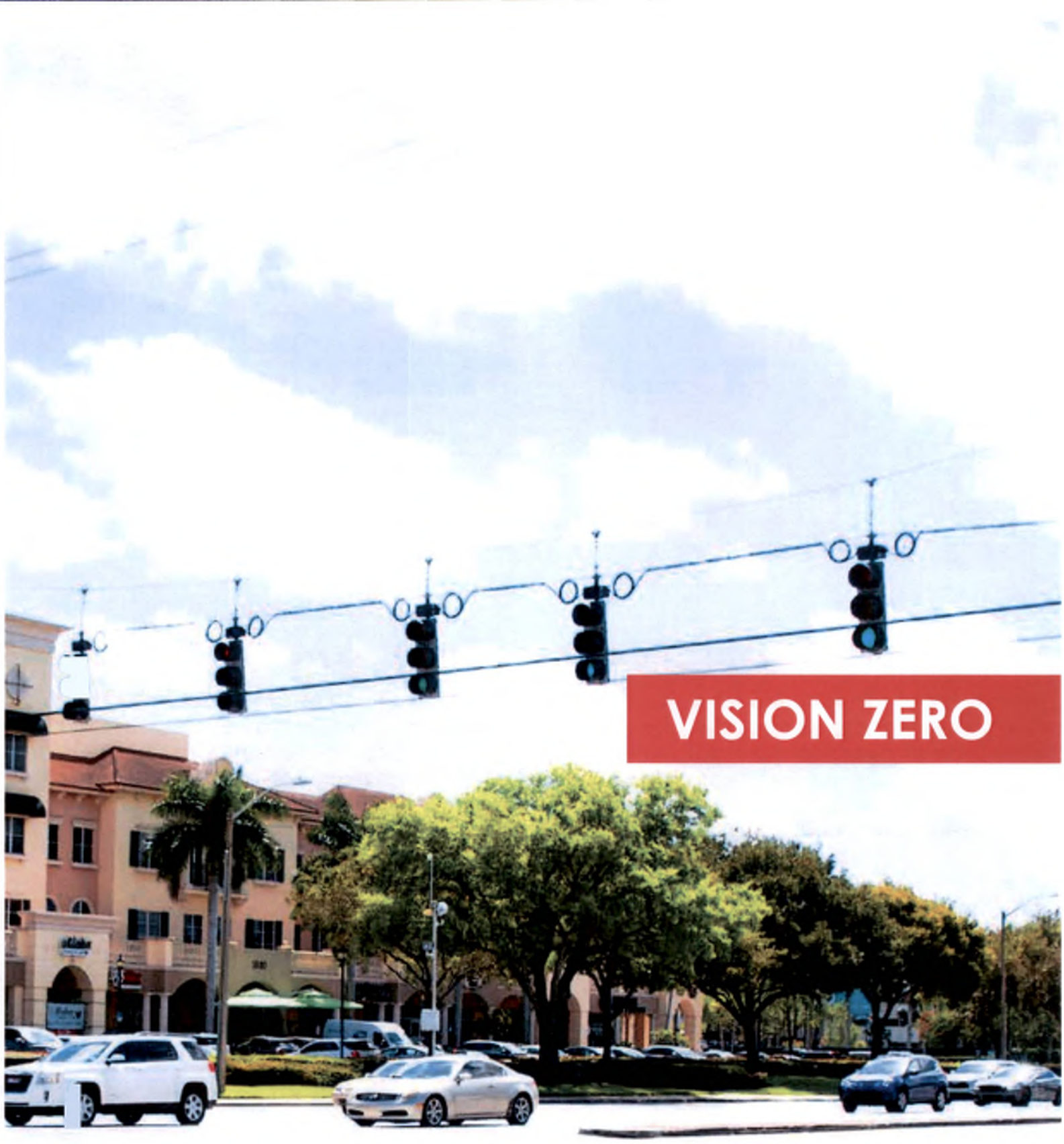
The growth of vehicle miles of travel (VMT) is one of the factors evaluated to determine the need for future multimodal projects within the city. The latest version of the Southeast Regional Planning Model (SERPM) was used to determine the VMT growth within and around the city of Boynton Beach between 2020 and 2045 (Table 9). Future traffic does not terminate at city limits, thus the evaluation of VMT data includes areas that are outside city limits to ensure the future model volumes evaluated terminate at logical endpoints (intersecting roads).

The growth in travel on Interstate 95 is excluded from mobility fee calculations. Travel on Interstate 95 is excluded due to the fact that the interstate system is largely funded through federal fuel tax revenues and the potential to levy user fees (tolls) for managed travel lanes. The projected growth on Interstate 95 is relatively moderate given current conditions and future improvements to the Florida Turnpike, Tri-Rail, Brightline and the possibility of Tri-Rail Coastal Service.

	Arterial & Collector Roads	Interstate 95	Total
2015 (model base year)	821,820	2,001,743	2,823,563
2020 (Mobility Plan base year)	860,113	2,015,158	2,877,594
2045 (model and plan future year)	1,080,067	2,083,595	3,163,662
VMT increase (2020 to 2045)	219,954	68,347	286,068

Table 9. ***Growth in Vehicle Miles of Travel (VMT)***
Source: Projected growth in VMT prepared by NUE Urban Concepts, LLC. The 2015 base year and 2045 future year VMT were extracted using the cost affordable model network from the 2015/2045 Southeast Regional Planning Model (SERPM 8.504). The model files were obtained from the Palm Beach County Transportation Planning Agency (TPA) webpage. The 2020 mobility plan base year VMT was interpolated based on an annual growth rate of .92% for arterial and collector roads and .13% for Interstate 95 based on the increase in VMT between the 2015 base year model data and the 2045 horizon year model data. The VMT increase is based on the difference between 2020 and 2045.





VISION ZERO



Vision Zero Traffic & Crash Data Analysis

The City is committed to reducing the number of serious injuries and fatalities occurring on city streets. To advance this goal, the City conducted a preliminary baseline assessment using the last 6 years of available crash data to understand the crash patterns occurring on city streets. The following analyses investigate the context, severity, and demographics of the crashes in order to determine the prevailing conditions, and to develop priority projects identified within the Complete Streets Mobility Plan.

Over 10,900 crashes have been recorded on the city's streets between 2014 and 2019. In 2019 (the most recent year for which data is available) there were over 2,700 crashes in the city, more than double the number of crashes recorded in the previous year. Understanding traffic and crash patterns on the transportation network is essential to identifying hotspot areas that should be investigated for potential improvements.



When Do Crashes Occur?

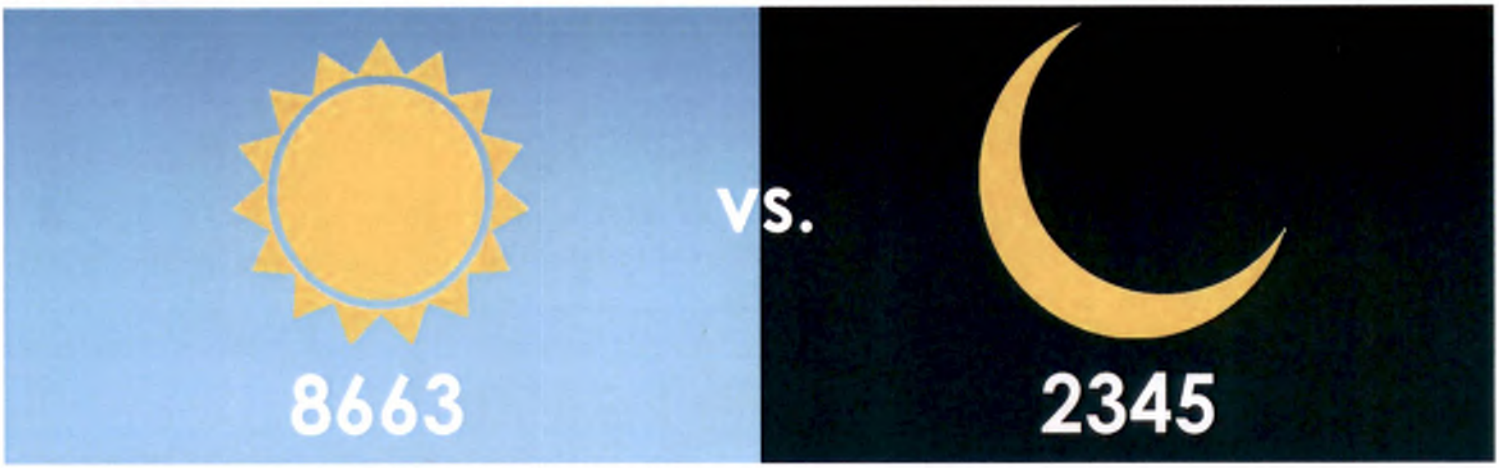


Figure 4. **Number of Daytime Crashes vs Nighttime Crashes**
Source: Signal4 Analytics

Overall, crashes peak during the daytime hours (7am-7pm) with approximately 78% of the crashes occurring during the day. Similarly, fatalities and incapacitating injury crashes peak during the day at 60% and 52%, respectively. *Figure 5* below shows a graphic representation of the average crashes per year by time of day. In addition, motor vehicle crashes peaked between 3PM and 6PM, bicycle crashes peaked between 3PM and 6PM, and pedestrian crashes peaked between 9AM and 12PM.

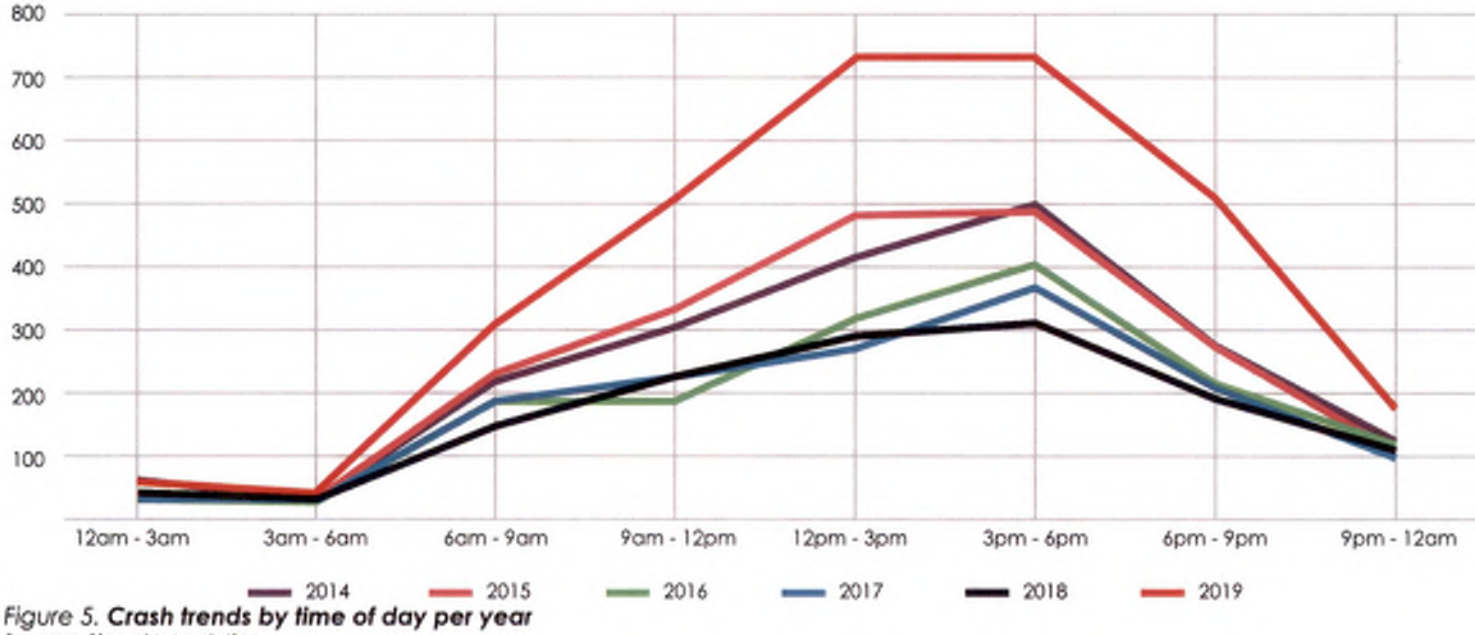
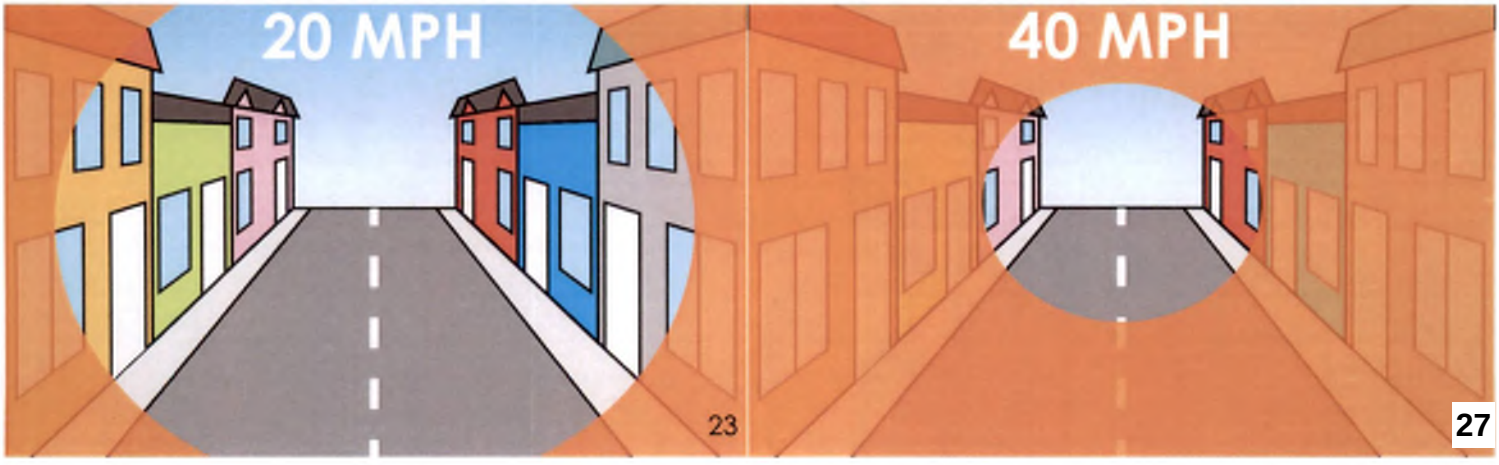


Figure 5. ***Crash trends by time of day per year***
Source: Signal4 Analytics



Severity of Crashes

Severe crashes can result in fatalities or severe injuries. A fatality occurs when a crash results in the death of a road user, and severe injury crashes cause incapacitating injuries, leaving a road user disabled following the crash. The six-year analysis shows that crash-related fatalities peaked in 2016 with a total of 15 fatalities, and the trend has continuously declined in the following years.

Figure 6 below shows the number of fatal and severe injury crashes that have occurred from 2014 to 2019 within the city, excluding intended vehicular homicides and intentional injury crashes, private property crashes, and crashes on freeways.



Figure 6. ***Number of fatal crashes by mode***
Source: Signal4 Analytics

Who's Involved?

All Crashes

As shown in *Figure 7*, motor vehicles are involved in the vast majority of crashes, accounting for approximately 95% of all crashes occurring on city streets. Pedestrians, bicyclists, and motorcycles account for less than 2% of these crashes.

Fatalities

Although pedestrians, bicyclists, and motorcyclists are only involved in 4.3% of crashes, they account for 58.6% of all traffic fatalities. In comparison, crashes involving motor vehicles account for approximately 41.5% of all traffic fatalities. This shows that pedestrians and motorcyclists are at a much greater risk of being killed in a traffic crash than an automobile occupant.

Severe Injuries

Similar to crash fatalities, pedestrians, bicyclists, and motorcyclists account for approximately 51.2% of all severe injury crashes. Crashes involving motor vehicles account for approximately 48.8% of severe injuries. Drivers and occupants of motor vehicles are much less likely to be seriously injured as a result of a crash (approximately 0.5% of motor vehicle crashes result in a severe injury).

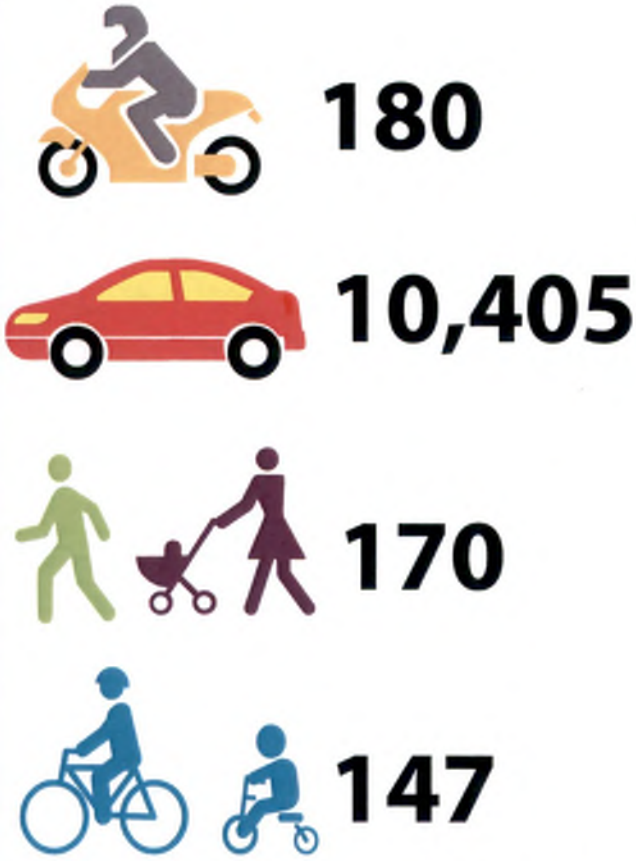


Figure 7. ***Number of crashes by mode (2014-2019)***
Source: Signal4 Analytics

Where do Crashes Occur?



Figure 8. ***Crash locations throughout city (2014-2019)***
Source: Signal4 Analytics

Figure 8 shows where crashes have occurred within the city's boundaries. Most streets have experienced at least one crash over the study period. West of I-95, crashes are generally concentrated along the major traffic corridors in the city, with the largest concentration located along Congress Avenue between Boynton Beach Boulevard and Gateway Boulevard, especially at the major intersections (Boynton Beach Boulevard, Old Boynton Road, and Gateway Boulevard). East of I-95, hotspots are not as easily identifiable due to the crashes being more spread out and occurring more frequently on the surrounding local streets. These local streets mostly serve neighborhoods that are predominantly comprised of single-family homes and duplexes. At a glance, it appears that crashes occur disproportionately in neighborhoods east of I-95, including within the CRA boundary, which contains some of the city's most vulnerable demographic.

Pedestrian Crashes

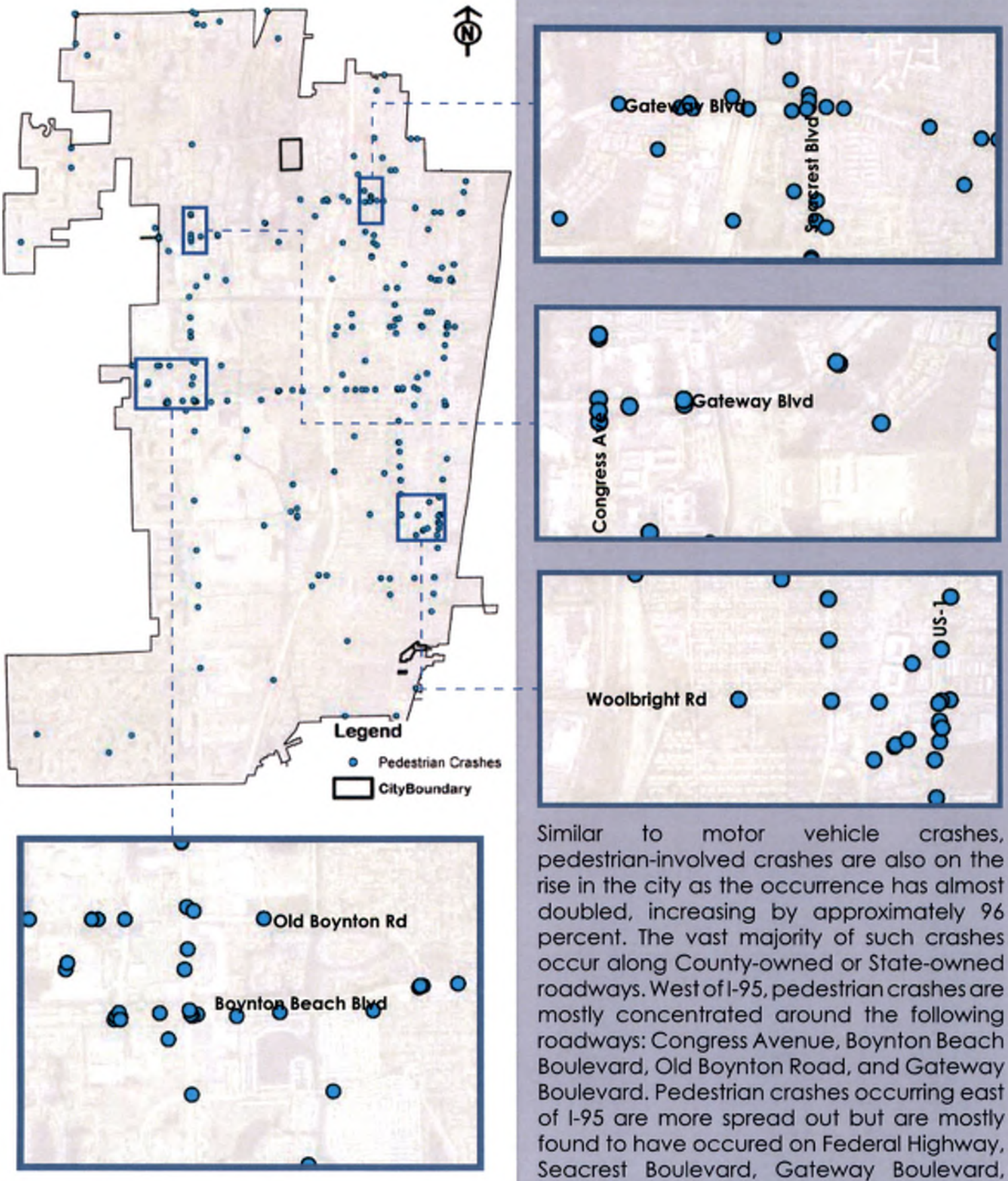
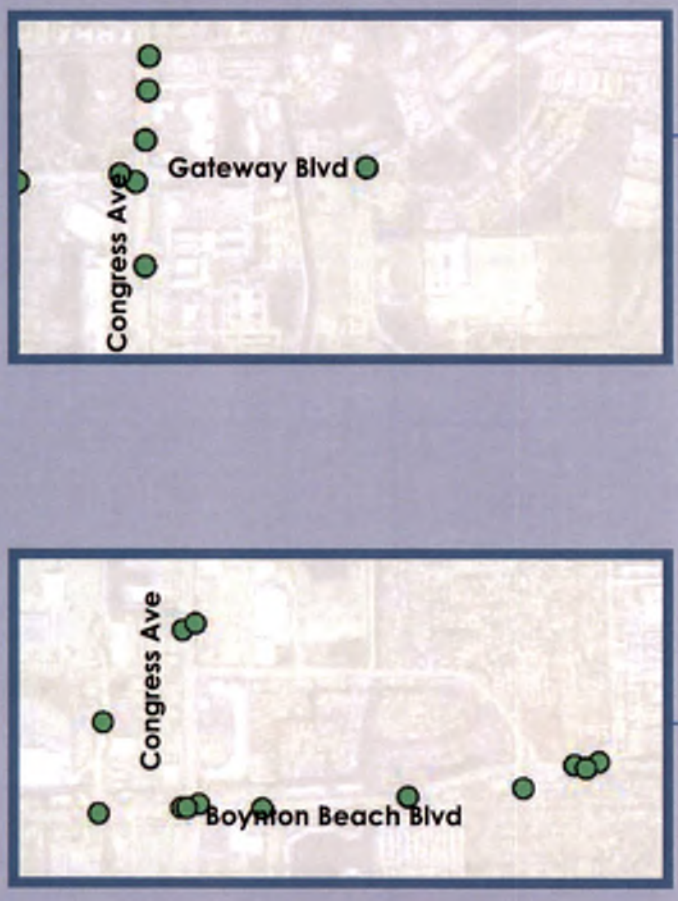


Figure 9. ***Pedestrian crash locations throughout city (2014-2019)***
Source: Signal4 Analytics

Similar to motor vehicle crashes, pedestrian-involved crashes are also on the rise in the city as the occurrence has almost doubled, increasing by approximately 96 percent. The vast majority of such crashes occur along County-owned or State-owned roadways. West of I-95, pedestrian crashes are mostly concentrated around the following roadways: Congress Avenue, Boynton Beach Boulevard, Old Boynton Road, and Gateway Boulevard. Pedestrian crashes occurring east of I-95 are more spread out but are mostly found to have occured on Federal Highway, Seacrest Boulevard, Gateway Boulevard, Boynton Beach Boulevard and Woolbright Road. In comparison to the west side of the city, a greater number of pedestrian-involved crashes have occurred on local streets within neighborhoods.

Bicycle Crashes



Bicycle crashes mostly occur along the major traffic corridors within the city, with the greatest concentration of crashes occurring along the following key corridors: Congress Avenue, Gateway Boulevard, Boynton Beach Boulevard, Seacrest Boulevard, and Federal Highway. The only year of record in this study period with less than 10 reported bicycle crashes is 2014. Bicycle crashes in the following years have remained between 24 and 35 crashes with no clear indication of an upward or downward trend.

Figure 10. ***Bicycle crash locations throughout city (2014-2019)***
Source: Signal4 Analytics

Fatalities

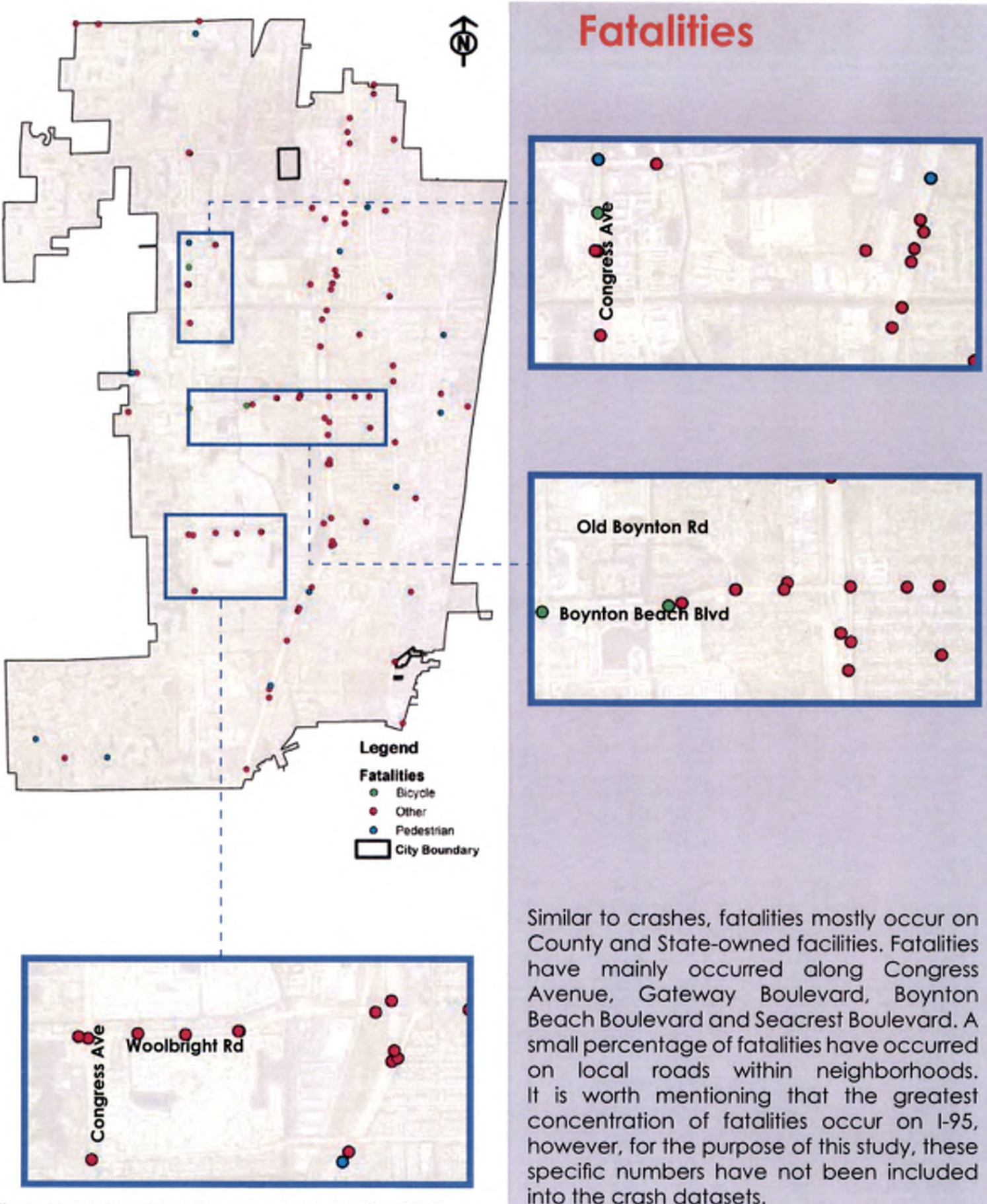
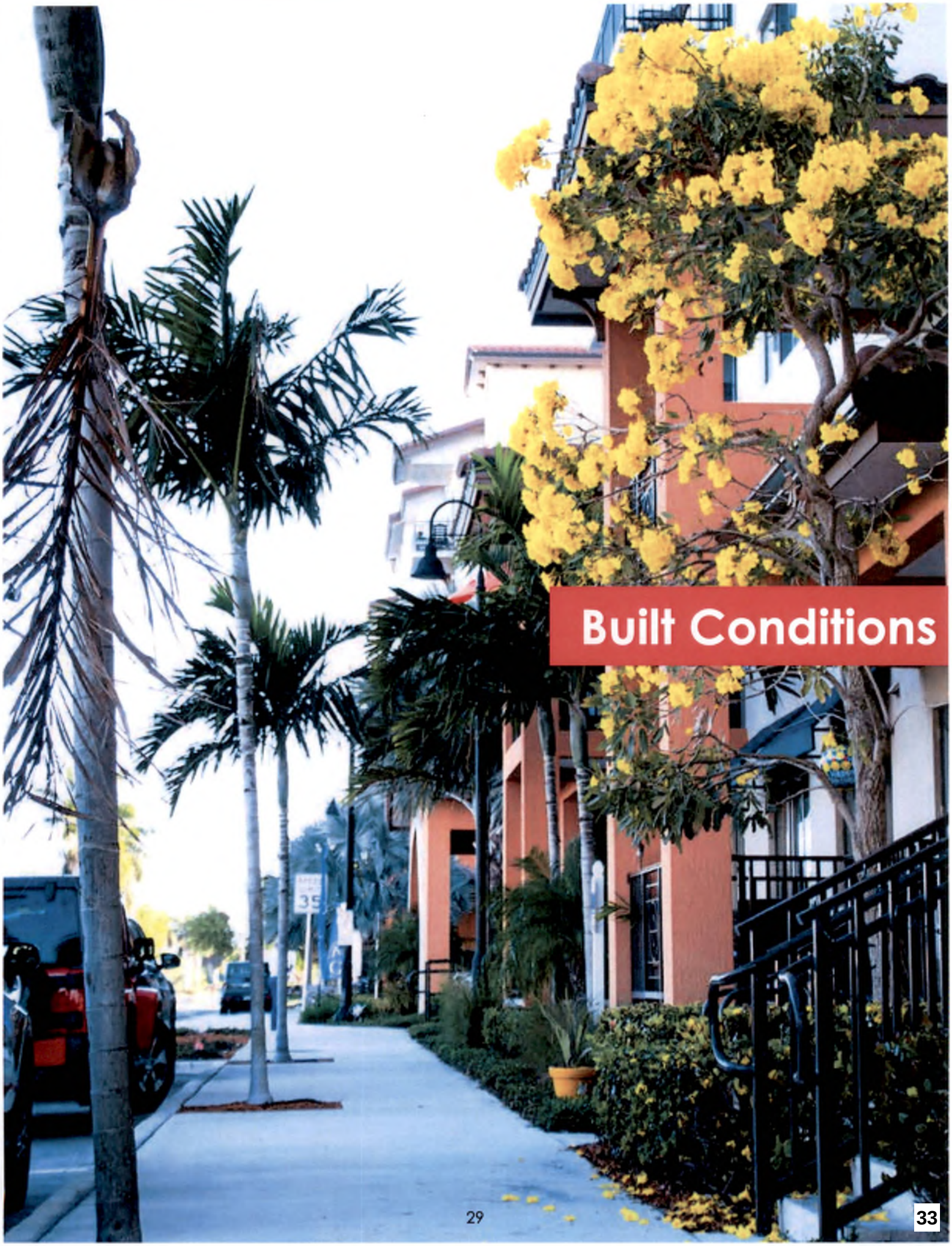


Figure 11. ***Fatal crash locations throughout city (2014-2019)***
Source: Signal4 Analytics

Similar to crashes, fatalities mostly occur on County and State-owned facilities. Fatalities have mainly occurred along Congress Avenue, Gateway Boulevard, Boynton Beach Boulevard and Seacrest Boulevard. A small percentage of fatalities have occurred on local roads within neighborhoods. It is worth mentioning that the greatest concentration of fatalities occur on I-95, however, for the purpose of this study, these specific numbers have not been included into the crash datasets.



Built Conditions

Posted Speed Limits & Number of Travel Lanes

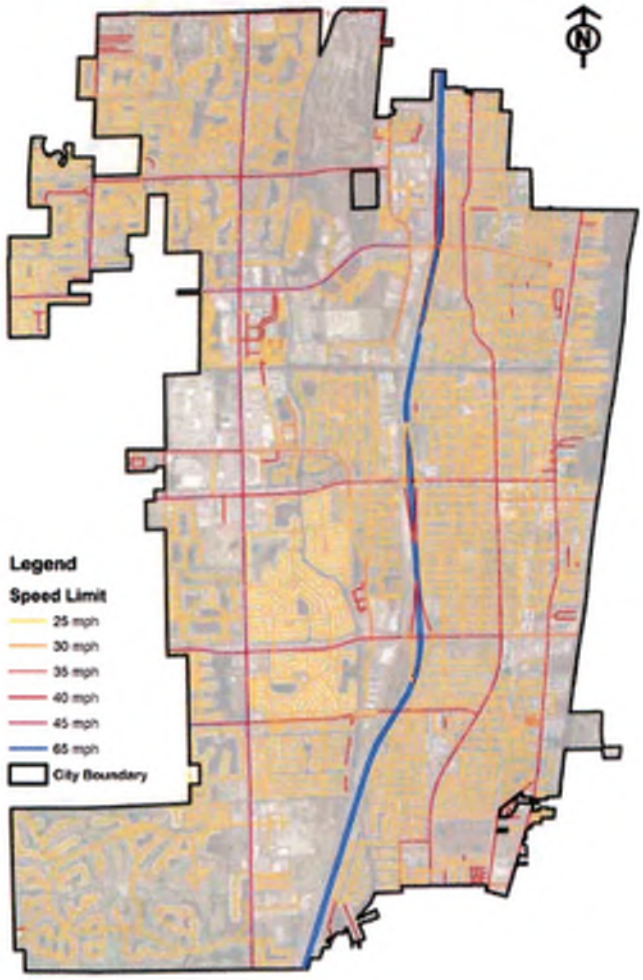


Figure 12. **Posted speed limits**

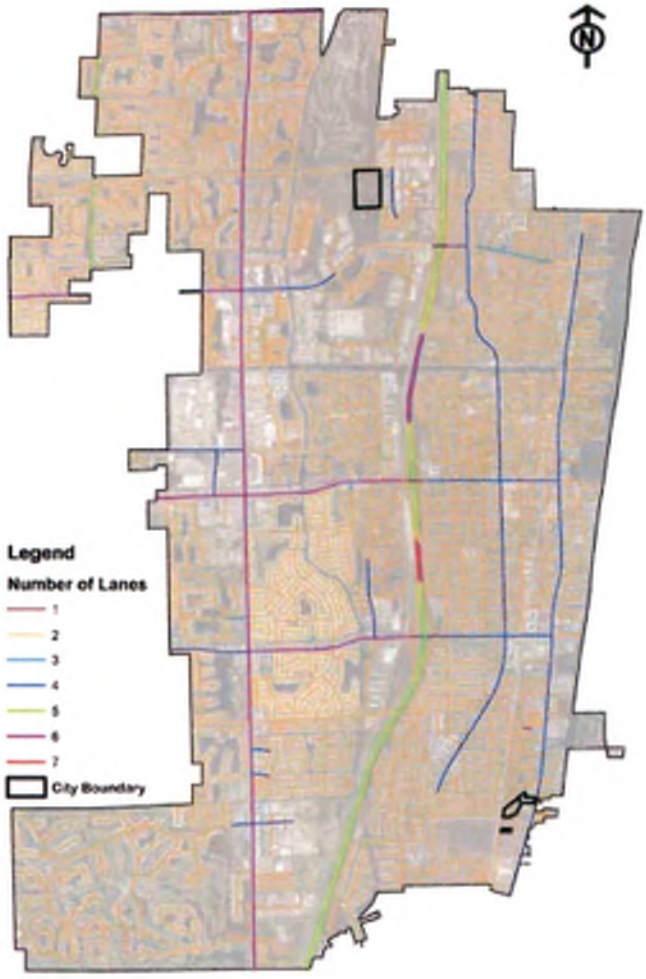


Figure 13. **Number of travel lanes**

Most of the city's streets are two-lane roadways and have a posted speed limit of 30 MPH or less. Neighborhood streets are typically posted at 25 MPH (the lowest posted speed currently allowed on local roads), while the major corridors in the city are posted between 35 MPH and 45MPH. *Figure 12* and *Figure 13* show a direct correlation between speed and the number of lanes. There is an opportunity to replace the current roadway design standard used with a more flexible design standard that allows for streets to be designed at lower speed limits – Quality of Service.





Existing Pedestrian Facilities

Sidewalks currently exist on both sides of the roadway along all of the major traffic corridors in the city. In addition, paved pathways exist along some canals, as well as existing unpaved eco-trails shown in *Figure 14*. There are opportunities for additional eco-trails, unpaved pathways, and other pedestrian enhancements along a few key corridors in order to complete the overall major pedestrian network.





Figure 14. ***Built pedestrian network***







Figure 15. ***Built bike network***

Existing Bike Facilities

Currently, there are existing bike facilities along only a few corridors in the city. These are Federal Highway, Gateway Boulevard, Woolbright Road, Congress Avenue, and Ocean Boulevard, as shown in *Figure 15*. These facilities are categorized into either designated (bike facility with at least a dedicated bike lane) or undesignated (no dedicated bicycle facility but can be traveled on safely due to low traffic volumes and slower speeds). Of these corridors, Federal Highway is the only roadway with an uninterrupted bike facility throughout its entire length. This shows that there are significant gaps in the city's bike network as there are no bike facilities connecting the urban area of the city (east of I-95) to the suburban area of the city (west of I-95). In addition to this, most activity centers in the city are not currently connected with bike facilities. The gaps in the network makes it difficult for a bicyclist to safely and comfortably travel from one activity center to another.





Existing Transit Facilities

The city is currently served by five bus routes operated by Palm Tran, and one passenger rail service operated by Tri-Rail. Palm Tran currently operates along Lawrence Road, Congress Avenue, Federal Highway, Seacrest Boulevard, Gateway Boulevard, and Boynton Beach Boulevard. Boynton Beach is lacking transit at a community level to connect all of the major areas in the city.



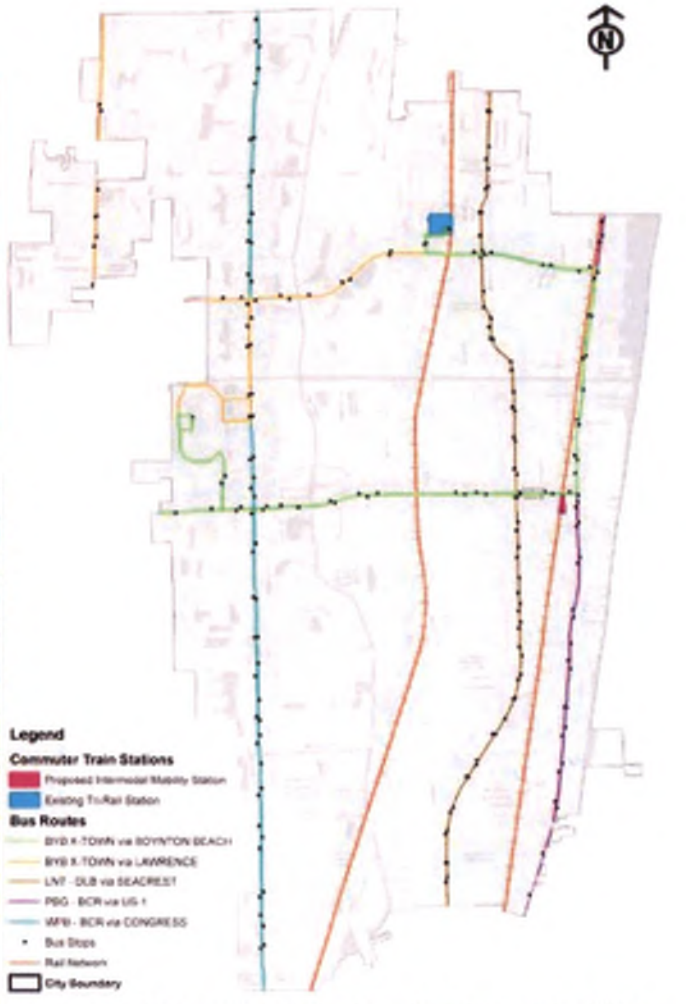
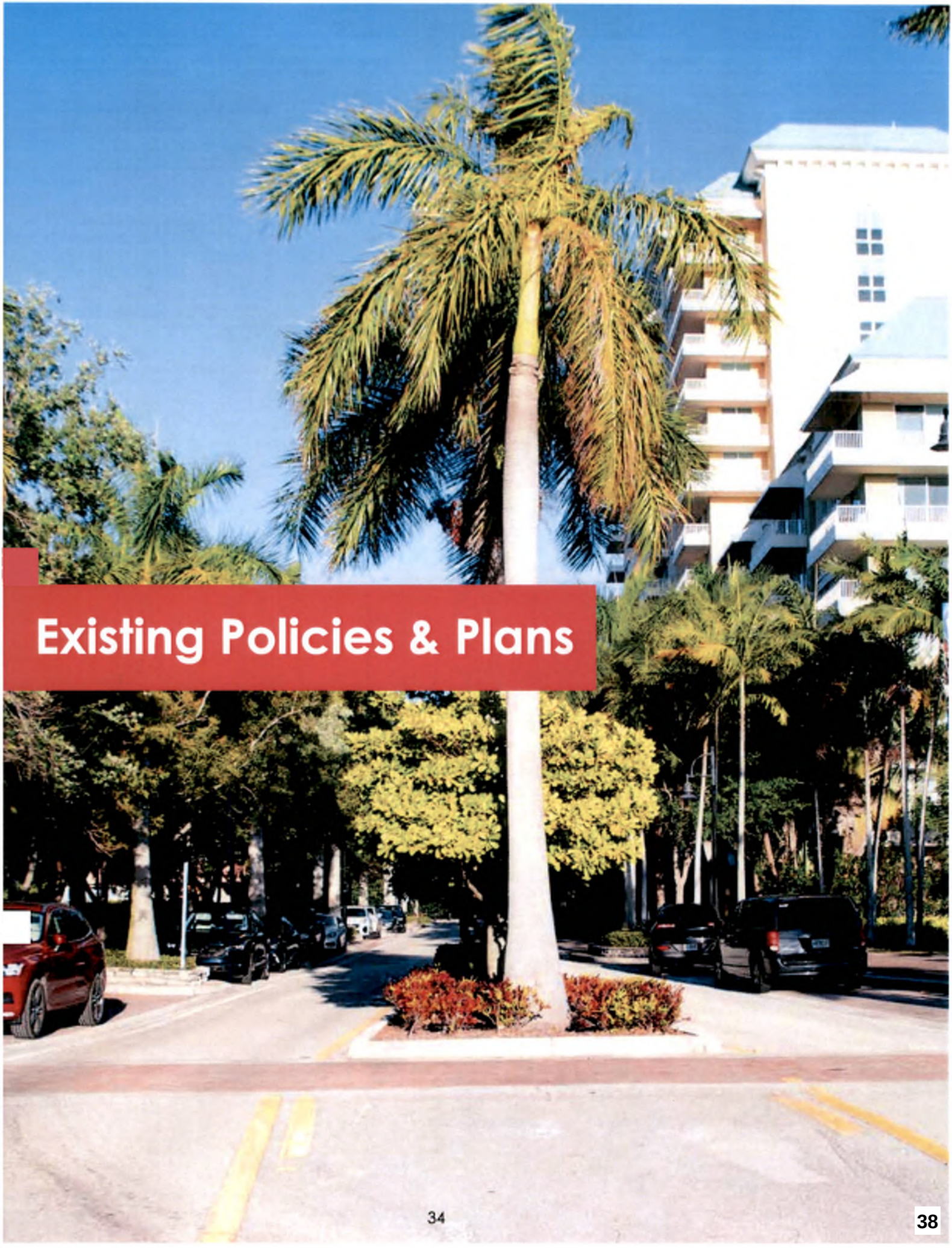


Figure 16. ***Existing transit network & facilities***



Existing Policies & Plans



Future Land Use Element

Cities that experienced the majority of their growth after widespread use of the automobile grew and developed in a way to accommodate it. As a result, these cities, including much of South Florida, have been developed through an urban sprawl pattern, which prioritizes the movement of automobiles instead of people. The City is discouraging this pattern of development by requiring all future development and redevelopment to be compact, have the ability to attract a mix of uses, and support all modes of transportation.

The Future Land Use Element (FLUE) supports a Transit-Oriented Development approach by establishing a Downtown Transit-Oriented Development District (DTODD), which accommodates the greatest density and intensity allowed by the FLUE. The FLUE also establishes Mixed-Use future land use classifications, including Mixed-Use Low (20 du/acre and 2.5 FAR), Mixed-Use Medium (50 du/acre and 3.0 FAR), and Mixed-Use High (80 du/acre and 4.0 FAR). The densities and intensities allowed within these classifications create the framework for the establishment of mixed-use zoning districts within the City's Land Development Regulations (LDR) that support a Complete Streets design approach.

The mixed-use zoning districts established by the LDR include the following: Mixed-Use 1 (which implements Mixed-Use Low), Mixed-Use 2 (which implements Mixed-Use Medium), Mixed-Use 3 (which implements Mixed-Use Medium), Mixed-Use 4 (which implements Mixed-Use High), and Mixed-Use Core (which implements Mixed-Use High). These zoning districts allow for the vertical or horizontal mixing of land uses within a single site, encourage compact development, and prioritize safe, pedestrian-friendly streets with transportation options. This promotes compact developments within a short walking distance of transit stations or mixed-use destinations that contain housing, employment centers, shops, restaurants, and entertainment. This approach reduces the distance between land uses and allows for improved access to transit, walking, and bicycling, increasing their viability as a choice in line with that of driving a personal motor vehicle.

Transportation Element

The Transportation Element sets goals and objectives to develop and maintain transportation systems in order to meet future and current transportation needs. A key goal of the element is to develop a transportation network that incorporates bicycle, pedestrian, and public transit systems. Such systems should promote usage by pedestrians and bicyclists

by incorporating adequate facilities such as wider sidewalks, buffers from travel lanes, shade trees, shorter crossing distances, lighting, refuges in large intersections, bicycle lanes, and bicycle parking.

The Transportation Element also underlines the importance of creating a bikeway classification system, which includes bike lanes, bike paths and bike routes within the city, as well as establishing pedestrian and bicycle facilities around the proposed intermodal mobility station within the city's CRA.

Lastly, the Transportation Element requires examining local high-crash locations, identifying problems, and developing potential solutions to minimize or eliminate crashes at these locations.

CRA Redevelopment Plan

Land Use Elements Supporting Complete Streets

The CRA Plan divides the city into six districts and recommends site-specific future land use classifications for the following five districts: Boynton Beach Boulevard, Cultural, Downtown, Federal Highway, and Heart of Boynton. Within the recommendations, each of the districts receives site-specific mixed-use land use classifications including mixed-use low, mixed-use medium, and mixed-use high; amongst other land use classification changes. Mixed-use developments require Complete Streets infrastructure to reduce vehicular trips within a dense urban fabric. Regulations within the mixed-use land designations that promote Complete Streets include:

- restricting parking to the rear of buildings;
- prohibiting automobile-oriented uses;
- requiring active commercial frontages on the pedestrian level;
- restricting driveway curb cuts to secondary streets when possible; and
- requiring pedestrian access to the main building entry directly from the sidewalk which must front the major thoroughfare.

These regulations allow the urban form to develop in a manner that prioritizes the public right-of-way for the pedestrian and advances multimodal transportation.

Recommendations

The CRA Plan's Future Land Use classifications and connectivity recommendations should be incorporated into the Complete Streets Mobility Plan. In addition, Palm Tran bus routes are discussed in the introduction to the plan; however, it does not specifically identify corridors where transit will be the prioritized mode of transportation. The information on the existing bus routes should be mapped and used in a direct connection to the recommended complete streets improvements. Finally, the identified complete streets corridors should be ranked for priority to be incorporated into the Complete Streets Mobility Plan.

Boynton Beach Greenways, Blueways, and Trails

The plan illustrates and prioritizes actions to increase and enhance multi-modalism; improve non-motorized transportation safety; connect people with natural areas; and increase recreation and conservation opportunities.

Sidewalks and bike lanes are proposed among other facilities that promote mobility for all users regardless of their ability. This provides individuals with the option to use active transportation for leisure, exercise, or commuting to residential and commercial sectors within the city.

The Boynton Beach Greenways, Blueways, and Trails Plan not only supports the Complete Streets Mobility Plan initiative, but also provides a comprehensive list of transportation systems that will be implemented as part of this plan.

Recommendations

The Complete Streets and Mobility Plan will incorporate the bicycle and the blueways systems, including canoe and kayak launch facilities as described in the report. Additionally, the following systems will be reevaluated as part of this study and updated to reflect completed or new proposed components: eco trails, safe crossings, neighborhood greenways, shared use paths, passenger rail stations, and facilities connecting to passenger rail stations.

Boynton Beach Climate Action Plan (CAP)

Global warming and climate change continue to be experienced around the world due to human activity increasing greenhouse gas (GHG) emissions. The CAP focuses on reducing GHG emissions generated by both government operations and the community, and aligns with the goals and objectives outlined in the City's Comprehensive Plan, CRA Plan, and Greenways, Blueways, and Trails Plan.

One of the most significant sources of GHG emissions comes from the combustion of fossil fuels for transportation. Reducing the reliance on single occupant vehicular transportation is a key strategy that can greatly reduce the volume of fossil fuels used and advances several objectives outlined in the CAP for transportation and land use. These strategies include expanding pedestrian and bike infrastructure, supporting the development of transit options, and supporting human-scaled and walkable developments.

Existing Planned Improvements

One primary component of the Complete Streets Mobility Plan is the identification of future multimodal improvements within the city. The City's Comprehensive Plan, CRA Community Redevelopment Plan, and the Boynton Beach Greenways, Blueways and Trails Plan (BBGBTP) were evaluated to identify planned improvements. In addition, the 2045 Palm Beach County Long Range Transportation Plan (LRTP), the current Florida Department of Transportation (FDOT) Transportation Improvement Program (TIP), the County's Capital Improvement Program (CIP), the Palm Beach County Bicycle Master Plan and the Florida Greenways and Trails System Map were also evaluated. The identified projects were grouped into two tables; the first table lists roadway capacity improvement projects while the other table lists bike and pedestrian improvement projects.

Roadway Capacity Improvement Projects

The roadway capacity improvement projects table shows that all three I-95 interchange locations in the city will receive improvements that propose to add travel lanes in order to increase capacity through the interchange. In addition, there are two roadway-widening projects identified in the LRTP located within the suburban area of the city (west of I-95). Intersection improvements vary based on location and include turn lanes and the addition of enhanced crosswalks. In total, there are twelve programmed projects listed in *table 10*.



	Location	Project Description	Source
I-95	Gateway Blvd	Interchange Improvements	FDOT
	Woolbright Rd	Interchange Improvements	FDOT
	Boynton Beach Blvd	Interchange Improvements	FDOT
I-95 at Boynton Beach Blvd	NW 8th St to NW 3rd St	Interchange Improvements	FDOT
Old Boynton Rd	Boynton Beach Blvd	Intersection Improvements	FDOT
Congress Ave	Miner Rd	Intersection Improvements	FDOT
Gateway Blvd	Lawrence Rd	Intersection Improvements	FDOT
Miner Rd	High Ridge Rd	Intersection Improvements	FDOT
SE 23rd Ave	Federal Hwy	Intersection Improvements	FDOT
Woolbright Rd	Seacrest Blvd	Intersection Improvements	FDOT
High Ridge Rd	Gateway Blvd to Miner Rd	Roadway Widening	LRTP
Miner Rd	E4 Canal to High Ridge Rd	Roadway Widening	LRTP

Table 10. ***Roadway Capacity Improvement Projects***

Bike and Pedestrian Projects

The following improvements identified in *table 11* group bike and pedestrian projects identified in the City's plans (CRA and BBGBTP), TIP, and TPA Bike Priority Network. Several projects identified in the City's plans overlap with projects identified in partner agency plans, indicating consistency among the plans. Improvements are identified in both the urban and suburban areas of the city across all plans.

	Location	Project Description	Source
Ocean Ave	3rd St to Federal Hwy	Bike/Pedestrian Improvements	FDOT
	Seacrest Blvd to FEC	Bike/Pedestrian Improvements	CRA
	Seacrest Blvd to SE 1st St	Bike/Pedestrian Improvements	CRA
Boynton Beach Blvd	I-95 to Federal Hwy	Bike/Pedestrian Improvements	FDOT CRA
	Western City Limits to Eastern City Limits	Bike Improvements	BBGBTP TPA TIER 1 CRA FDOT
Seacrest Blvd	City Limits to Hypoluxo Rd	Bike Improvements	BBGBTP TPA TIER 1 CRA

	Location	Project Description	Source
Seacrest Blvd	NE 1st Ave to SE 2nd Ave	Bike/Pedestrian Improvements	CRA
	Boynton Beach Blvd to Boynton Beach Canal	Bike/Pedestrian Improvements	CRA
SE 5th Ave	SE 1st St to FEC Tracks	Bike Improvements	FDOT
SE 1st ST	Boynton Beach Blvd to Woolbright Rd	Bike/Pedestrian Improvements	FDOT
	Woolbright Rd to SE 2nd Ave	Bike Improvements	FDOT
	Boynton Beach Blvd to Woolbright Rd	Bike Improvements	FDOT
Federal Hwy		Bike/Pedestrian Improvements	CRA
SE 4th ST & Ocean Ave	Pence Park to the Marina	Greenway	CRA
Eco Trails	Pedestrian Zone to Mangrove Park	Bike/Pedestrian Improvements	CRA
Martin Luther King Jr Blvd	Federal Hwy to NW 1st St	Bike/Pedestrian Improvements	FDOT
Congress Ave	City Limits to Hypoluxo Rd	Bike Improvements	BBGBTP
Gateway Blvd	High Ridge Rd	Intersection Improvements	FDOT
Quantum Blvd	Congress Ave to Gateway Blvd	Intersection Improvements	FDOT
Old Boynton Rd	Lawrence Rd to Winchester Park Blvd	Bike Improvements	BBGBTP TPA Tier 2*
Commerce Park Dr	High Ridge Rd to Boynton Beach Station	Bike Improvements	BBGBTP
High Ridge Rd	Gateway Blvd to Miner Rd	Bike Improvements	BBGBTP TPA Tier 2
Miner Rd	E4 Canal to High Ridge Rd	Bike Improvements	BBGBTP TPA Tier 2
	Lawrence Rd to E4 Canal	Bike Improvements	BBGBTP TPA Tier 2
Woolbright Rd	City Western Limits to Ocean Blvd	Bike Improvements	BBGBTP TPA Tier 1
SW 23rd Ave	SW 10th St to Railroad*	Bike Improvements	BBGBTP TPA Tier 2
Golf Rd	SW 26th St to SW 10th St	Bike Improvements	BBGBTP TPA Tier 2
Old Dixie Hwy	Gulfstream Rd to Sunset Rd	Bike Improvements	BBGBTP
SW 26th St	Golf Rd to Woolbright Rd	Bike Improvements	BBGBTP TPA Tier 2
Gulfstream Blvd	Railroad to Federal Hwy	Bike Improvements	BBGBTP TPA Tier 2
	Seacrest Blvd to Old Dixie Hwy	Bike Improvements	BBGBTP TPA Tier 2
NW 8th St	Ocean Ave to Boynton Beach Blvd	Bike Improvements	BBGBTP TPA Tier 2

Table 11. ***Bike and Pedestrian Improvement Projects***



MOBILITY PLAN





LAND USE ASSESSMENT





Boynton Beach Multimodal Mobility Hubs & Districts

Complete Streets networks often support the development of multimodal communities. These communities are typically defined as areas with compact development within walking distance of transit service or destinations that contain a mix of uses such as housing, offices, shops, restaurants, and entertainment. The Complete Streets transportation network can be implemented through a Mobility Plan, which integrates multimodal-oriented land uses with people-focused mobility, encouraging people to choose an active transportation choice.

The Boynton Beach Complete Streets Mobility Plan has been developed around the proposed primary and secondary multimodal mobility hubs, which include anticipated major destinations, a mix of land uses, and existing major destinations in the urban and suburban sections of the city. The plan aims to provide multimodal connections to these areas using the key corridors in the city and within the defined hubs and districts.

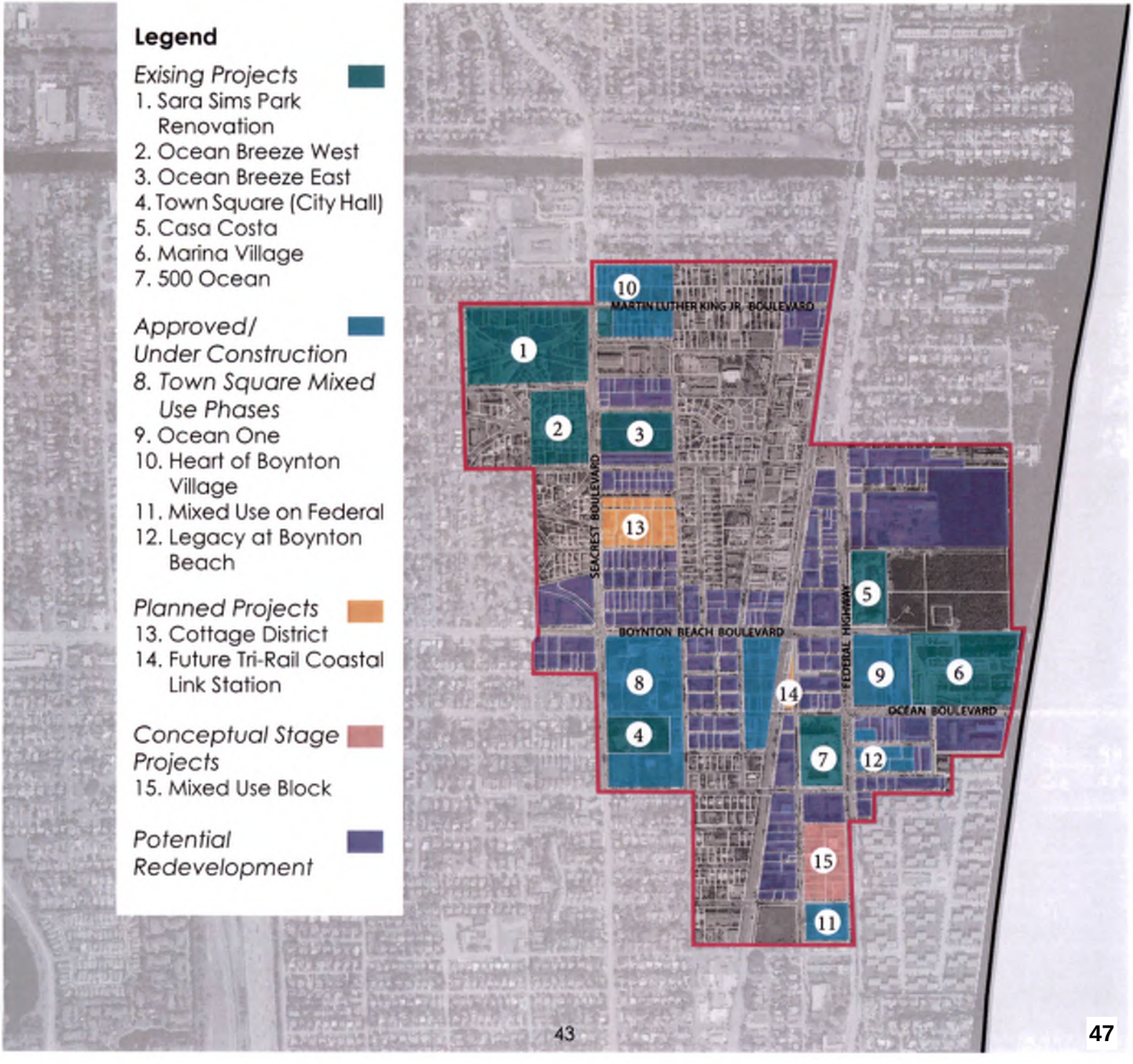
Multimodal Mobility Hubs (MMH) are places of connectivity where there are existing or planned concentrations of residential, employment center, retail, and entertainment developments. These places can connect together seamlessly through different transportation options, such as walking, biking, and transit. Multimodal Mobility Districts (MMD) are key nodes of multimodal-oriented developments that support multimodal transportation options within their boundaries, but require connection to additional services (e.g. employment and retail centers) provided within a MMH.



Primary Multimodal Mobility Hub

The Primary Multimodal Mobility Hub (MMH) as shown in *Figure 17*, boasts a current mixture of land uses, including hotels, restaurants, retail shops, marine attractions, employment centers, governmental buildings (City Hall, a fire station, library, and cultural center), and residential developments that allow for mixed-use developments along Boynton Beach Boulevard, Federal Highway, Seacrest Boulevard, Martin Luther King Jr. Boulevard, and Ocean Avenue. Also located within the Primary MMH is the Downtown Transit Oriented Development District (DTOD), currently served by three Palm Tran bus routes. This hub also contains the future site of the Tri-Rail Coastal Link Station.

Figure 17. ***Secondary Multimodal Mobility Hub Boundary and Key Project Locations***



Secondary Multimodal Mobility Hub

The Secondary Multimodal Mobility Hub (MMH)—as shown in *Figure 18*—is comprised of restaurants, retail shops, public parks, places of worship, employment centers, the Catalina Center (which has the potential for future redevelopment located at Congress Avenue and Gateway Boulevard), and a future mixed-use development site at West Boynton Beach Boulevard and Knuth Road. The Boynton Beach Mall is also included in this MMH and a future master plan is under discussion with City staff to transform the site to include residential units, hotels, an enhanced retail experience, and programmable outdoor public spaces aimed at activating the local streets within the site. As the site develops, the need for Complete Streets projects that provide enhanced walkable or bikeable connections to the mixed-use developments and shopping centers along both the east and west side of Congress Avenue will become vital.

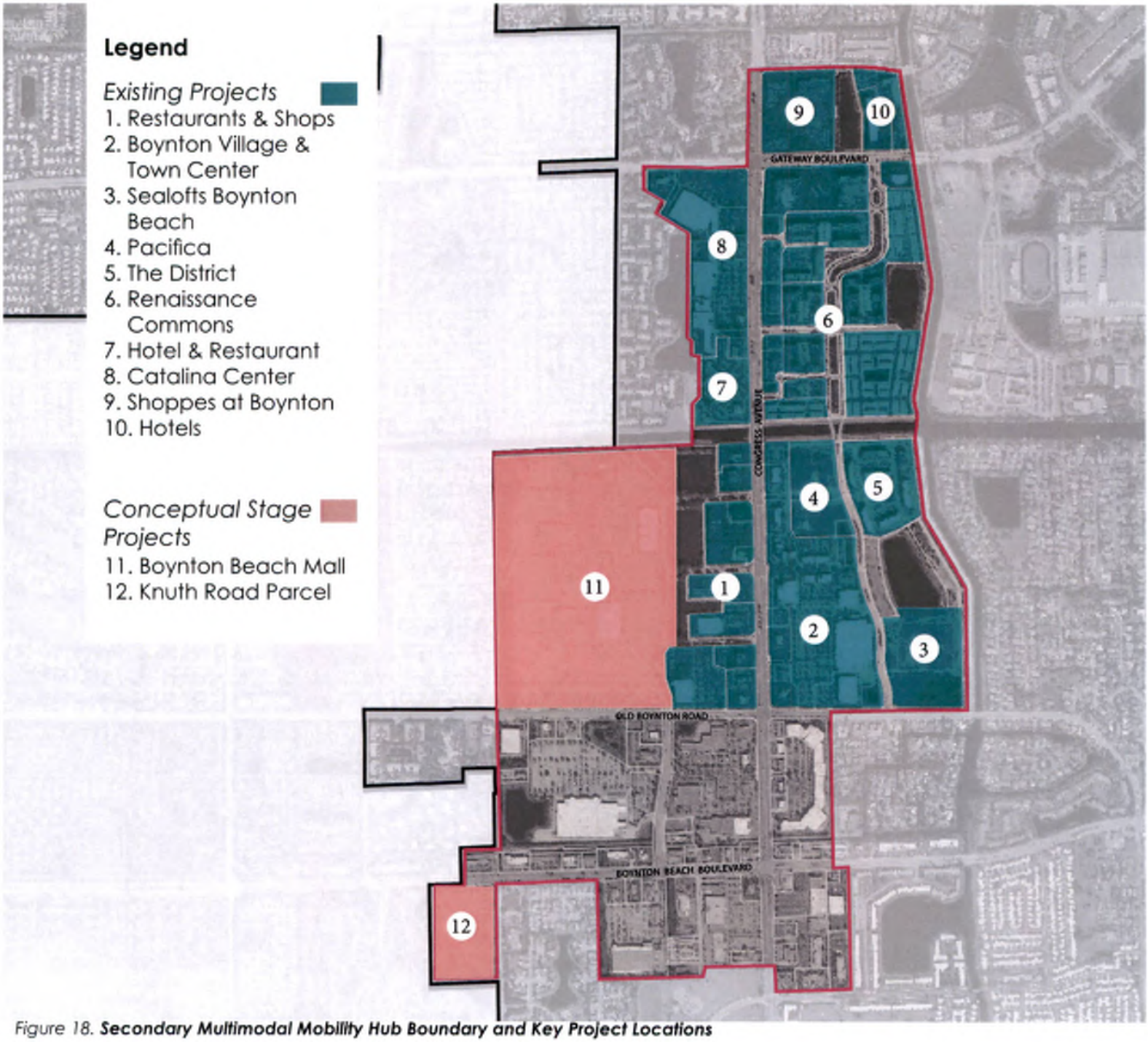


Figure 18. ***Secondary Multimodal Mobility Hub Boundary and Key Project Locations***

Multimodal Mobility Districts

Figure 19 shows that the Multimodal Mobility Hubs and Mobility Districts are all within close proximity to one another. The Primary MMH and Secondary MMH are 2.5 miles apart and their respective MMD nodes are less than 2 miles from their centers. This depicts the need for the Hubs and Districts to be connected through Complete Streets projects that accommodate all modes of transportation.

To the northeast of the Secondary MMH is the Tri-Rail MMD as shown in *figure 18* that includes the Brewery District, Tri-Rail station, and an undeveloped parcel adjacent to the Tri-Rail Station. Tri-Rail provides service to employment centers and schools within the city as its passengers are mostly workers and students who commute into the city via rail on a daily basis during the week. The Tri-Rail MMD is expected to attract new developments in the future.

To the south of the Primary MMH, as shown in *Figure 19*, are the Woolbright MMD and the Medical Overlay District. The Medical Overlay District shown on the aerial was delineated by City staff to include Bethesda Hospital East which is one of the City's major employers, several small private medical practices, and parcels where medical uses can be developed in the future, including the possible expansion of Bethesda Hospital East. The Woolbright MMD is a multimodal oriented development node that consists of residential, retail, restaurants, and parcels that allow for future mixed-use developments.



Figure 19. ***Multimodal Mobility Hubs and Districts***





LOS & QOS STANDARDS

LOS & QOS Standards

The Comprehensive Plan currently has adopted roadway level of service standards (LOS) of "D" for arterials and collectors within the City, except for Interstate 95 which has a LOS standard of "E". Roadway LOS of "D" standards are typically adopted by most communities in recognition that this standard allows for some level of traffic congestion during peak hours; however, traffic still flows at a fairly uniform rate. The City has also adopted a Transportation Concurrency Exception Area (TCEA) in and around its Downtown in recognition that a LOS D is not achievable without significant disruption to the urban fabric of the city and would negatively impact the desire of the City to encourage bicycling, walking, accessing transit, and using new personal and shared mobility technology.

Florida Statute 163.3180(5)(f)(2) suggests exploring areawide roadway LOS standards as an alternative to segment specific roadway LOS standards and establishing multimodal quality of service standards. The establishment of areawide roadway LOS standards was evaluated as a replacement of segment specific roadway LOS standards. The intent of the City's Complete Streets and Mobility Plan is to move away from a focus on the movement of vehicles, and moves towards emphasizing and planning for the movement of people through a multimodal transportation system.

The City has no plans to add road capacity east of I-95 and the recently adopted 2045 Long Range Transportation Plan does not identify any roadway capacity projects east of I-95. There are two future roadway capacity projects along High Ridge Road and Miner Road west of I-95 that are included in this Complete Streets Mobility Plan. Other than those two projects, the Plan consists of multimodal projects to encourage people to bicycle, walk and use transit. Further, the Plan serves as the basis for the development of a Mobility Fee which would replace transportation concurrency, proportionate share, and County road impact fees for development within the Mobility Fee Assessment Area.

Since the City no longer intends to implement transportation concurrency, proportionate share, and road impact fees within the Mobility Fee Assessment Area, the Complete Streets Mobility Plan establishes Street Quality of Service (QOS) standards to replace segment specific roadway LOS standards instead of adopting areawide roadway LOS standards. The Street QOS is based upon the posted speed limit. The lower the posted speed limit, the greater the emphasis on convenient accessibility to adjacent land uses and the safe movement of people, whether they are walking, bicycling, accessing transit, or driving. Higher posted speed limits recognize that the function of the road is to emphasize the movement of vehicles, with reduced accessibility to adjacent land uses, and should be limited to corridors serving regional traffic.

For local streets and shared streets which emphasize walking and bicycling and provide direct access to homes and businesses, quality of service (QOS) standards will be set at either QOS of "A", which would be equivalent to a posted speed limit of 15 MPH or less, or a QOS of "B", which would be equivalent to a posted speed limit of 20 MPH. Collectors located in areas where the City prioritizes people walking and bicycling, the QOS standard would principally be "B", which would be equivalent to a posted speed limit of 20 MPH, with some collectors and select arterials with a QOS of "C", which would be equivalent to a posted speed limit of 25 MPH. Major collectors and minor and principal arterial roads, which are focused on moving higher volumes of traffic and consist of roads maintained and owned by the Florida Department of Transportation (FDOT), would generally have a QOS standard of "D" or "E" outside of more urbanized areas of the City.

Establishing QOS standards based on posted speed limits more accurately reflects the intended purpose of a street or road and the desired level of people walking, bicycling, and riding transit, along with access to adjacent land uses. The QOS standards also move the City towards the goal of Vision Zero. Under Street QOS, the posted speed limit is intended to be served as the design standard with the express intent of providing the City the opportunity to implement its Complete Streets and to allow for design and redesign of streets to create safer conditions for people to walk and bicycle and allow for smaller lane widths, shared streets, and innovative designs to lower motor vehicle speeds. The QOS standards also allow for greater levels of neighborhood traffic calming to improve safety and potentially reduce cut through traffic. The QOS standards are intended to be implemented over time as streets are designed and redesigned and as traffic calming techniques are employed. QOS standards of "A" and "B" are not intended to be used unless there are physical geometric changes to streets to encourage slower speeds. Just because a lower speed limit is posted, it does not mean cars will slow down, unless there are actual changes to the street right-of-way that will result in people driving slower and more people feeling comfortable to bicycle and walk. The new Street QOS standards are as follows:

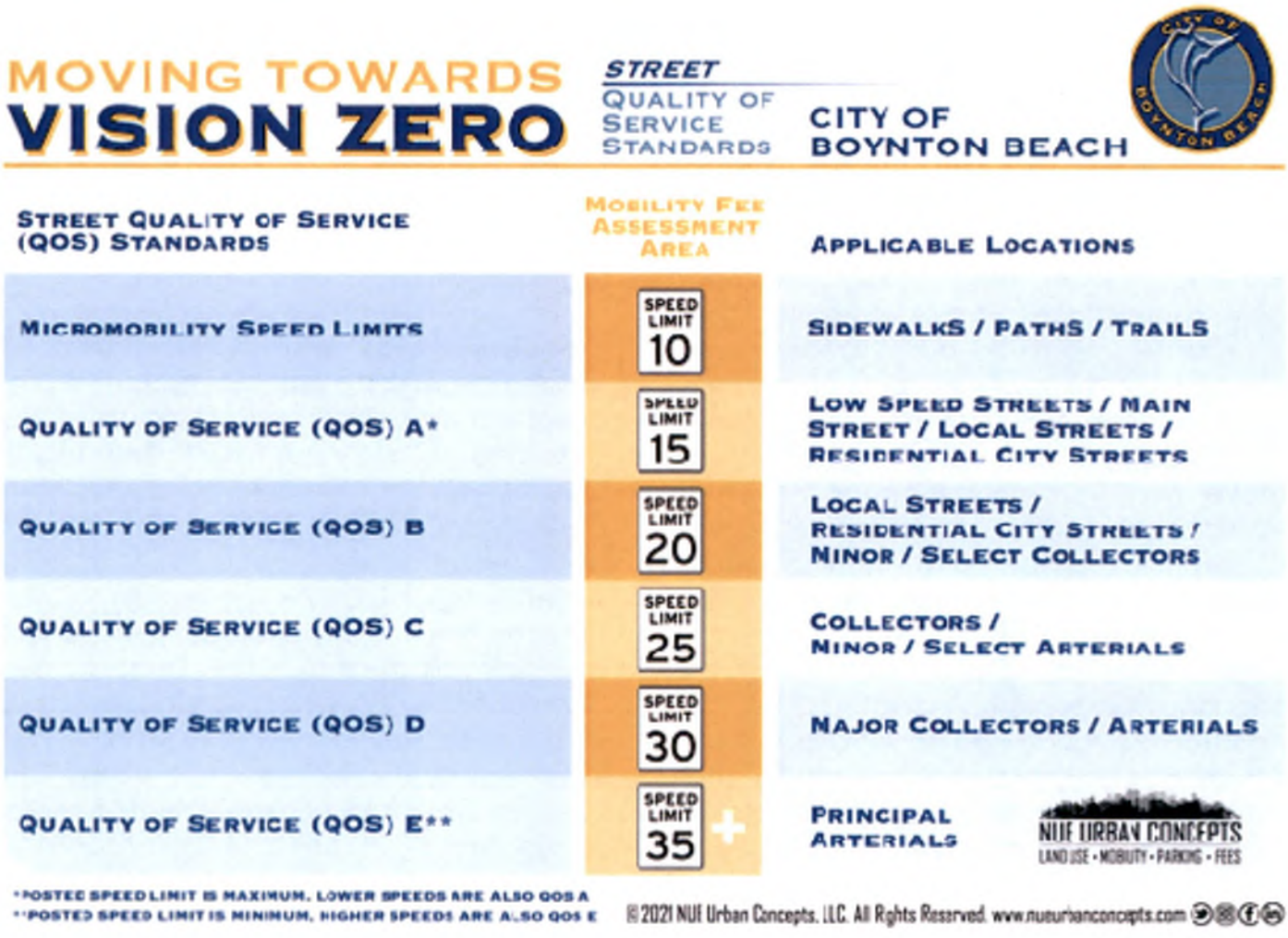


Figure 20. Quality of Service Standards

The following are the QOS standards for sidewalks, paths and trails that accommodate primarily non-motorized travel demand for people walking, jogging, running, skating, or riding a bicycle. A five (5) foot sidewalk adjacent to travel lanes would result in a QOS "E" and a twelve (12) foot wide trail separated from travel lanes by a landscaped buffer would be a QOS "A". The higher the QOS, the higher the multimodal capacity and likelihood that people would utilize the facility. Complete Street design standards will further define the types of physical separation.

Multimodal Quality of Service Standards for Walking and Biking

Facility Type	Type of Separation from Travel Lanes			
	Limited Separation	Street Trees	On-Street Parking	Landscape Buffer
Trail 12' or wider	B	A	A	A
Path 10'	C	B	B	B
Path 8'	D	C	C	C
Sidewalk 7' or less	E	D	D	D

Source: QOS Standards established by NUE Urban Concepts, LLC
Notes: The presence of two or more physical separation features, such as on-street parking and street trees would result in an increase in one additional letter grade. For example, a ten (10) foot wide path with street trees and on-street parking would achieve a quality of service of "A", a five (5) foot wide sidewalk with street trees and a landscape buffer would achieve a quality of service of "C"

The following are the QOS standards for bicycle boulevards, bike lanes, and paved shoulders that accommodate travel demand for people skating, biking, scooting, skateboarding, or riding a micromobility device. A four (4) foot bike lane adjacent to travel lanes would result in a QOS "D" and a five (5) foot buffered bike lane would result in a QOS of "B". Complete Streets design standards will further define the types of physical separation, pavement markings and signage.

Multimodal Quality of Service Standards for Bicycling and Micromobility

Facility Type	Type of Separation from Travel Lanes			Green Lane or Double Lines	Maximum Posted Speed Limit
	Limited Separation	Protected	Buffered		
Bike lane 6' or more	C	A	A	A	30 mph - A
Bike lane 5'	D	A	A	A	25 mph - B
Bike lane 4'	E	B	B	B	20 mph - C
Paved Shoulder	E	B	B	B	20 mph - D
Bicycle Blvd	--	--	--	--	15 mph - B

Source: QOS Standards established by NUE Urban Concepts, LLC
Notes: The presence of a physical separation features, along with pavement markings and posted speed limits would result in an increase in one additional letter grade. Protected bike lanes feature a physical carrier such as a median. Buffered bike lanes feature a buffer at least two (2) feet in width with either chevrons, RPMs, or flex post. Double lines shall be spaced a minimum of four (4) inches apart and feature RPMs or flex post to quality.

The following QOS standards for transit are based upon the frequency of service during peak periods and the type of transit service provided. The QOS standards are only for corridors that feature transit service. The City may elect to establish target transit QOS standards for public/private partnership proposals and during the annual capital improvements planning process.

Multimodal Quality of Service Standards for Transit

Frequency of Service	Trolley	Bus	Microtransit	Rail
10 minutes or less	A	A	A	A
15 minutes	A	A	B	A
20 minutes	B	B	C	A
30 minutes	C	C	D	B
45 minutes	D	D	E	C
60 minutes	E	E	E	D

Source: QOS Standards established by NUE Urban Concepts, LLC
Notes: A span of service exceeding 14 hours would result in an increase in one additional letter grade.





COMPLETE STREETS & MOBILITY IMPROVEMENTS



All transportation modes need safe and equitable access to the city's transportation network. In order to ensure that this is accomplished, there is a need to adopt Complete Streets criteria consistent with this plan. Complete Streets policies require that people of all ages and abilities, including pedestrians, bicyclists, transit riders and motor vehicle drivers, are accommodated in the design of the corridor cross-sections. This consideration should occur at the beginning of the design process to ensure that all road users are accommodated to the maximum extent feasible.

City staff delineated the Multimodal Mobility Hubs (MMH) and Multimodal Mobility Districts (MMD), as described on page 42, to identify areas in the city that are likely to generate significant non-automobile trips either now or in the future. These areas encompass the city's activity centers and include mixed-use developments, hotels, restaurants, retail shops, marine attractions, employment centers, passenger rail stations (existing and proposed), and other uses that encourage multimodality. Defining the boundaries of the MMH's and MMD's helped staff to identify gaps in the transportation network within the hubs and districts. Emphasis was also placed on providing multimodal connections between the MMH's and MMD's to ensure that all modes would be able to move freely around the city.

Multimodal Improvements

Multimodal communities are typically defined as areas containing compact developments within close proximity to transit stations and mobility hubs, or destinations that contain a mix of uses such as housing, employment centers, shops, restaurants, and entertainment. In simple terms, planning for multimodal communities is about creating walkable, bikeable, and sustainable communities for people of all ages, income levels, and abilities. Currently, there is a great need to provide multimodal accommodations for people walking and biking in the city. In addition, there is a need to implement a local "people mover" transit system to connect all multimodal hubs and districts, including the proposed Tri-Rail Coastal Link Station.

City staff reviewed the Palm Beach Transportation Planning Agency's 2045 Long Range Transportation Plan (LRTP) to identify all proposed roadway improvements between 2020 and 2045. This analysis revealed that, with the exception of Miner Road, the LRTP does not propose any additional roadway widening projects within the city's boundaries. This indicates that the period of auto-focused roadway widening has come to an end and the focus for future roadway design is now geared towards multimodal roadway improvements.

The proposed multimodal improvements within this Complete Streets and Mobility Plan, along with the phasing of those improvements, were developed to provide the infrastructure necessary to encourage people to walk, bike, and ride transit. Additionally, the plan also identifies several road and intersection improvements to enhance safety for both drivers and pedestrians as detailed in Appendix A.

The multimodal improvements identified in this plan were established based on the following fundamental elements. These elements are necessary to transition the city from housing a transportation system focused on moving cars to one focused on providing a safe, comfortable, and convenient multimodal transportation system through personal mobility and mobility choice:

Mobility: The ability to freely move people from one place to another by multiple modes of travel in an efficient manner. Deterrents to people making active transportation choices such as walking or biking are often associated with gaps in the transportation network such as an incomplete separated bike lane along a bike route.

Accessibility: A measure of the ease of reaching, entering, or interacting with destinations. Accessibility can also be associated with a place of origin. A place with "high" accessibility is one from which many origins and destinations can be reached with ease via different transportation modes (walk, bike, transit, vehicle, etc.).

Connectivity: Refers to the number of routes people have available to them to move from one place to another and the directness (convenience) of those route options from origin to destination. For example, a gridded network of streets effectively distributes traffic and reduces congestion on arterial or collector roads, whereas cul-de-sacs funnel traffic on arterial or collector roadways contributing to congestion.

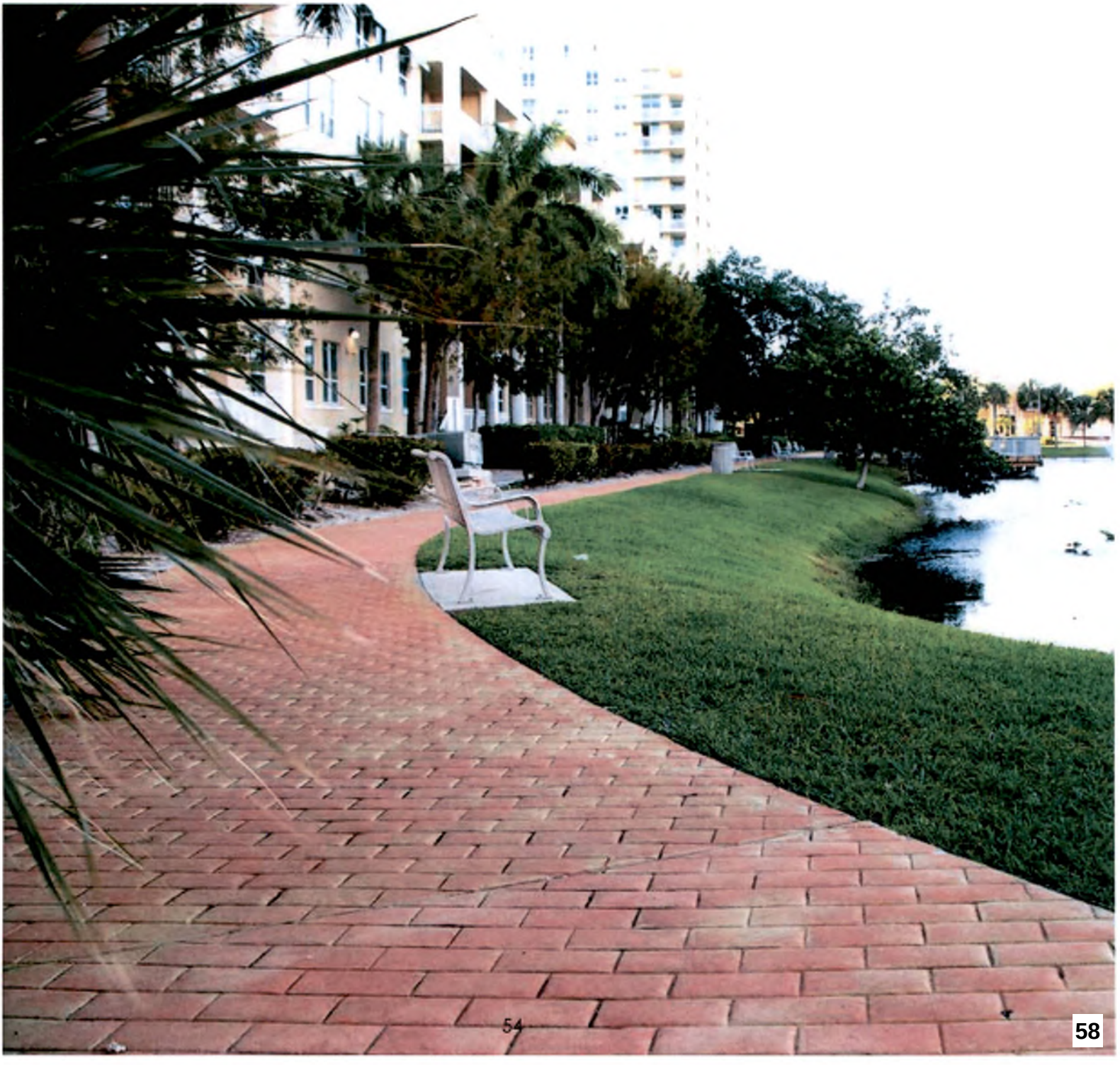
Visibility: The quality of eye contact experienced between drivers and people walking, biking, and using a mode of travel other than driving a car. One method to increase eye contact is to increase the number of people walking and biking (i.e. safety in numbers equals more awareness that people walk and bike in an area). Design methods to increase the visibility of people walking and biking can include green bike lanes, painted intersections, and flashing signals.

Continuity: Multimodal facilities that have no gaps or sudden breaks in the network between the beginning and end point of a route. Vehicular travel lanes do not suddenly terminate without advanced warnings or change in number of lanes without properly marked transitions; neither should sidewalks, paths, trails, or bike lanes.

Safety: Physical design elements that can be incorporated into projects to enhance and provide safety for all road users. For example, a raised curb between a bike lane and a vehicular travel lane provides physical separation to protect bicyclists from passenger vehicles. Roadway designs can also facilitate behavioral changes that also enhances safety for everyone.

Social Value: The people-to-people connections that one experiences in a shared space environment, whether biking, walking, or taking transit. The social value of these interactions increases both individual and societal happiness through active engagement with the city, which can lead to an increase in the overall quality of life and independence for all, especially children and the elderly.

In addition, proposed projects were developed using best practices and guidance from a variety of organizations including Palm Beach Transportation Planning Agency Complete Streets Design Guidelines; FHWA Safe Transportation for Every Pedestrian (STEP) Program; FHWA Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations; Americans with Disabilities Act (ADA) Standards for Accessible Design; FDOT Design Manual; FDOT Manual of Uniform Minimum Standards for Design; Construction and Maintenance (Florida Green Book); FDOT Plans Preparation Manual (PPM); and United States Department of Transportation (USDOT) Manual on Uniform Traffic Control Devices (MUTCD).





Proposed Facilities







Figure 21. Proposed Pedestrian Facilities and Percentage of Existing Complete Sidewalk Network.

Proposed Pedestrian Facilities

Sidewalk connectivity was analyzed for each neighborhood in the city and categorized based on the approximate percentage of existing sidewalks as shown in *Figure 21*. To the west of I-95, most neighborhoods currently have a complete or nearly complete sidewalk network (represented by the lighter shade of green), and a few of the neighborhoods have less than 50 percent of existing sidewalks (represented by the darker shade of green). The greatest need for sidewalks exists east of I-95 with the majority of the neighborhoods currently with 50 percent or less of existing sidewalks, especially around the primary multimodal mobility hub. This represents a major gap within the city's pedestrian network. Completing the pedestrian network at the neighborhood scale will be very important in order to have a complete and connected pedestrian network.

Figure 21 also illustrates the proposed multimodal improvements for trails, pathways, and sidewalks in the Complete Streets Mobility Plan to encourage and support people walking and bicycling. The detail for each improvement, along with the phasing of the improvement, are provided in *Appendix A*. A larger version of *Figure 21* is provided in *Appendix B*.



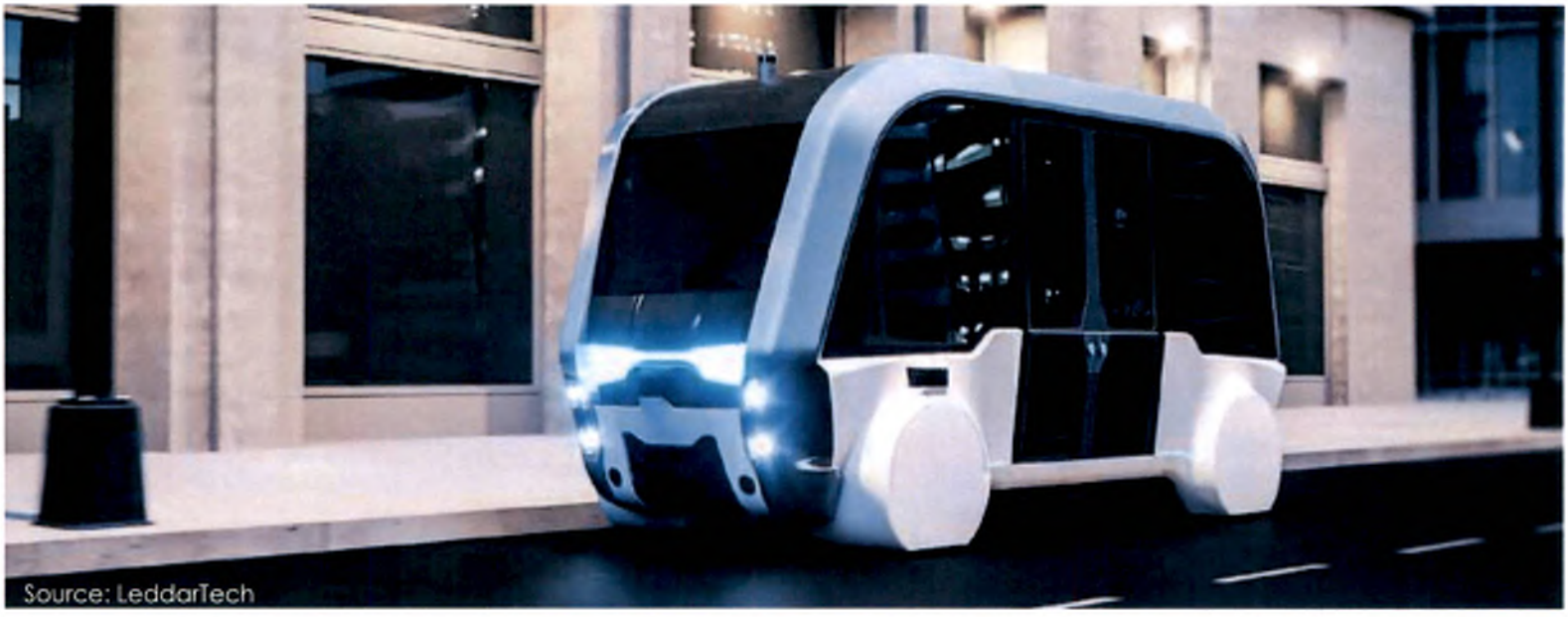


Proposed Bicycle Facilities

As mentioned previously, the city's bike network currently has significant gaps. Those gaps have been filled with proposed bike facility projects represented by green lines in *Figure* 22. This will ensure that the bike network is completed and all multimodal mobility hubs and districts will be accessible to residents and visitors who choose to move around on bike. The proposed multimodal improvements for bicycles in the Complete Streets Mobility Plan will encourage and support people walking and bicycling. The detail for each improvement, along with the phasing of the improvement, are provided in Appendix A. A larger version of *Figure* 22 is also provided in *Appendix B*.



Figure 22. Proposed Bike Facilities



Source: LeddarTech

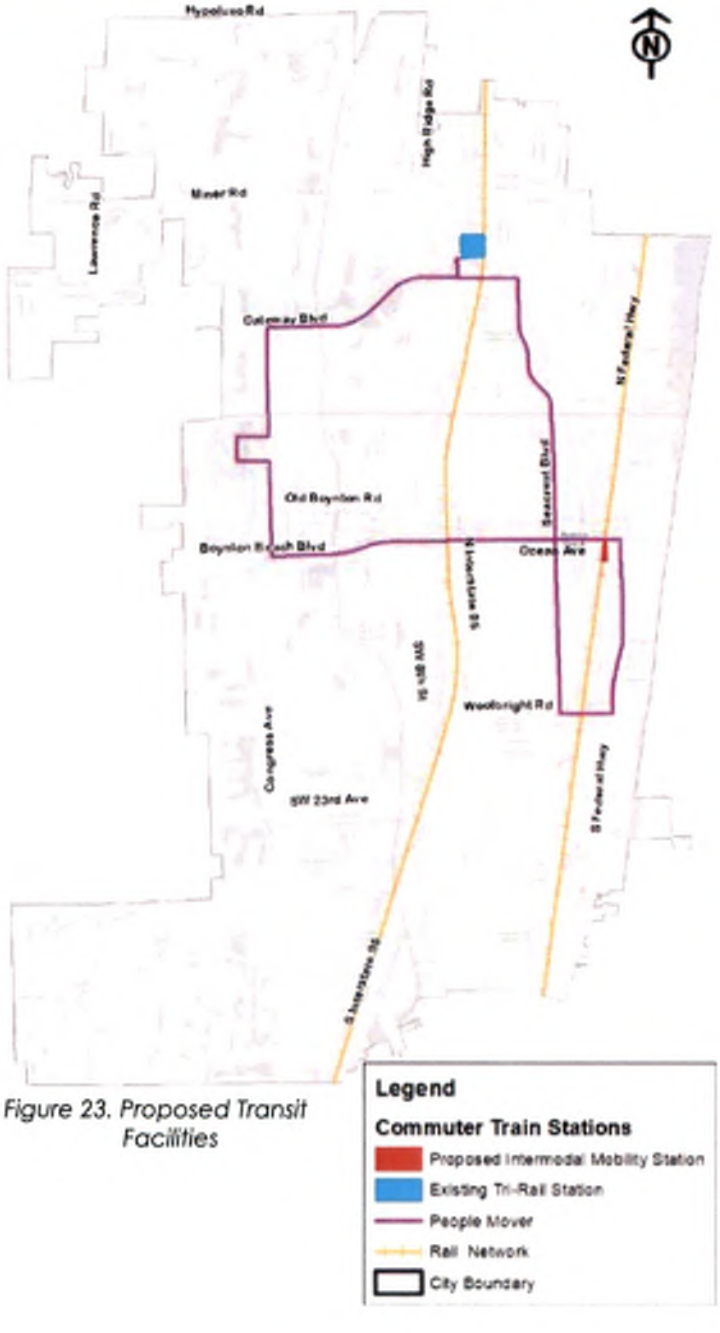


Figure 23. Proposed Transit Facilities

Proposed Transit Facilities

The proposed local transit route shown in *Figure 23* will service the existing Tri-Rail train station, multimodal mobility hubs and districts, and the future intermodal mobility station that will include passenger rail service in the future. This proposed route is preliminary and is subject to change.

The detail for each improvement, along with the phasing of the improvements, are provided in *Appendix A*. A larger version of *Figure 23* is provided in *Appendix B*.





Proposed Blueways Facilities

The existing and proposed recreational waterways facilities, including canoe & kayak launch paths and crossings areas as shown in *Figure 24* are adopted from the City's Boynton Beach Greenways, Blueways, and Trails Plan. These recreational facilities provide the users with a mobility network through the City's waterways. The network will provide another healthy option for recreation and exercise for the community. A larger version of *Figure 24* is provided in *Appendix B*.



Figure 24. Proposed Blueways Facilities



Connectivity Vision Map

Many people want to walk, bike, or use transit to commute to destinations, but because of unsafe and uncomfortable gaps within the existing transportation network, they are discouraged from doing so and are instead forced to rely upon a motor vehicle to commute. In order to close these gaps, the Complete Streets Mobility Plan includes proposed multimodal improvements for bike lanes, shared-use paths, and trails within the City. The Connectivity Map shown in Figure 25 illustrates the location of these improvements and paints a picture of the city's vision to create a complete transportation network that allows for the seamless movement of people regardless of the transportation mode they choose.

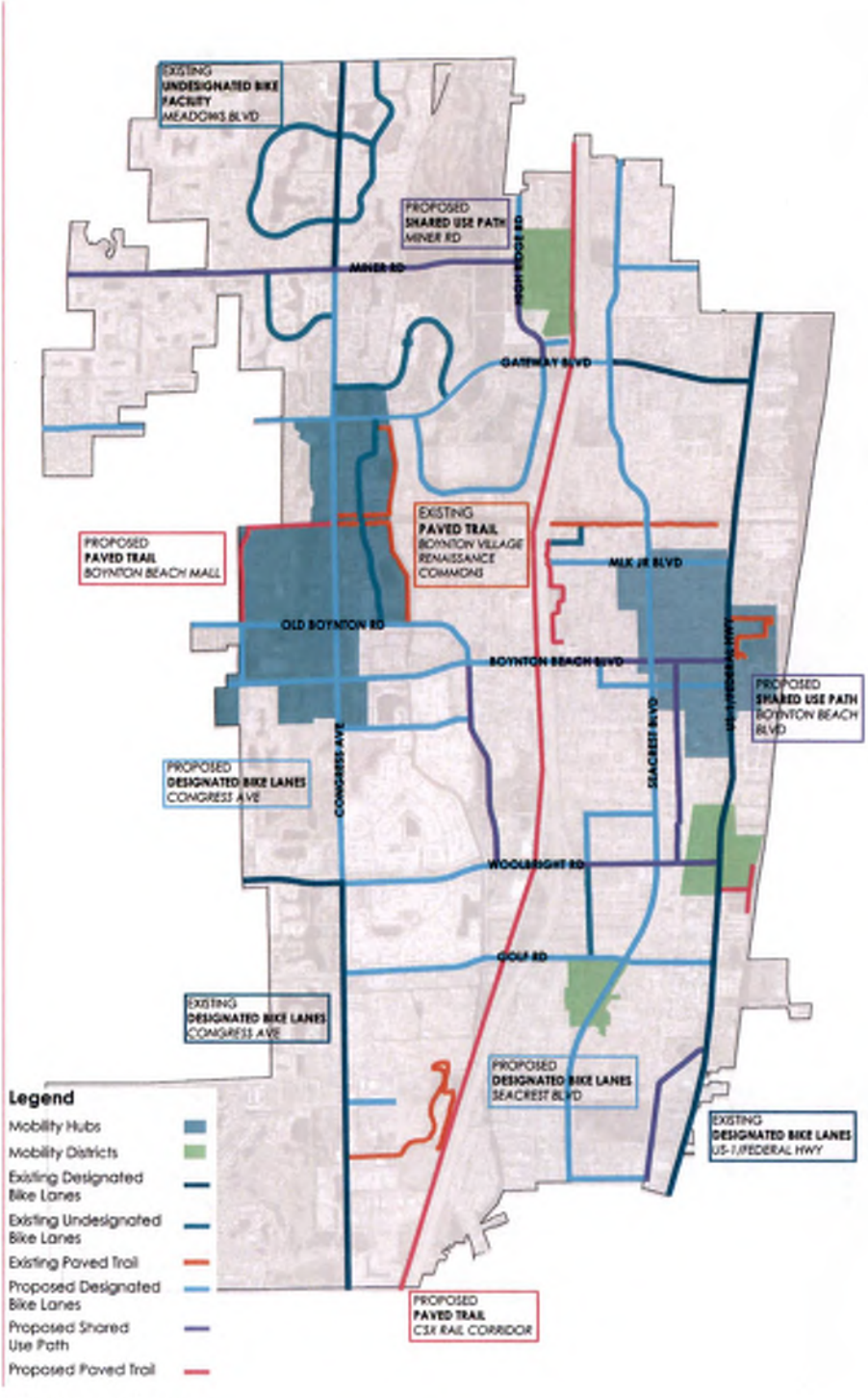


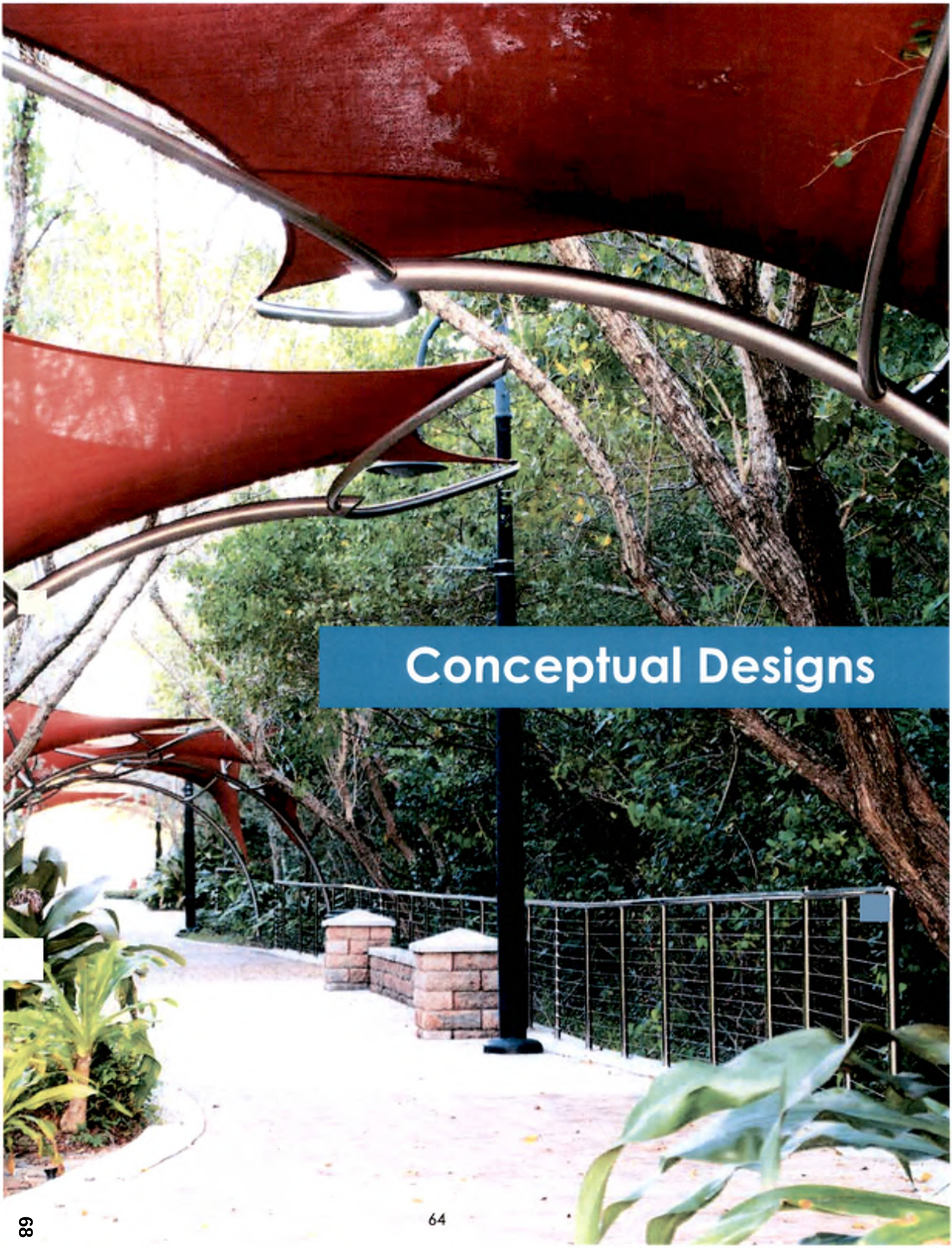
Figure 25. Mobility Fee Assessment Area

		Project Limits	Project Description
1	Ocean Ave	SE 1st St to West of FEC SW 3rd St to FEC	On-Street Parking/Sidewalk Expansion/ Enhanced Crosswalks Sharrows
2	Boynton Beach Blvd	NW 3rd St to Federal hwy Western City Limits to West of I-95	Shared-Use Path Buffered Bike Lanes
3	Seacrest Blvd	South City Limits to Hypoluxo Rd	Bike Lanes/Sidewalk Expansions
4	SE 1st ST	Boynton Beach Blvd to Woolbright Rd, SE 5th Ave from SE 1st St to Federal Hwy	Shared-Use Path on SE 1st St/ Pedestrian improvements on SE 5th Ave
5	Martin Luther King Jr Blvd	NW 5th St to Federal Hwy NW 3rd St to NW 5th St	On-Street Parking/Bike Lanes/ Sidewalk Expansion On-Street Parking
6	Congress Ave	Miner Rd to Woolbright Rd	Bike Lanes/Sidewalk Expansion
7	Gateway Blvd	Lawrence Rd to Seacrest Blvd	Bike Lanes
8	Old Boynton Rd	City Limits to Boynton Beach Blvd	Bike Improvements
9	High Ridge Rd	Gateway Blvd to Miner Rd, including Commerce Park Dr	Add Vehicular lanes/Shared Use Path/ Bike Lanes on Commerce Park Dr
10	Miner Rd	E4 Canal to High Ridge Rd	Widen Roadway/Bike Lanes
		Lawrence Rd to E4 Canal	Add Vehicular Lanes/Shared Use Path
11	Woolbright Rd	Congress Ave to I-95	Bike Lanes
		I-95 to Federal Hwy	Bike Lanes
12	SW 23rd Ave	Congress Ave to Federal Hwy	Shared Use Path
13	SW 8th St	Boynton Beach Blvd to Woolbright Rd	Bike Lanes/Shared Use Path
14	Old Dixie Hwy	Gulfstream Blvd to Federal Hwy	Bike Lanes/Sidewalks
15	Stanley Weaver Canal	Congress Ave to Preserve	Shared Use Path
16	Galaxy School Eco-Trail	Galaxy Elementary School to Preserve	Bike and Pedestrian Trail
17	Pedestrian Boardwalk	Riverwalk to Seagate Condominium	Boardwalk/Parking/Trail
18	Boynton Beach Mall Trail	Congress Ave to Old Boynton Rd along north and west property lines	Bike and Pedestrian Trail
19	Boynton Beach Mall	Congress Ave to Boynton Beach Mall	Bike Lanes
20	Intermodal Mobility Station	NE 4th St between Ocean Ave and Boynton Beach Blvd	Future Passenger Rail Station

Table 11. ***Bike and Pedestrian Improvement Projects***

		Project Limits	Project Description
21	People Mover Transit Circulator	Route to be determined	Future Local Fixed Route Transit
22	Seacrest Blvd	Stanley Weaver Canal	Pedestrian Hybrid Beacon
23	MLK Jr Blvd (NE 10th Ave)	Mid-block pedestrian crossing (east of Seacrest Blvd - location TBD)	Raised Crosswalk
24	Congress Ave	Stanley Weaver Canal	Pedestrian Hybrid Beacon
25	Old Boynton Rd	between Knuth Rd and Boynton Beach Mall Entrance	Pedestrian Hybrid Beacon
26	Boynton Beach Blvd	Knuth Rd	Pedestrian Hybrid Beacon
27	Ocean Ave	at NE 1st St	Pedestrian Hybrid Beacon
28	High Ridge Rd	at Schools (3 Locations)	School Zone/Crossing Improvements
29	High Ridge Rd	Gateway Blvd to Boynton Beach High School	Bike lanes
30	Miner Rd	Seacrest Blvd to Rolling Green Elementary School	Bike Lanes
31	SW 11th Ave	Seacrest Blvd to Forest Park Elementary School	Bike Lanes
32	Ocean Dr	SW 8th St to Congress Middle School	Sharrows
33	SW 30th Ave	Congress Ave to SouthTech Academy	Bike Lanes
33	High Ridge Rd	Miner Rd to Lake Worth Christian School	Bike Lanes
34	Neighborhood Sidewalks	Install ADA compliant sidewalks and curb ramps in approximately 30 neighborhoods	Sidewalks
35	ADA Dectable Warning Pads	Install ADA approved warning pads at approximately 875 locations	ADA improvements
36	Seacrest Blvd	Martin Luther King Jr Blvd	Traffic Circle (mountable)
37	Leisureville Neighborhood	SW 19th Ave and SW 18th Ave	Traffic Circle (mountable)
38	SW 23rd Ave	at Campanelli Blvd	Traffic Circle (mountable)





Conceptual Designs







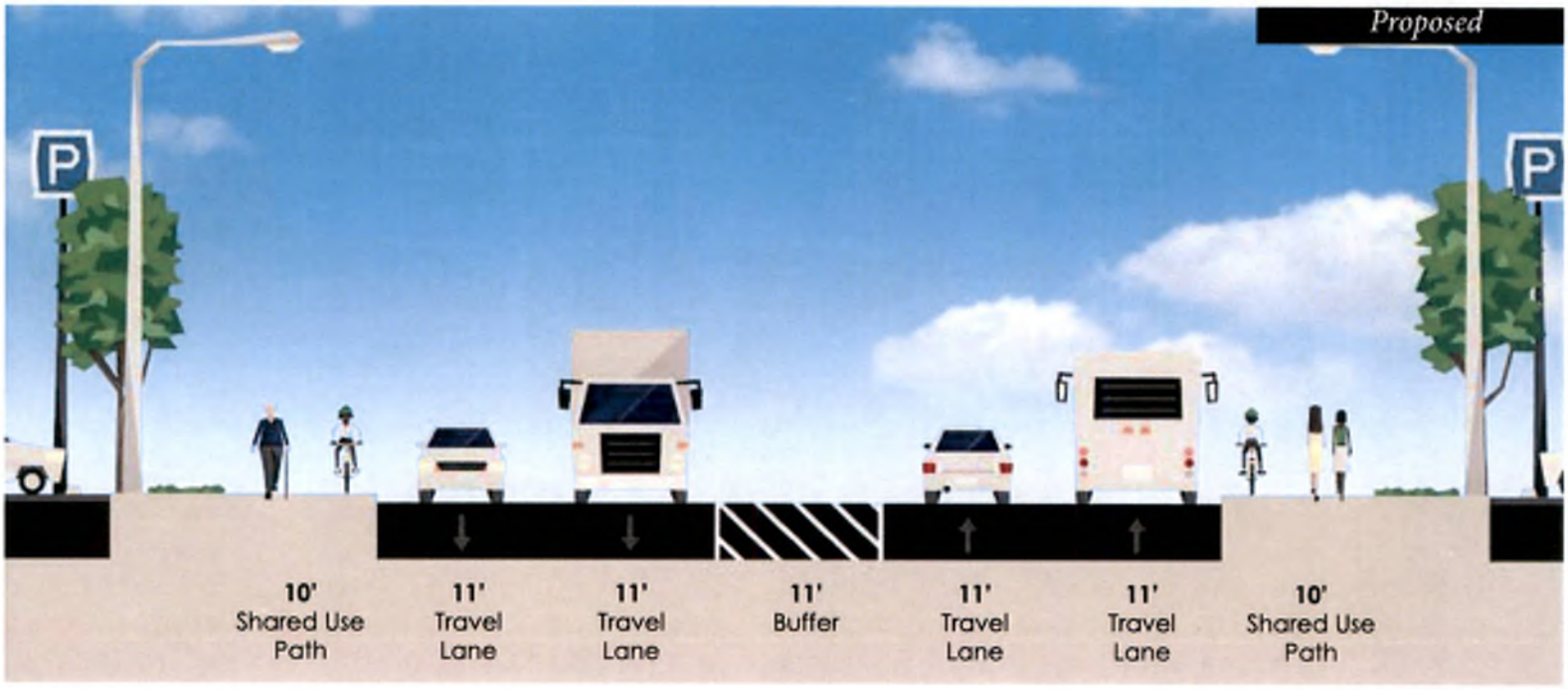
The Complete Streets Mobility Plan outlines the City's vision to provide a transportation network that consists of multimodal corridors throughout Boynton Beach. The existing transportation network prioritizes motor vehicle travel over all other modes of transportation. Due to this, the majority of the city's corridors are auto-centric in design. In an effort to change this design trend, roadway cross-sections can be re-designed within the available rights-of-way to transform an auto-focused street into a multimodal street. The graphic illustrations shown on the following pages are examples of how this can be accomplished.

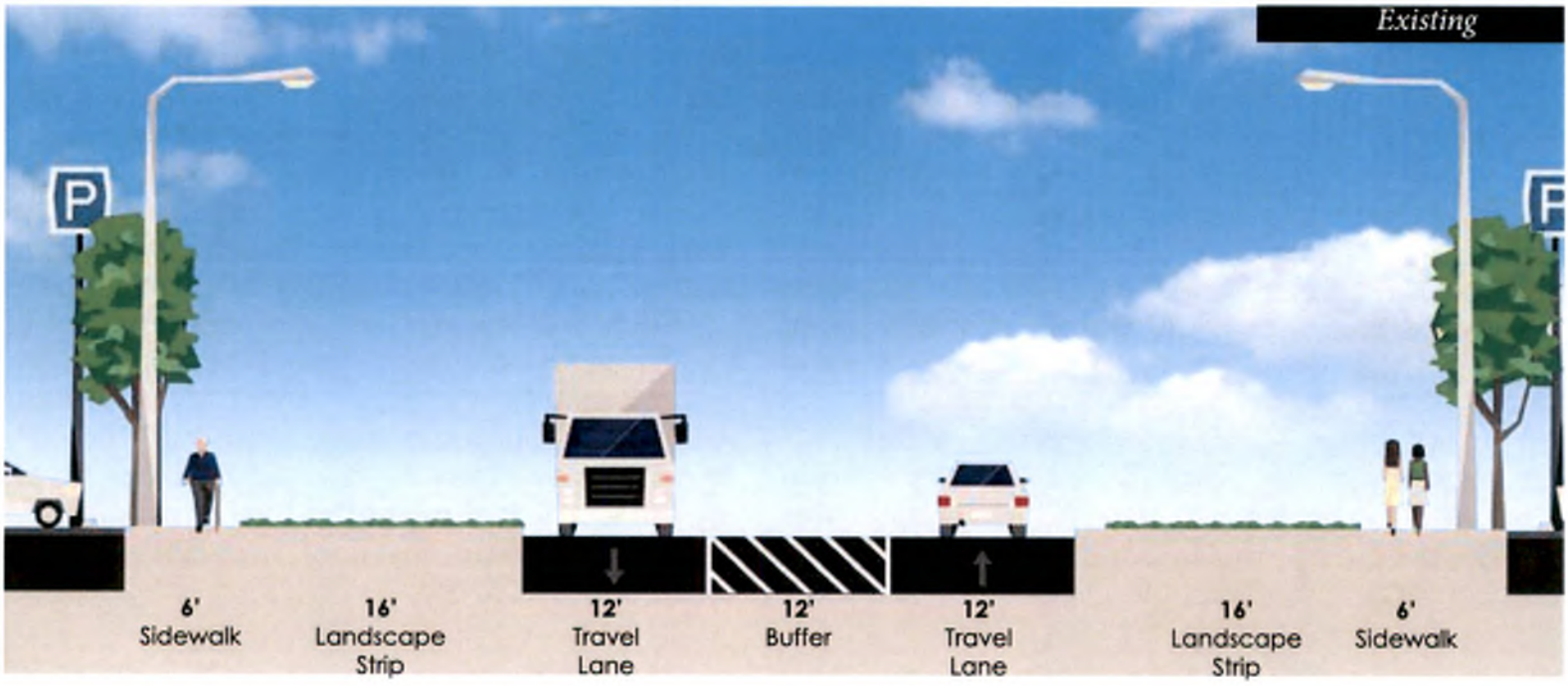
The Plan's list of proposed projects (Appendix A) provides details for the types of multimodal improvements and the phasing of those improvements. In addition to the list of improvements, the Plan's maps and representative graphic examples have been prepared to illustrate different types of proposed multimodal improvements on corridors throughout the city.

On the following pages, the series of representative images include a photo, aerial, and cross-section of the existing roadway, along with graphic illustrations of the proposed design improvements. The proposed projects include buffered bicyle lanes, shared-use paths, off-street bicycle and pedestrian trails, roadway widening, and on-street parking.

All photos and illustrations were developed based on the available right-of-way for each corridor. The illustrations do not represent final designs, but shows a representation of what could be accommodated within the right-of-way. Land use patterns, property ownership, utilities, and buildings will vary along each corridor and impact the final design of any multimodal project. The recommended improvements are also subject to available financial resources, and for roads that are not maintained by the City, are subject to approval by the entity that maintains the roads, such as the Florida Department of Transportation or Palm Beach County.

High Ridge Road
Between Industrial Way and Miner Road





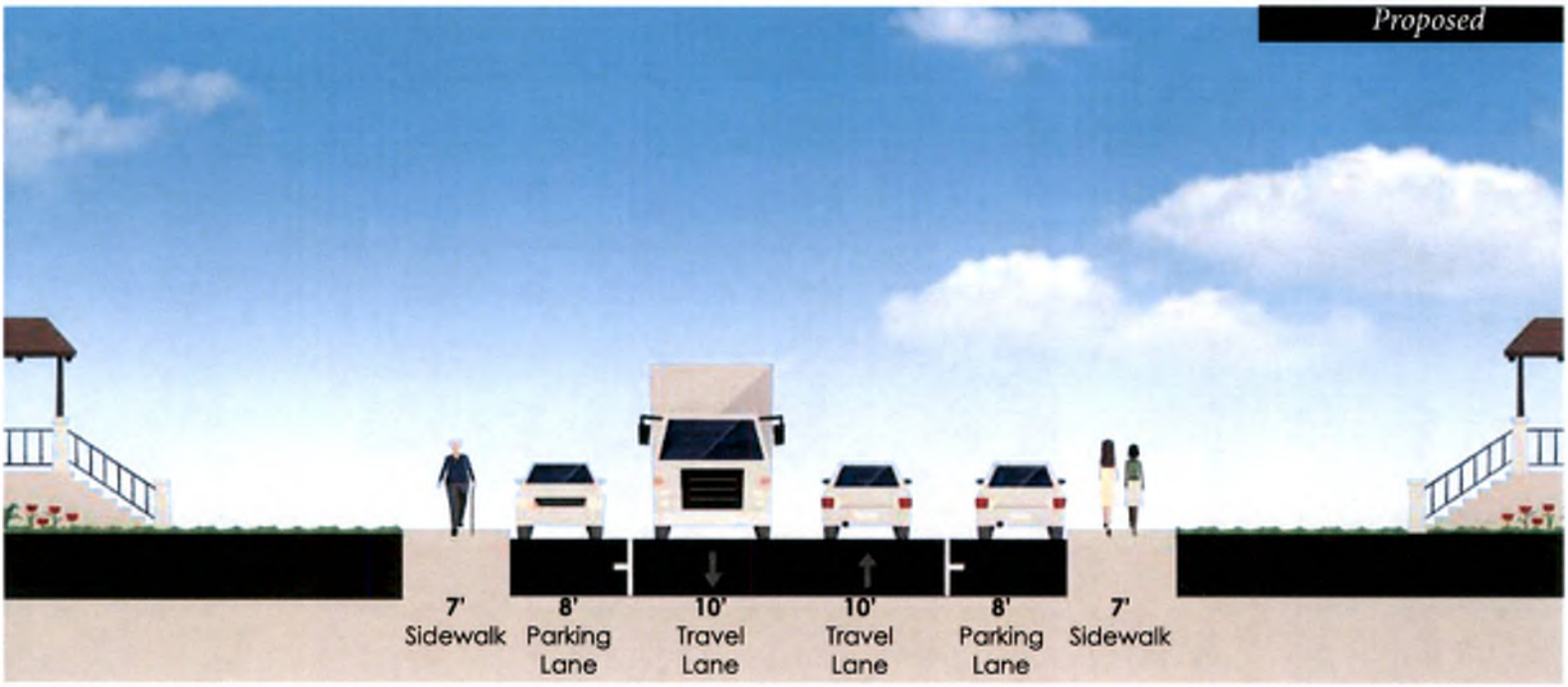


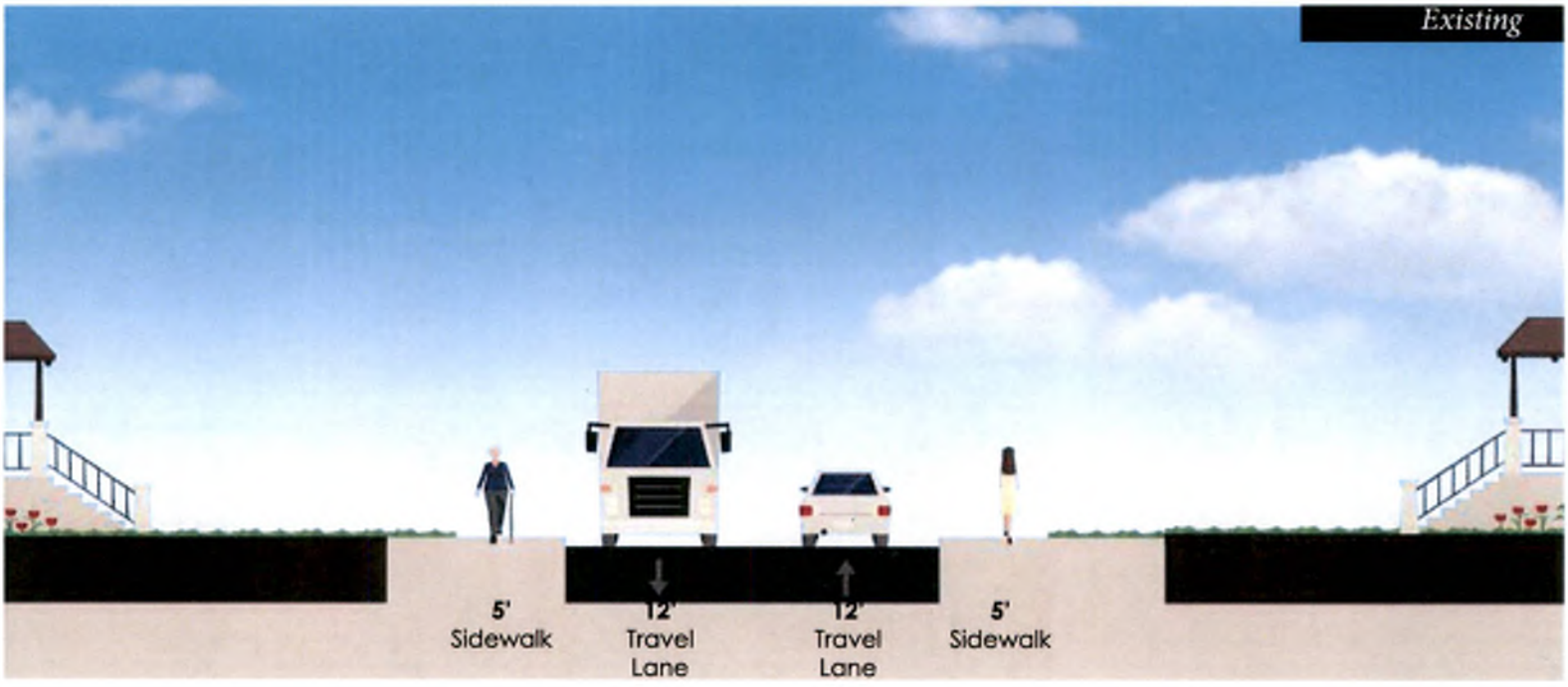

Proposed




Existing

Martin Luther King Jr. Boulevard
between NW 3rd Street and NW 5th Street





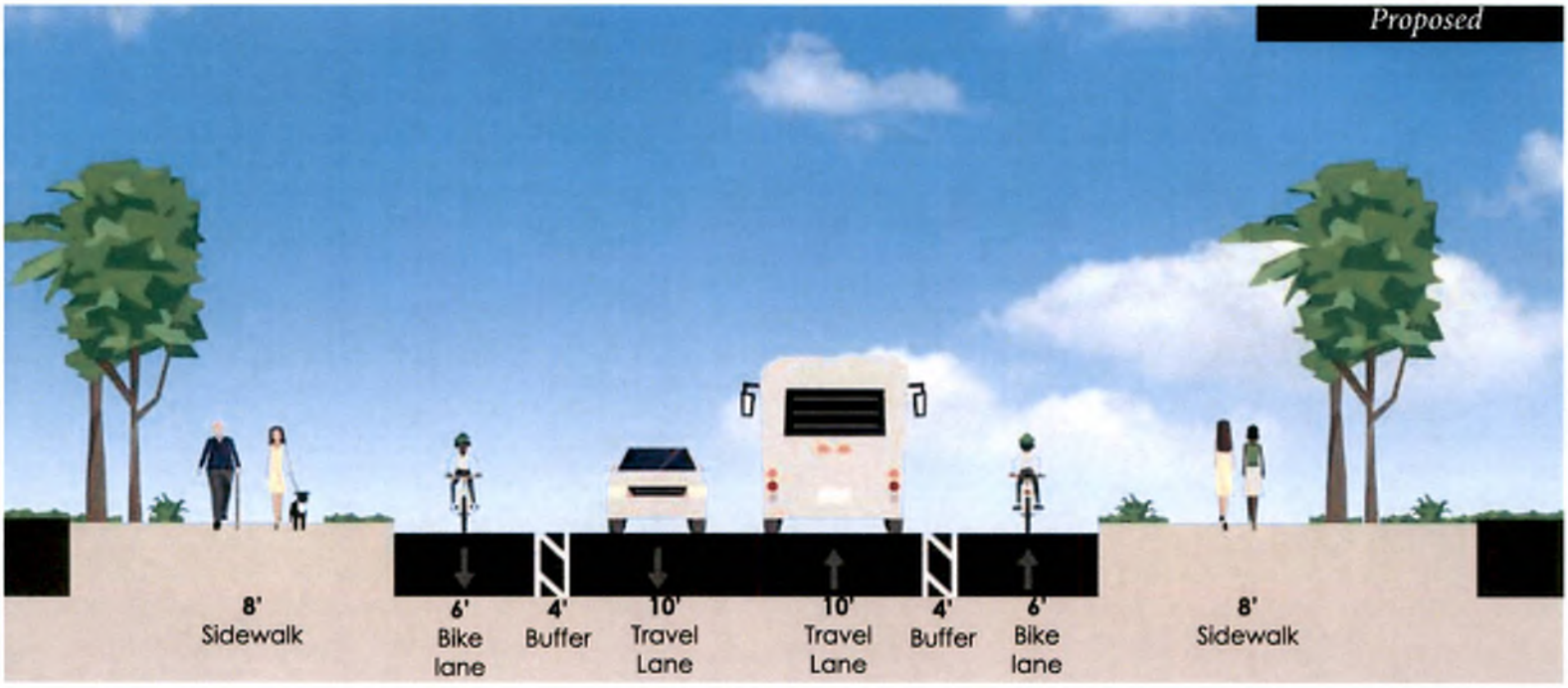
Existing
Proposed

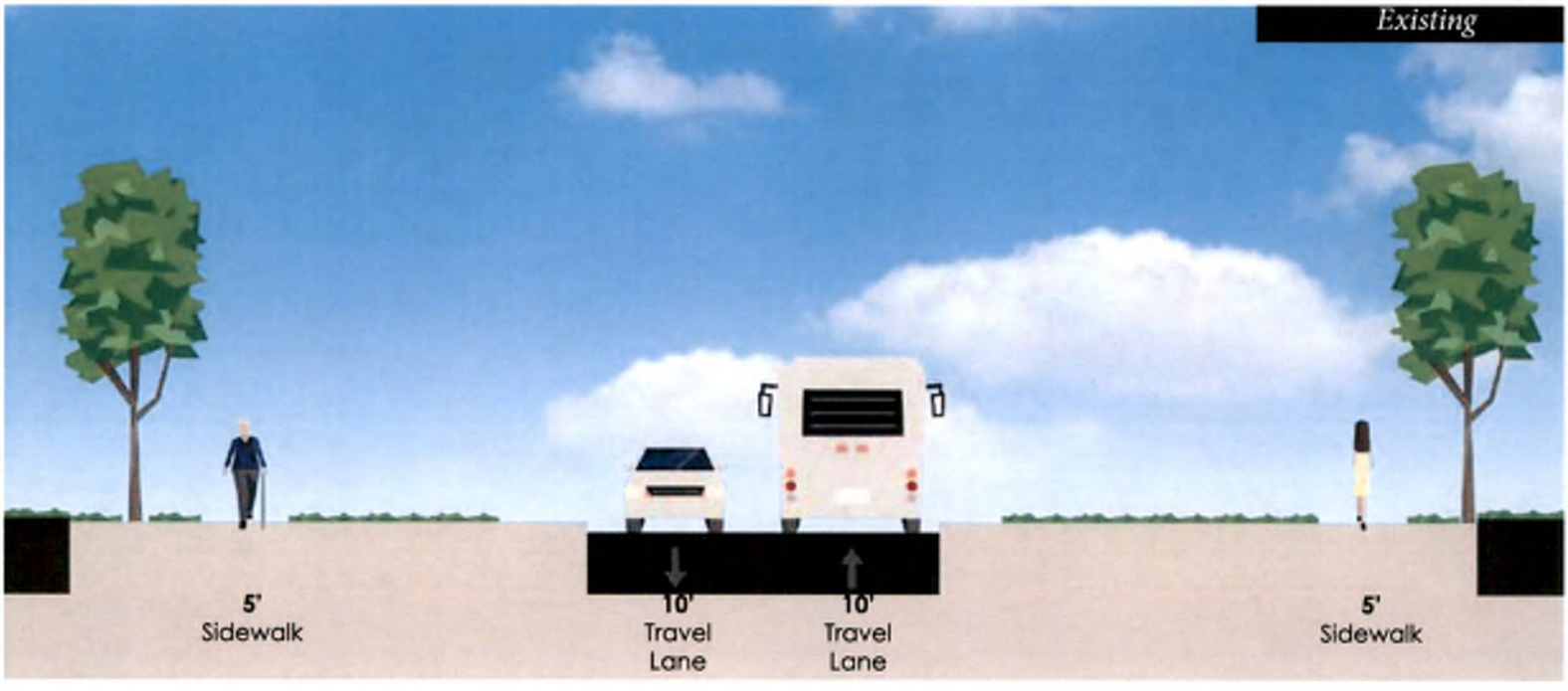
Boynton Beach Mall Trail
along north and west parcel boundaries




Proposed

SW 23rd Avenue
between Congress Avenue and Western City Limits





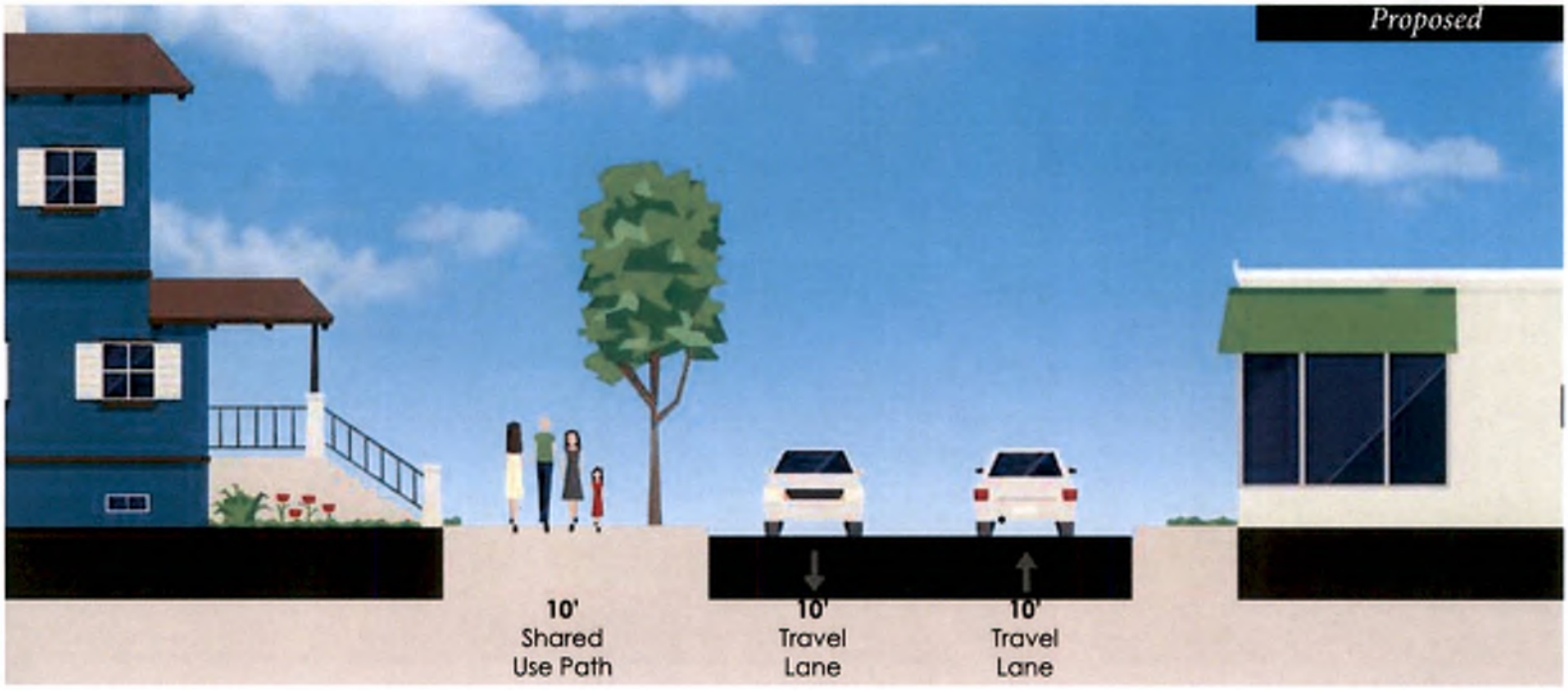


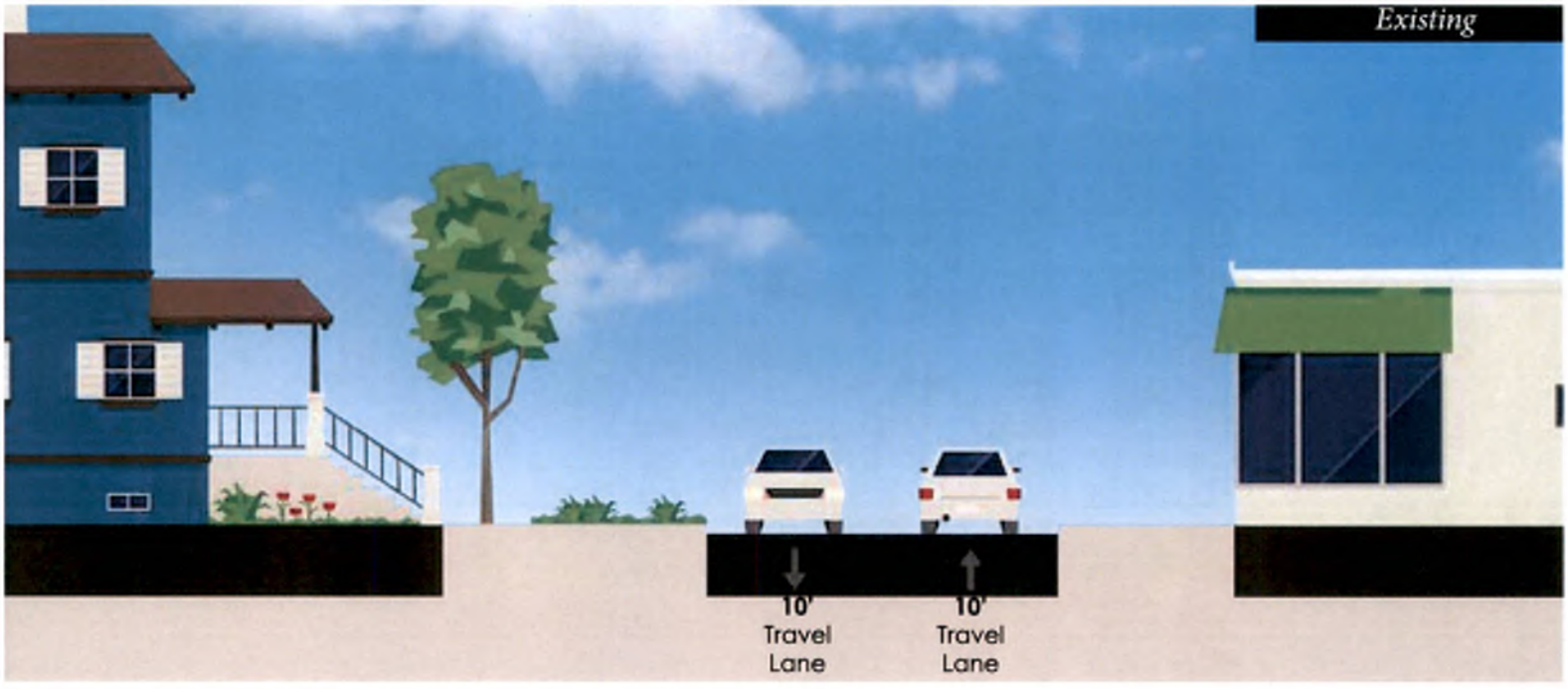

Proposed




Existing
SW 23rd Ave

SE 1st Street
between Boynton Beach Boulevard and Woolbright Road








Proposed




Existing

08



IMPLEMENTATION




1
COMPLETE STREETS
MOBILITY PLAN
MOBILITY FEE
2
IMPLEMENTATION
3
COMPRENHENSIVE PLAN
AND LDR UPDATES
IMPACT
4
SITE ASSESSMENT
5
CAPITAL
IMPROVEMENTS PROGRAM

The implementation of this Complete Streets and Mobility Plan will require cooperation and collaboration among many stakeholders on a regular basis. The implementation steps that will take place after this report is completed are as follows:



Complete Streets and Mobility Plan Approval: The plan proposes projects that integrate land use and transportation improvements that provide people with the opportunity to safely, comfortably, and conveniently walk, bicycle, ride transit, drive, or use new technology to move to and from homes, shops, schools and businesses. In addition to identifying existing multimodal oriented developments, the plan delineates multimodal mobility hubs and multimodal mobility districts to identify existing multimodal oriented developments and opportunities for future multimodal oriented developments. It also includes recommendations for establishing a Quality of Service (QOS) standards for people walking, bicycling, and riding transit.



Mobility Fee Technical Report Approval: In 2011, the Legislature eliminated state mandated transportation concurrency and made it optional for local governments, with no exemption included in Statutes for Palm Beach County. In 2013, the Legislature encouraged local governments to adopt mobility plans and fees as an alternative to transportation concurrency, proportionate share and road impact fees. This plan provides the necessary legal information to allow the City, once approved, to collect mobility fees. Such mobility fee dollars will then be used to execute the proposed plan improvements as per listed in this report.



Update the City's Comprehensive Plan and Land Development Regulations: Language will be revised in the City's Comprehensive Plan to allow the implementation of Quality of Service (QOS) standards to replace the current Level of Service (LOS) standards among other policies in the Transportation Element, as stated in this Plan as well as the Mobility Fee Technical Report. This will provide City staff with an alternative roadway design standard that will measure level of service for all modes of transportation, resulting in meaningful support of multimodal transportation.



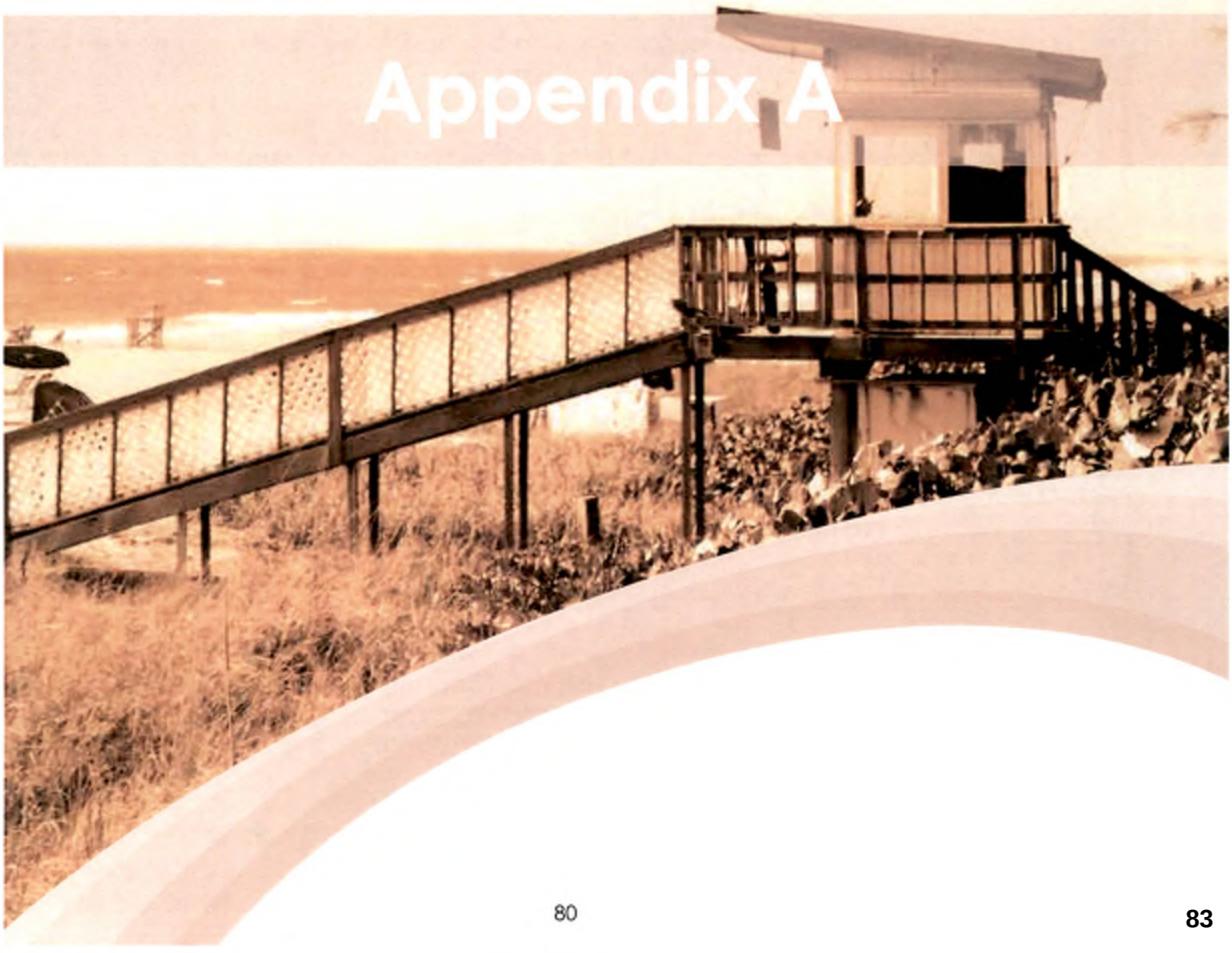
Impact and Site Assessment: The projects as described in the report will be evaluated for feasibility and further studied to verify the scope of the work prior to programming them into the Capital Improvement Program.



Capital Improvements Program (CIP): After projects are further analyzed and developed, the projects will be integrated into the City's CIP. The projects will be given priority based on the following criteria:

- Available funds (including outside funds such grants)
- Safety needs
- Development readiness
- Need based including residents' requests and concerns
- Budgeting

Appendix A



Proposed Projects
Roadway, Transit, & Safety Improvements

		Project Limits	Project Description	Length (miles)
1	Ocean Ave	SE 1st St to West of FEC	Reconstruct roadway to add .25 miles of 8' on-street parking, 5' sidewalks, 2' gutter and provide 10' wide travel lanes	0.25
		SW 3rd St to FEC	Add sharrow pavement markings and signs to existing roadway section	0.66
2	Boynton Beach Blvd	NW 3rd St to Federal Hwy	Reconstruct and relocate curb and stormwater to add 0.82 miles of a 9' pathway on north side of the road Reconstruct and relocate curb and stormwater to add 0.82 miles of a 15' shared use path on south side of the road	0.82
		Western City Limits to West of I-95	Reconstruct and locate curb and stormwater to add 1.7 miles of 8' buffered bike lanes	1.7
3	Seacrest Blvd	South City Limits to Hypoluxo Rd	Reconstruct and relocate curb and stormwater to add 5.24 miles of 8' buffered bike lanes and 8' shared use path	5.24
4	SE 1st St	Boynton Beach Blvd to Woolbright Rd, including SE 5th Ave from SE 1st St to Federal Hwy	Add 1 mile of a 10' shared use path on west side of SE 1st Street Add 0.08 mile of a 5' sidewalk along the south side of SE 5th Ave	1
5	MLK Jr Blvd	NW 5th St to Federal Hwy	Reconstruct roadway to add 0.91 miles of 8' on-street parking, 5' sidewalks, 2'gutter and provide 10' wide travel lanes	0.91
6	Congress Ave	Miner Rd to Woolbright Rd	Reconstruct and relocate curb and stormwater to add 3 miles of 8' buffered bike lanes and 7' sidewalks	3
7	Gateway Blvd	West City Limits (Lawrence Rd) to Seacrest Blvd	Add pavement markings for 4' bike lanes and signs as part of resurfacing the existing facility for 1.94 miles	1.94
8	Old Boynton Rd	West City Limits to Boynton Beach Blvd	Reconstruct roadway to add 1.56 miles of 5' sidewalks, 8' buffered bike lanes, 2' gutter and provide 10' wide travel lanes	1.56
9	High Ridge Rd	Gateway Blvd to Miner Rd, including Commerce Park Dr from High Ridge Rd to Boynton Beach Tri-Rail Station	Reconstruct and relocate curb and stormwater to add 0.7 miles of 10' shared use path	0.7
10	Miner Rd	E4 Canal to High Ridge Rd	Reconstruct and relocate curb and stormwater to add 0.96 miles of 8' buffered bike lanes and 8' shared use path	0.96
		E4 Canal to Lawrence Rd	Reconstruct and relocate curb and stormwater to add 0.94 miles of 10' shared use path	0.94

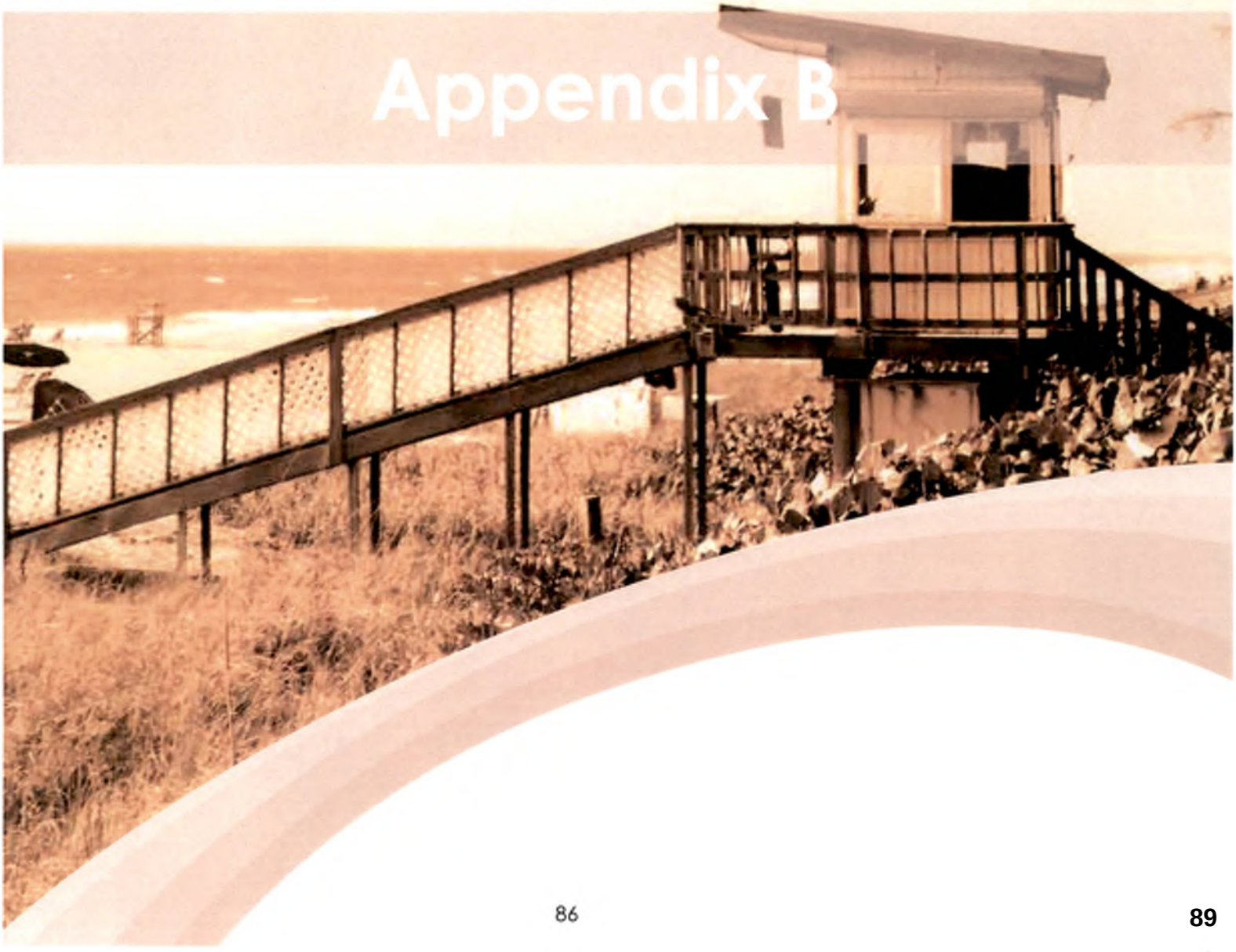
		Project Limits	Project Description	Length (miles)
11	Woolbright Rd	Congress Ave to I-95	Reconstruct and relocate curb and stormwater to add 1.4 miles of 8' buffered bike lanes	1.4
		I-95 to Federal Hwy	Reconstruct and relocate curb and stormwater to add 0.56 miles of a 9' shared use path on north side of the road Reconstruct and locate curb and stormwater to add 0.56 miles of 15' shared use path on south side of the road	0.56
12	SW 23rd Ave	Congress Ave to Federal Hwy	Reconstruct road to add 1.9 miles of 8' buffered bike lanes and 8' shared use path. Design of new storm sewer system should be assumed.	1.9
13	Golf Rd	City Western Limits to Congress Ave	Reconstruct road to add 0.38 miles of 8' buffered bike lanes and 8' shared use path. Design of new storm sewer system should be assumed.	0.38
14	Gulfstream Blvd	Seacrest Blvd to Old Dixie Hwy	Add 0.16 miles of 8' buffered bike lanes and 7' sidewalks	0.38
15	SW 8th St	Boynton Beach Blvd to Woolbright Rd	Reconstruct road to add 0.51 miles of 10' shared use path	1.02
17	Stanley Weaver Canal	Congress Ave to Preserve	Add 1.22 miles of 10' Multi-use unpaved path	1.22
18	Eco Trail	From Galaxy Elementary School to Preserve	Add 0.7 miles of 10' Multi-use unpaved path	0.7
19	Pedestrian Boardwalk	From Riverwalk Boardwalk to Seagate Condominium	Add 0.12 miles of a 14' boardwalk	.12
		20 space parking lot for boardwalk	Add 0.1 miles of a 14' pedestrian connection and 5,000 square foot surface parking lot	.1
20	Boynton Beach Mall Trail	From Congress Ave to Old Boynton Rd along north and west property lines	Add 1.22 miles of 10' shared use path	1.22
21	Boynton Beach Mall Bike Lanes	Congress Ave to Boynton Beach Mall	Bike Lanes	.35
Transit				
22	Intermodal Mobility Station	NE 4th St between Ocean Ave and Boynton Beach Blvd	20,000 - 30,000 square foot station and parking garage	N/A
23	People Mover Transit Circulator (Phase 1)	Final route to be determined	Future local fixed routes. Headways, number and types of vehicles to be determined.	9.17
Safe Crossings				
24	Seacrest Blvd	Stanley Weaver Canal	Pedestrian Hybrid Beacon	N/A
	MLK Jr Blvd	Mid-block Pedestrian Crossing (East of Seacrest Blvd)	Raised Crosswalk	N/A
	Congress Ave	Stanley Weaver Canal	Pedestrian Hybrid Beacon	N/A

		Project Limits	Project Description	Length (miles)
24	Old Boynton Rd	at Boynton Beach Mall	Pedestrian Hybrid Beacon	N/A
	Bonton Beach Blvd	at Knuth Rd	Pedestrian Hybrid Beacon	N/A
	Ocean Ave	at NE 1st St	Pedestrian Hybrid Beacon	N/A
	High Ridge Rd	at School Crossings	School Zone/Crossings	N/A
	High Ridge Rd	at School Crossings	School Zone/Crossings	N/A
	High Ridge Rd	at School Crossings	School Zone/Crossings	N/A
Bike Lanes to School Projects				
25	High Ridge Rd	Gateway Blvd to Boyton Beach High School	Add 10' shared use path	1.5
	Miner Rd	Seacrest Blvd to Rolling Green Elementary School	Add 10' shared use path	0.4
	SW 11 Ave	Seacrest Blvd to Forest Park Elementary School	Add sharrow pavement parkings and signs to existing roadway section	0.4
	Ocean Dr	SW 8th St to Congress Middle School	Add sharrow pavement parkings and signs to existing roadway section	0.7
	SW 30th Ave	Congress Ave to SouthTech Academy	Reconstruct and relocate curb and stormwater to add 0.3 miles of 8' buffered bike lanes	0.3
	High Ridge Rd	Miner Rd to Lake Worth Christian School	Reconstruct and relocate curb and stormwater to add 0.4 miles of 8' buffered bike lanes	0.4
Neighborhood Sidewalks				
26	Various Neighborhoods	North Ridge Estates	5' Sidewalks	0.73
		Royal Palm Neighborhood		7.24
		Lakeside Gardens		0.65
		Las Palmes		0.51
		Four Seas Sun Condos		0.79
		Village Boynton Beach Condos		0.14
		Coquina Cove		0.87
		Martin Luther King Jr. Neighborhood		3.96
		Harbor Estates		1.33
		Poinciana Heights		3.55

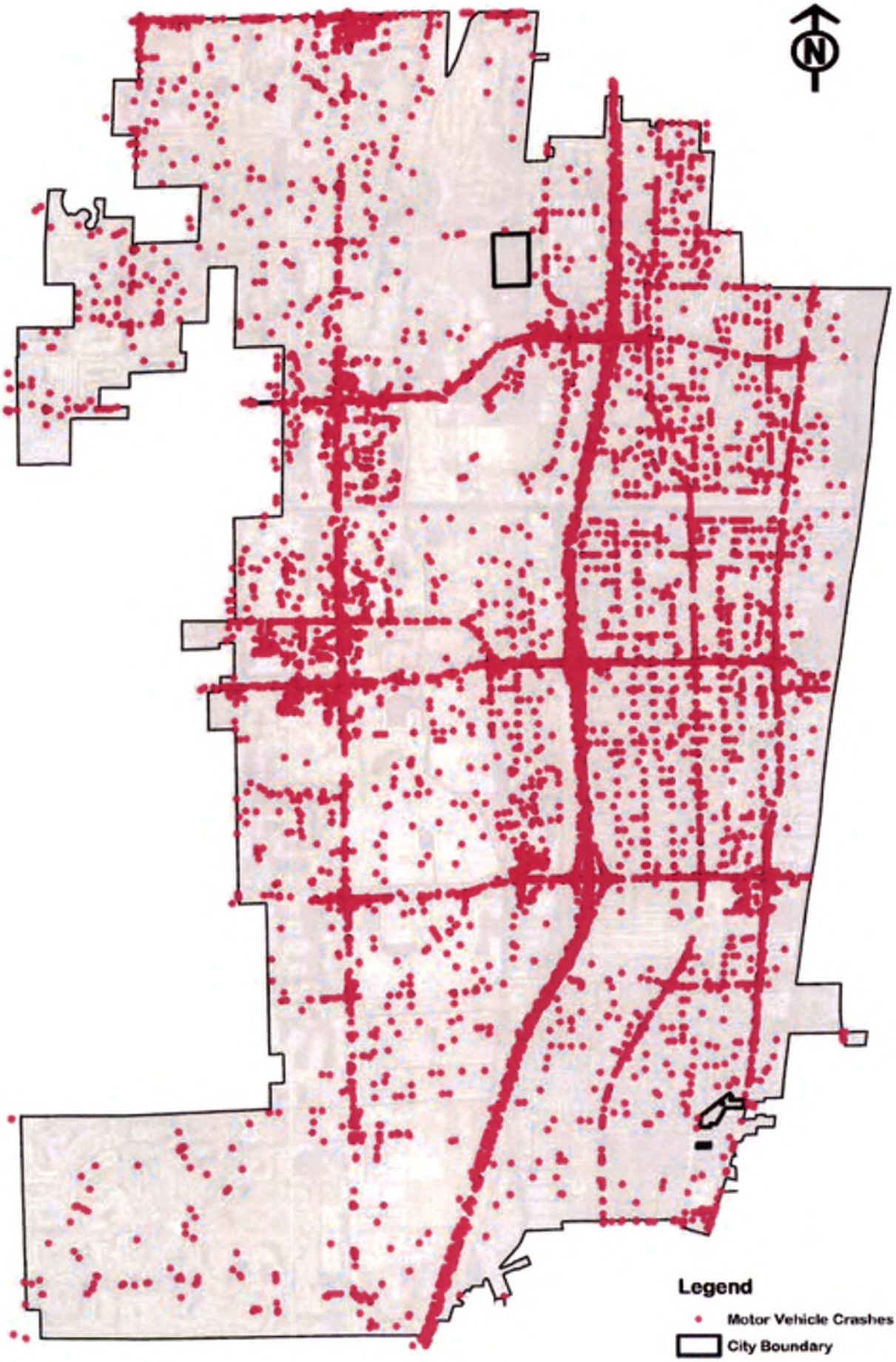
		Project Limits	Project Description	Length (miles)
26	Various Neighborhoods	Ridgewood	5' Sidewalks	4.22
		Boynton Hills		4.76
		Shepard Addition		0.66
		Old Boynton Estates		1.66
		Treasure Island		0.69
		Venetian Isles		1.14
		Bowers Park Addition		4.69
		Hathaway Addition		0.70
		Pelican Point		0.41
		Snug Harbor		0.31
		Hindu		0.76
		Historic Cottage District		0.39
		Westchester Heights		0.73
		Bethesda		0.60
		Golfview Harbor		9.49
		Diane Drive Neighborhood		3.08
		Gulfstream Estates		1.97
		Boynton Isles		1.96
		Chapel Hills		12.43
		Seacrest Estates		8.90
ADA Detectable Warning Mats				
27	City-wide ADA Upgrades	Install at approximately 875 locations throughout the City	Detectable Warning Pads	N/A
Traffic Calming Locations				
28	Seacrest Blvd	at Martin Luther King Jr Blvd	Construct Mountable Traffic Circle	N/A
	Leisureville Neighborhood	SW 19th Ave and SW 18th Ave	Construct Mountable Traffic Circle	N/A
	SW 23rd Ave	at Campanelli Blvd	Construct Mountable Traffic Circle	N/A
Intersections				
29	Intersection Projects	Citywide	Intersection capacity and safety enhancement projects	N/A

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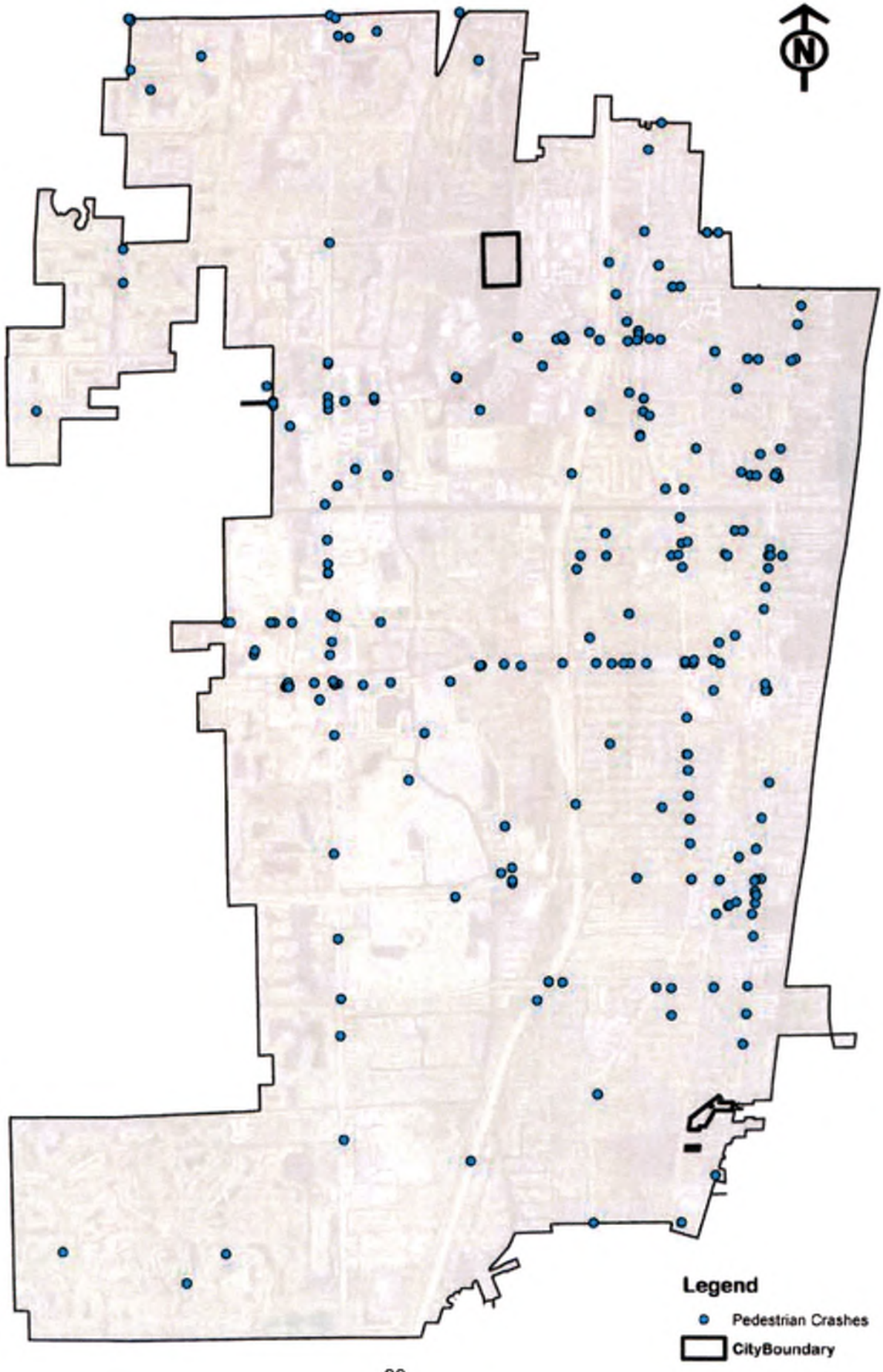
Appendix B



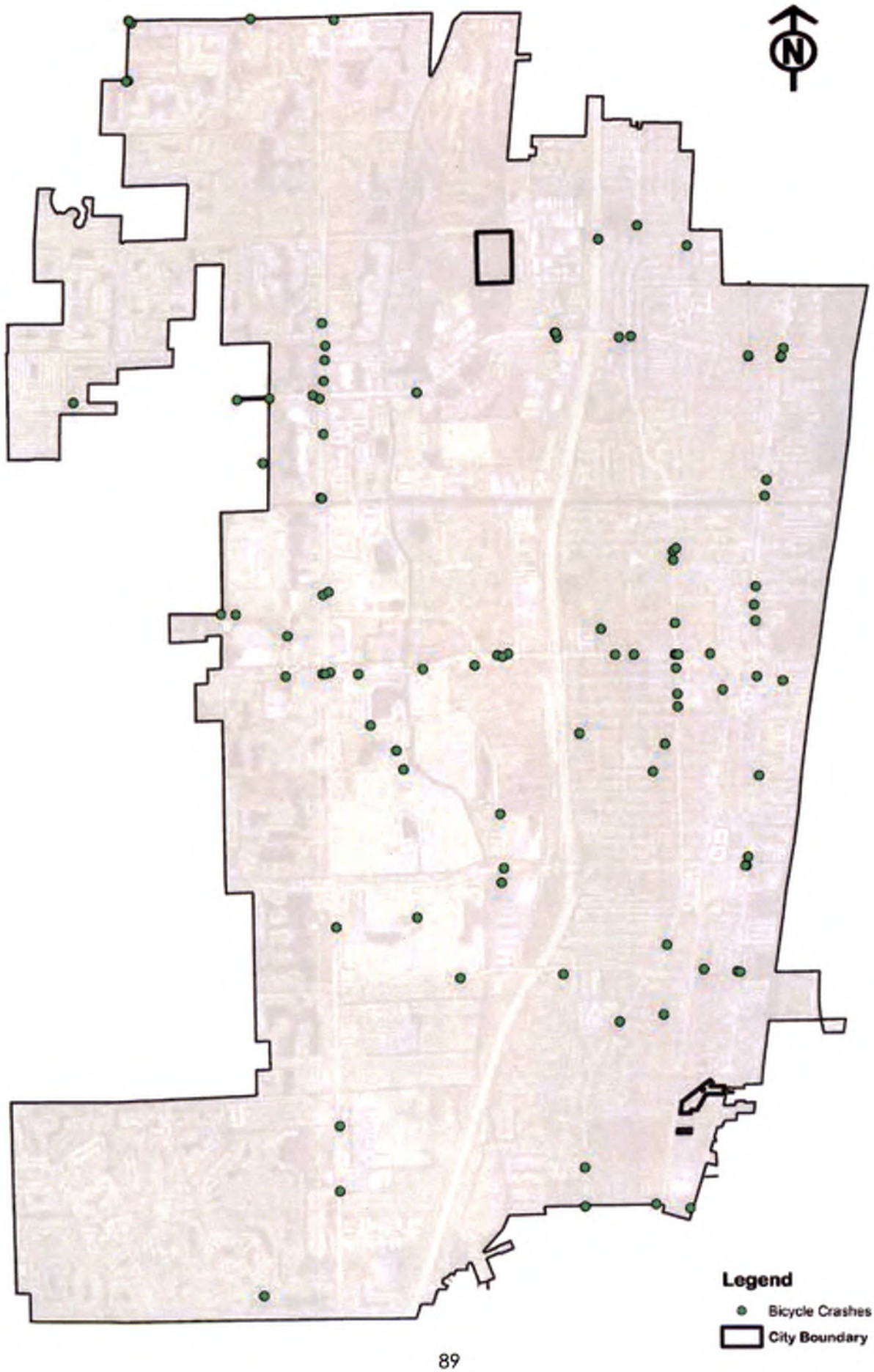
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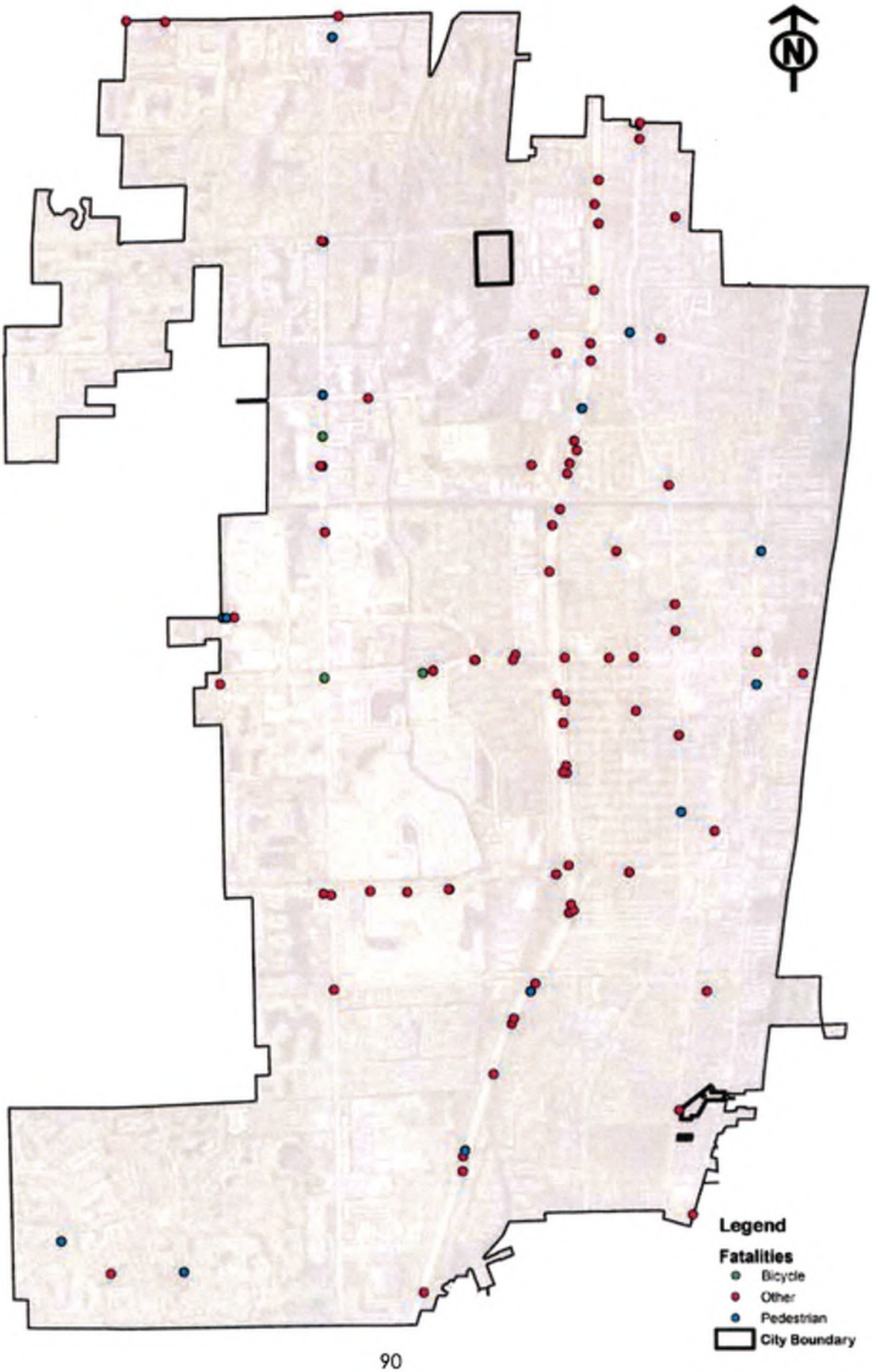
Pedestrian Crashes



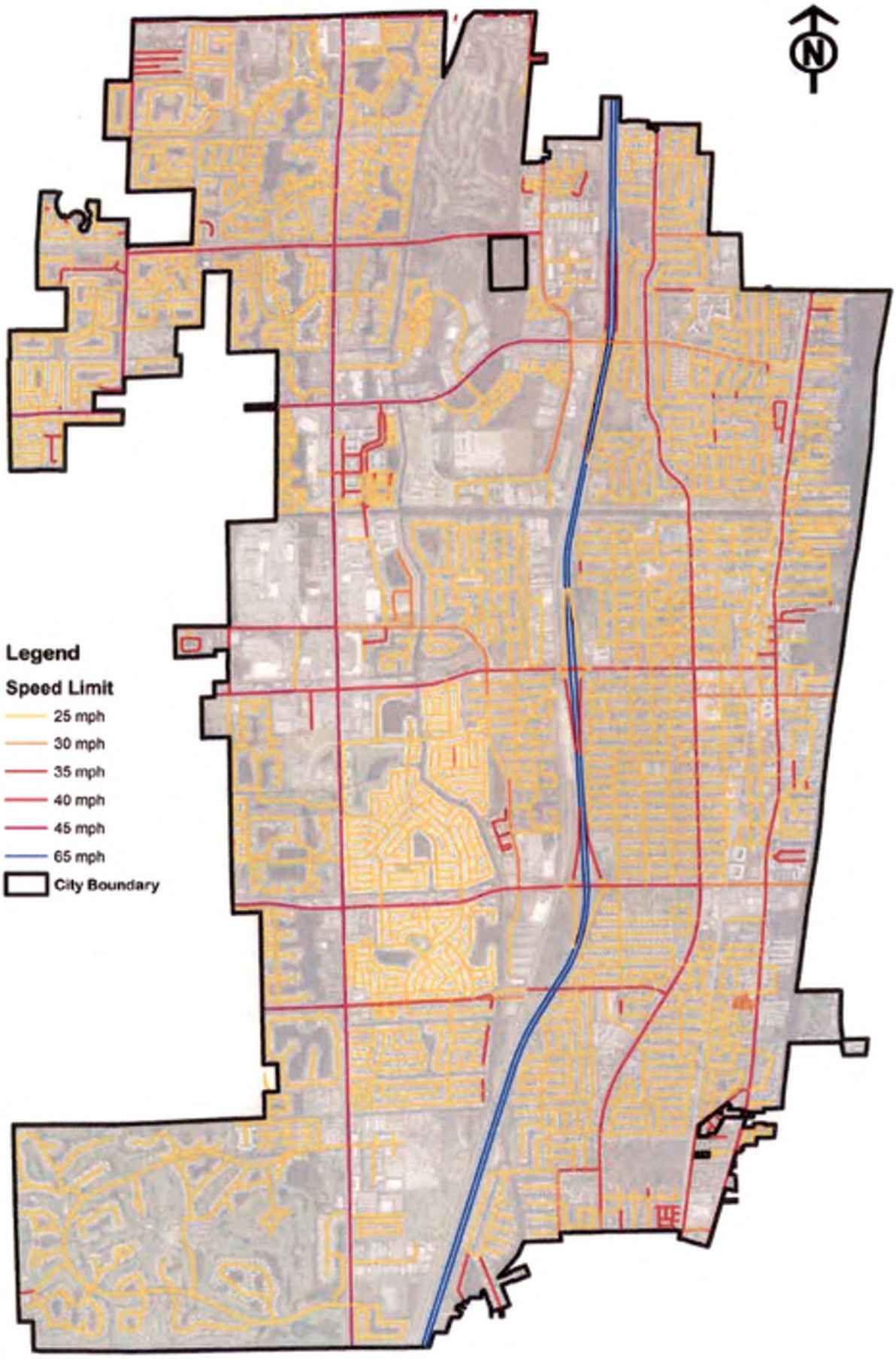
Bicycle Crashes



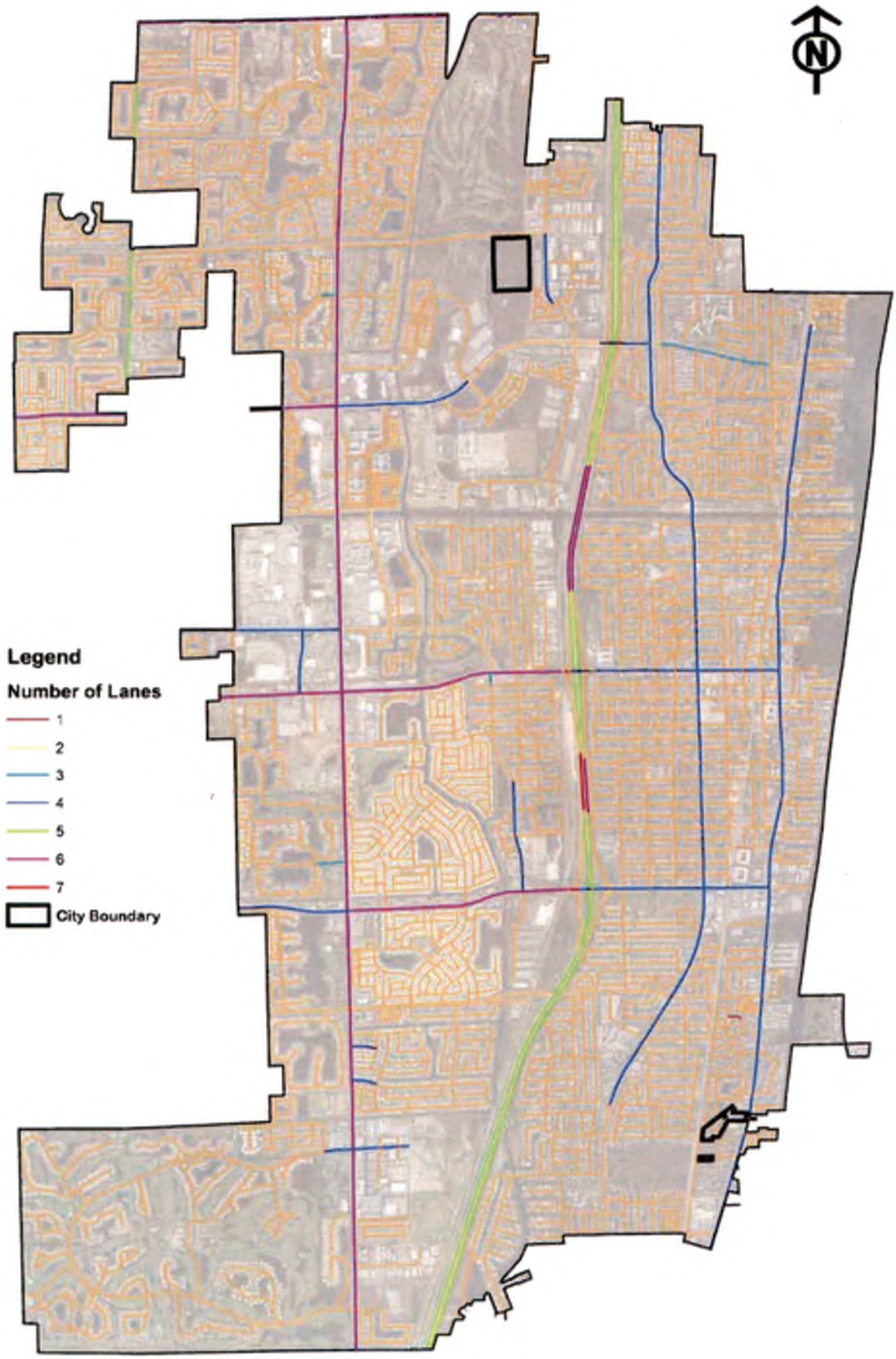
Fatalities


N
Legend
Fatalities
Bicycle
Other
Pedestrian
City Boundary

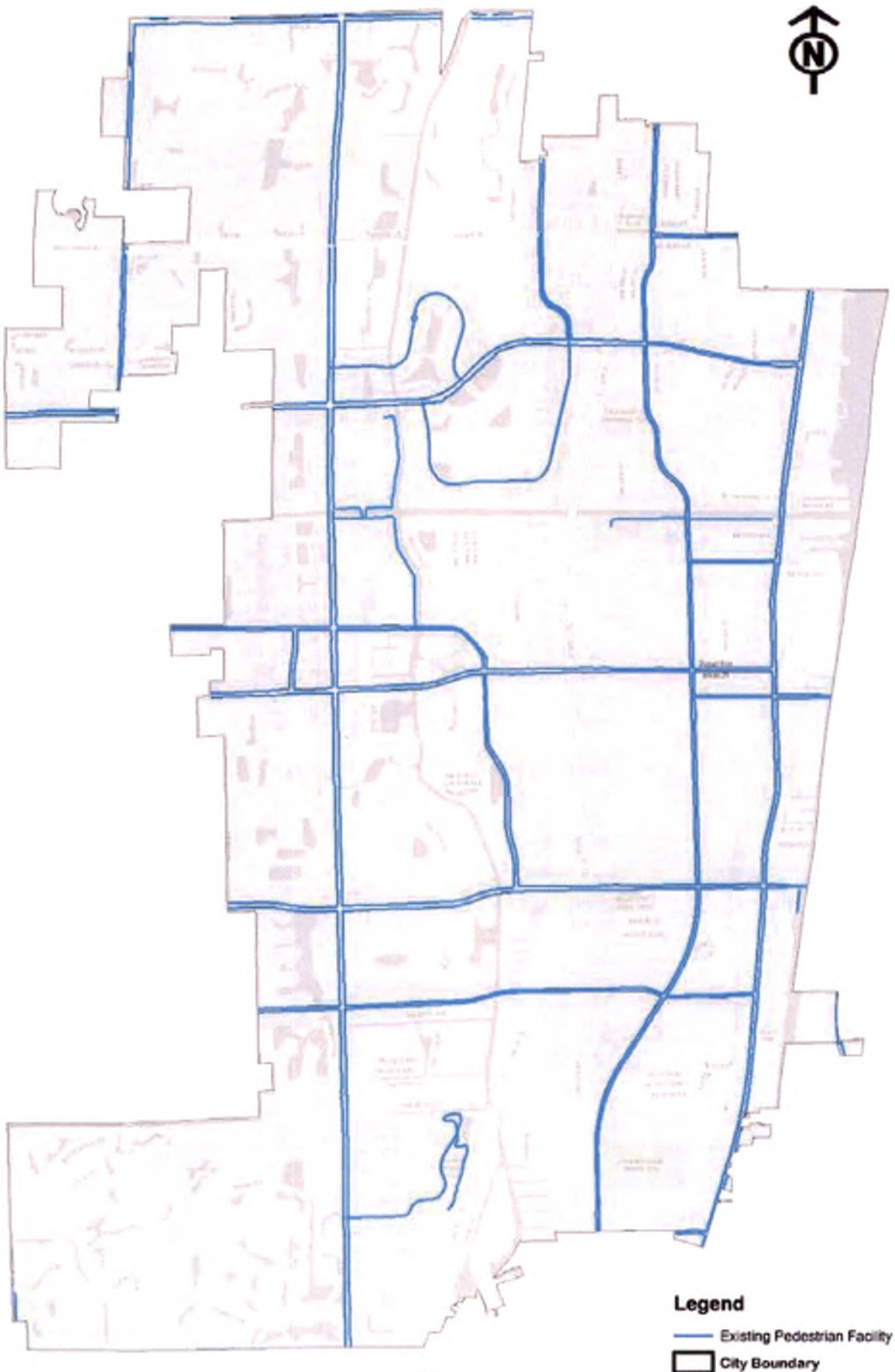
Posted Speed Limits



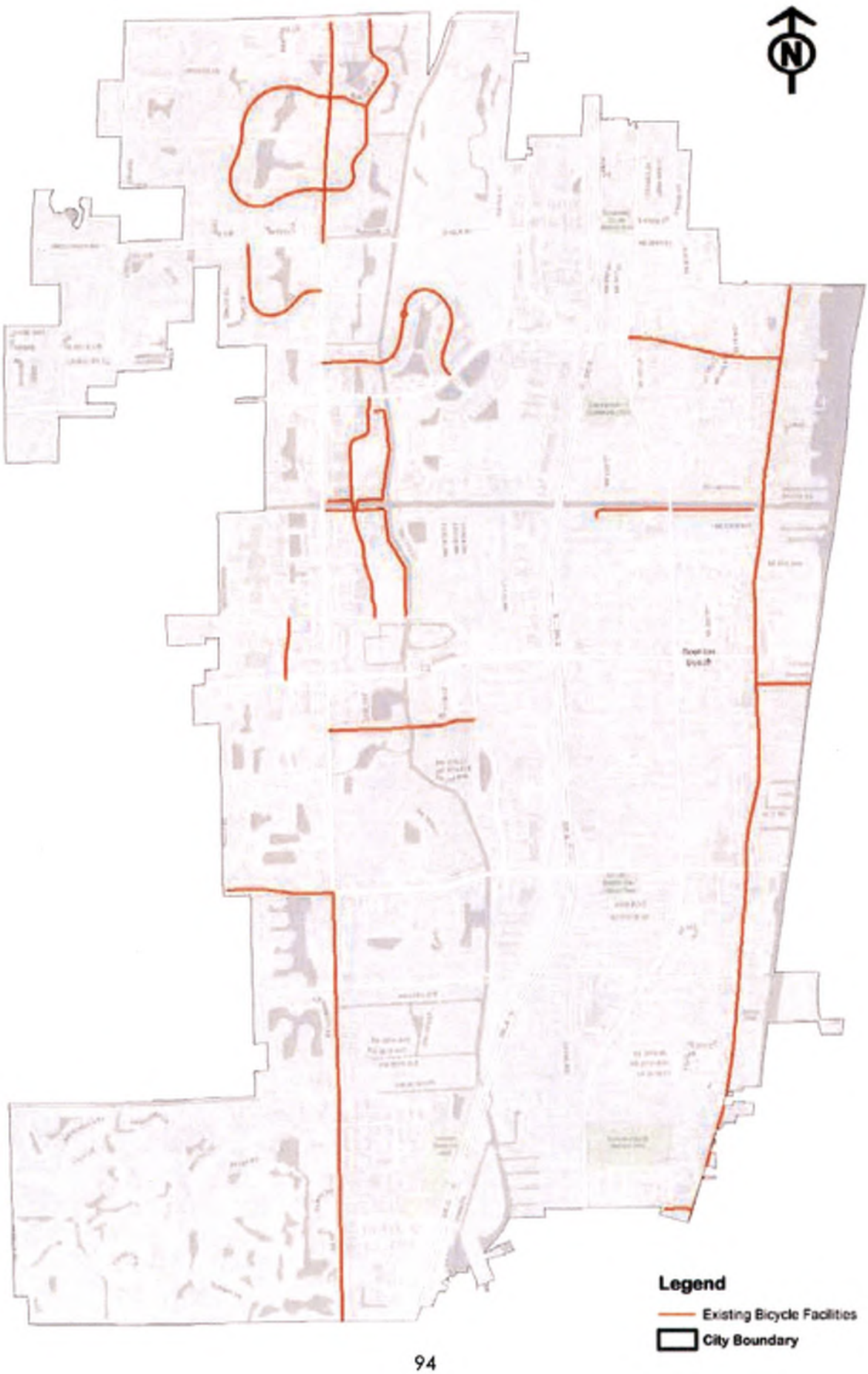
Number of Travel Lanes



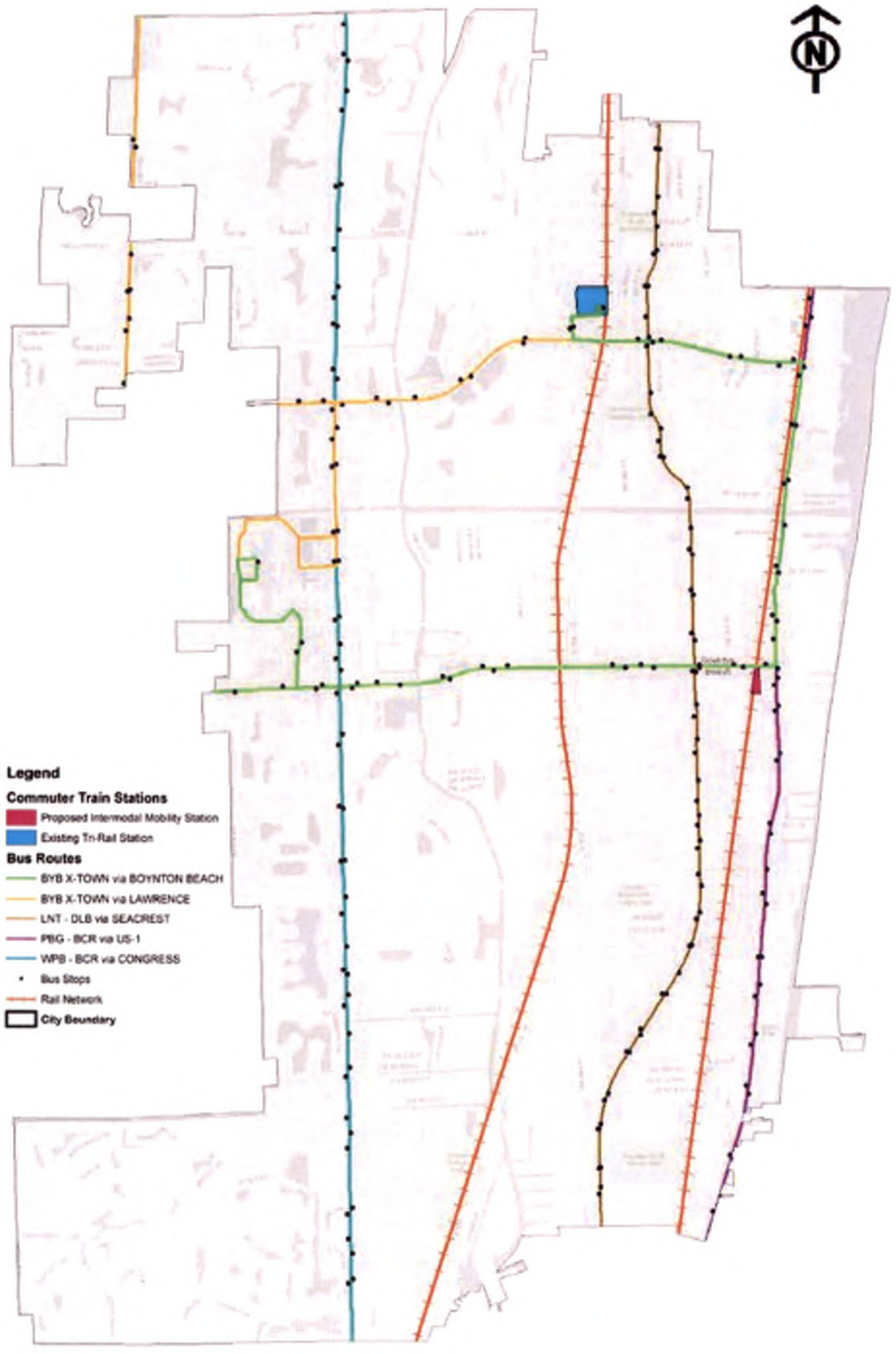
Existing Pedestrian Facilities



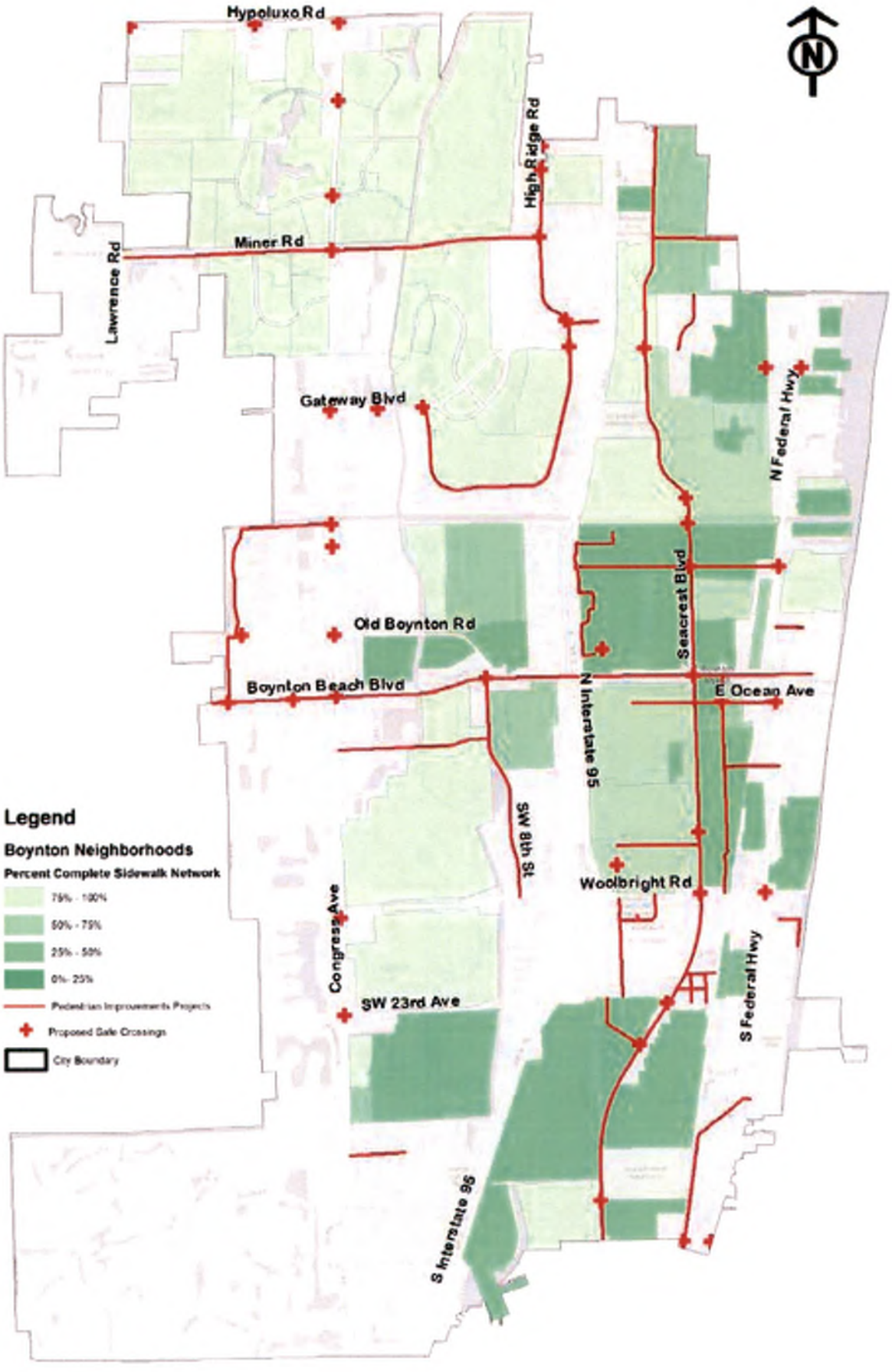
Existing Bike Facilities



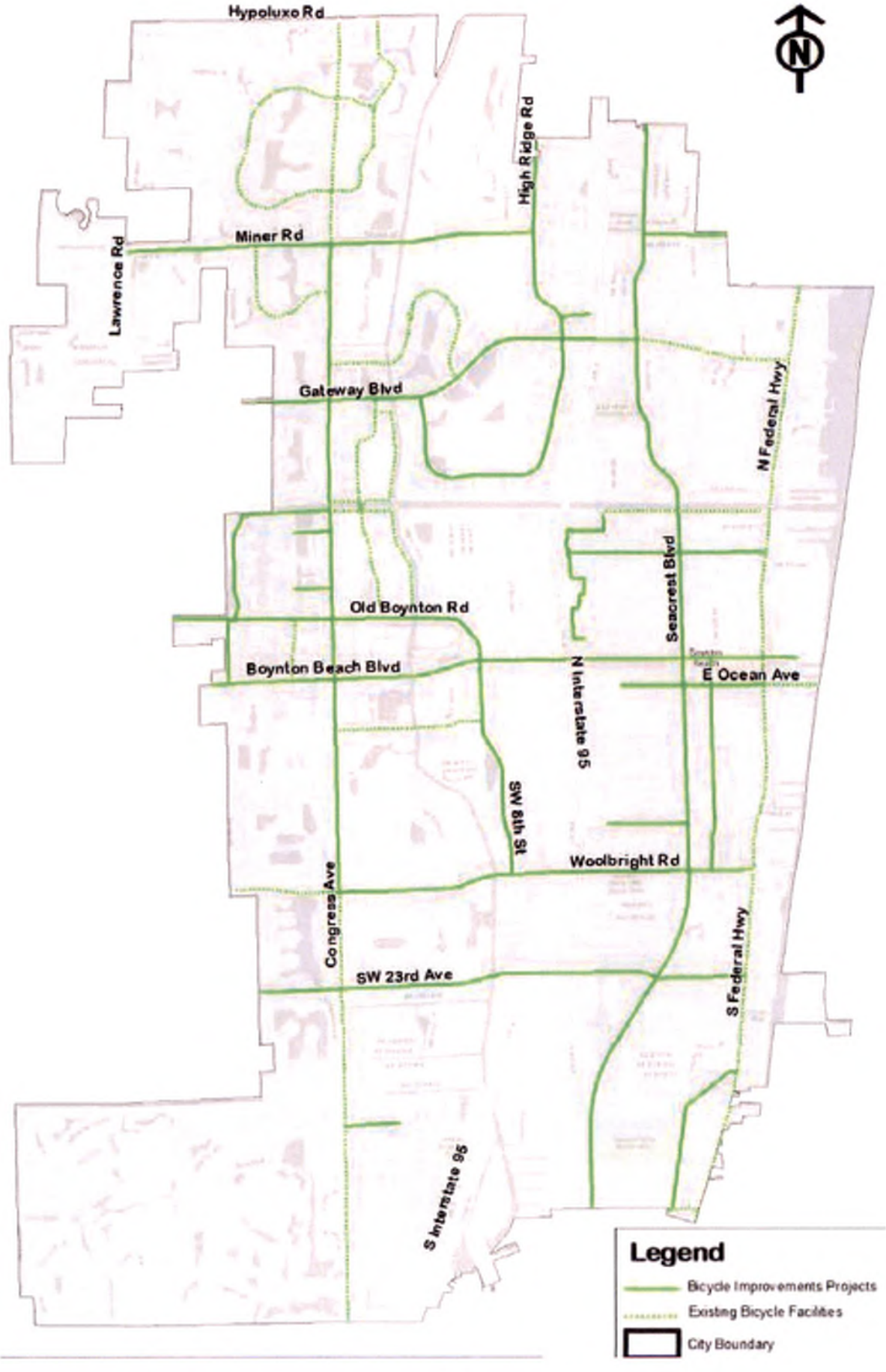
Existing Transit Facilities



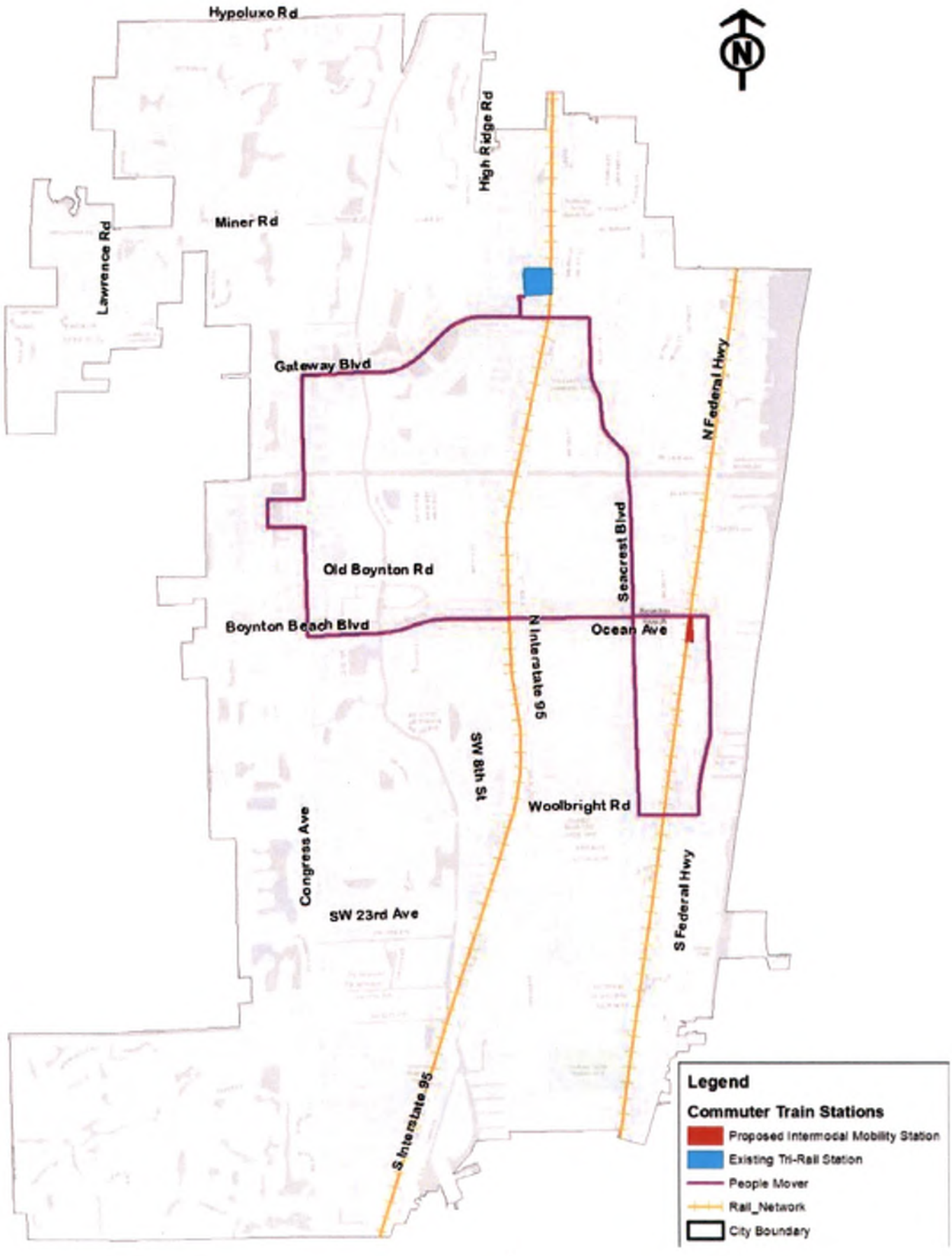
Proposed Pedestrian Facilities



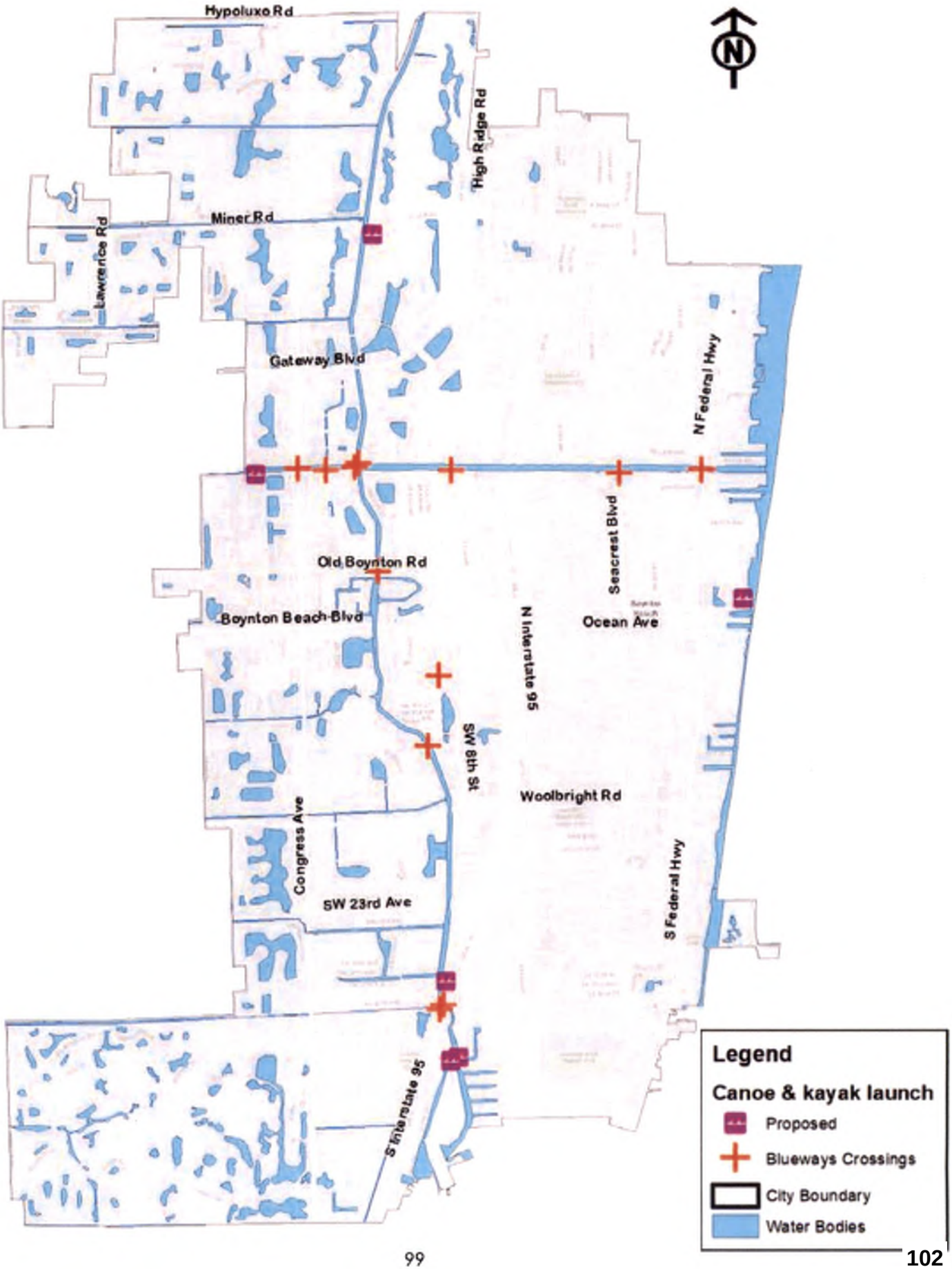
Proposed Bicycle Facilities



Proposed Transit Facilities



Proposed Blueways Facilities



Appendix C



City of Boynton Beach
Complete Street & Mobility Policy

"Complete Streets" means a transportation philosophy that calls for streets to be constructed and operated in a way that allows safe, equitable and convenient access along and across streets for all users. Complete Streets are planned, designed, constructed, operated, and maintained to safely and comfortably accommodate people of all ages and abilities, including pedestrians, cyclists, transit users, motorists, persons with disabilities, emergency responders, seniors, youth, families, as well as freight and service operators.

A Complete Streets approach to design helps to create walkable, livable and vibrant communities, which attract and retain businesses and residents, and provide multimodal options to safely commute to employment centers, schools, beaches, parks, shopping centers and other destinations within Boynton Beach. Benefits include reducing vehicle miles traveled with attendant lower fuel consumption and green gas emissions while increasing active and sustainable transportation choices such as walking, biking, and public transportation. Ultimately, the Complete Street approach will help ease traffic congestion, lower pollution and improve individual health by providing more opportunities for physical activity.

The City of Boynton Beach shall construct and operate a comprehensive Complete Streets transportation system that enables safe access, mobility, economic development, attractive public spaces, health, and well-being for all people. This Complete Streets policy recognizes that depending on context, streets may serve diverse activities, functions, and intensity of uses.

VISION & INTENT

Implementation of the Complete Streets transportation system is an important strategic initiative of the Boynton Beach Strategic Plan. This policy will encourage the use of non-motorized modes of transportation and contribute directly to the health, safety, economic vitality, environment, and quality of life in Boynton Beach. Through the implementation of this Complete Streets Policy, the City of Boynton Beach will consistently plan, design, construct, operate and maintain appropriate transportation facilities that are safe, reliable, efficient, convenient, connected, and that enable secure and comfortable access and mobility for users of all ages, abilities, income levels and transportation modes.

This Complete Streets policy shall direct the City of Boynton Beach's decision-makers to consider all transportation system users when making decisions regarding transportation and land use planning. Complete Streets prioritizes safe access for vulnerable users as well as underinvested and underserved communities by fostering social equity through improved access to jobs, healthcare and other community amenities.

The City of Boynton Beach adopted a Vision Zero policy in February 2020. This policy further commits staff to working towards the goal of eliminating traffic fatalities and severe injuries on all roads within the City.

Through this policy, Boynton Beach's transportation network will gradually transform from being disproportionately automobile-centric to a network that supports all modes of transportation by equitably investing in transportation infrastructure that benefits all residents and visitors. Complete Streets projects shall take into consideration the surrounding area's characteristics, community values, needs of its users, and cost feasibility.

This Transportation System may be achieved through projects that fully implement Complete Streets or projects that incrementally implement Complete Streets through a series of smaller improvements over time.

GOALS

1. Safety and Convenience for All Transportation Users
Create a transportation system that is designed and operated in ways that ensure the safety, comfort, access, and convenience for all users of all ages and abilities, including pedestrians, bicyclists, public transit users and operators, emergency responders, transporters of commercial goods, motor vehicles, and freight providers therefore decreasing the potential of vehicular, bicycle, and pedestrian-related crashes.

2. Connected Facilities that Accommodate All Travel Modes
Create an inviting transportation system that includes an integrated, safe, reliable, comfortable, and efficient network of fully connected multimodal facilities which accommodates access to all modes of travel.

3. Increase Walking, Bicycling, and Public Transit
Create a transportation system that encourages walking, bicycling and public transit by providing a variety of safe and convenient walking and bicycling options.

4. Economic Development
Create a transportation system that promotes economic development that will benefit from and contribute to a more connected and livable community, and supports redevelopment of and connectivity to activity centers.

5. Vision Zero Equity & Data Drive Approach
Create a transportation system that views road safety as a social equity issue and recognizes that the concentration of traffic safety problems results from under-investment in certain communities, and to the greatest extent possible, ensures equity by actively pursuing the elimination of health, economic and access disparities. The City's goal is to eliminate traffic fatalities and severe injuries among all road users, and to ensure safe, healthy, equitable mobility for all.

6. Community Health & Sustainability
Create a transportation system that advances the Boynton Beach Climate Action Plan through reducing automobile dependency by transforming the city into a community where people walk, bike, take transit or carpool for increasing portion of overall trips, and improves environmental and community health (i.e. reduce fossil fuel consumption & greenhouse gas emissions; decrease air and noise pollution; improve air quality; encourage social interaction and physical activity; preserve the natural environment; etc.).

APPLICABILITY

Except as otherwise stated below, this policy applies to all project phases undertaken by or under the authority of or subject to the supervision of the City of Boynton Beach, for the improvement of any street and public right of way (ROW), including planning, programming, design, acquisition of land, construction, construction engineering, reconstruction, rehabilitation, resurfacing, retrofit and operation. Accommodations for all modes of transportation to safely use the roadway shall be considered during construction or repair work.

If a project is within or connects to Boynton Beach and is owned by another entity, the City's

Engineering and Planning and Zoning divisions shall work with the ROW owner, Florida Department of Transportation (FDOT), Palm Beach County, and the Palm Beach Transportation Planning Agency (TPA), as appropriate, to advance Complete Streets improvements. In addition, the Complete Streets policy requires the City's Planning & Zoning Department staff to evaluate new development and redevelopment projects. Staff may require connected pedestrian and bicycle access; ADA compliant facilities within the development; and facilities that connect to and from the surrounding transportation systems.

The City of Boynton Beach will approach every planned project as an opportunity to create a safer and more accessible transportation system for all users.

EXCEPTIONS

The City of Boynton Beach commits to applying a Complete Streets approach at the beginning of all transportation and roadway improvement projects. Each project shall be viewed as an opportunity to improve accessibility of the right of way for its users. However, the City acknowledges that there are conditions where it may be inappropriate to provide bicycle, pedestrian, and transit facilities. These exceptions include:

A. LIMITED-ACCESS ROADS

This policy does not apply to limited access facilities where bicyclists and pedestrians are prohibited by law. In this instance, it is necessary to accommodate bicyclists and pedestrians through a parallel facility and to provide safe, comfortable crossings for bicyclists and pedestrians at interchanges that connect neighborhoods, activity centers, or regional trail network.

B. PREVENTATIVE MAINTENANCE

This policy does not apply to routine maintenance, such as mowing, cleaning, sweeping, pothole filling, concrete joint repair, and other regular or seasonal maintenance.

C. EXISTING PROJECTS

This policy does not apply to projects that have been submitted and are currently under review by the Planning and Zoning Division or have an approved development order prior to the effective date of this policy.

LAND USE AND CONTEXT SENSITIVITY

Complete Streets implementation should be sensitive to the community's physical, economic, and social setting. A context-sensitive approach to process and design gives significant consideration to stakeholder and community values; therefore, Complete Streets improvements will not necessarily be identical in all environments, communities, or development contexts. The overall goal of this approach is to preserve and enhance scenic, aesthetic, historical, and environmental resources while improving or maintaining safety, mobility, and appropriate infrastructure conditions.

The City of Boynton Beach shall refer to the Boynton Beach Complete Streets and Mobility Plan, Palm Beach TPA's Complete Streets Design Guidelines, and the FDOT's Design Manual's and Complete Streets Context Classification when determining Complete Streets improvements for transportation projects.

The City will also consider the surrounding community's current and expected land use and transportation needs and collect community input to best fit the community's desires while taking into account the connectivity of the transportation system as a whole for all modes and users. The City will strive to overcome barriers to engagement associated with race, income, age, disability,

English language proficiency, and vehicle access of populations affected by a project, including identifying a means of measuring success in overcoming these barriers.

The City may require new or revised land use policies, plans, and zoning ordinances to specify how transportation projects will serve current and future land use needs. Such revisions shall include language that requires the consideration of the community context as a factor in decision-making, as well as specifying the need to understand and mitigate unintended consequences of projects or plans, such as involuntary displacement.

DESIGN

Transportation projects and maintenance activities shall be:

- Suitable and appropriate to the function and context of the transportation facility;
- Sensitive to the neighborhood context and cognizant of the neighborhood needs;
- Flexible in project design to ensure that all users have safe access and use;
- Considered a component of a comprehensive, integrated and interconnected transportation network that allows all users to choose between different modes of travel; and
- Consistent and compatible with the Boynton Beach Greenways, Blueways, and Trails Plan, and the City of Boynton Beach Comprehensive Plan.

Facilities shall be designed and constructed in accordance with current applicable laws and regulations, using best practices and guidance from a variety of organizations absent conflict with this Complete Streets policy. Best Practices may include, but are not limited to the latest edition of the following:

- Palm Beach Transportation Planning Agency *Complete Streets Design Guidelines*
- The American Association of State Highway and Transportation Officials (AASHTO) *Guide for Planning, Design and Operation of Pedestrian Facilities*
- ASHTO *Guide for the Development Of Bicycle Facilities*
- Federal Highway Administration (FHWA) *Separated Bike Lane Planning and Design Guide*
- FHWA *Achieving Multimodal Networks: Applying Design Flexibility & Reducing Conflicts*
- FHWA *Incorporating On-Road Bicycle Networks into Resurfacing Projects Report*
- Institute of Transportation Engineers (ITE) *Designing Walkable Urban Thoroughfares: A Context Sensitive Approach*
- National Association of City Transportation Officials (NACTO) *Global Street Design Guide, Urban Streets Design Guide, Urban Bikeway Design Guide, Transit Street Design Guide, Urban Street Stormwater Guide*
- National Cooperative Highway Research Program, Report 616, *Multi-Modal Level Of Service Analysis For Urban Streets*
- FHWA Safe Transportation for every pedestrian (STEP) Program
- FHWA *Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations*

Design standards required for State or federally funded projects will supersede local requirements if there is an actual conflict between the local and State or Federal standards and if funding will be impacted by adherence to the local standard. Design Standards include, but are not limited to latest edition of the following:

- Americans with Disabilities Act (ADA) Standards for Accessible Design
- AASHTO A Policy on Geometric Design of Highways and Streets (AASHTO Green Book)
- FDOT Design Manual
- FDOT Manual of Uniform Minimum Standards for Design, Construction and Maintenance (Florida Green Book)
- FDOT Plans Preparation Manual (PPM)
- United States Department of Transportation (USDOT) Manual on Uniform Traffic Control Devices

PROJECT PRIORITIZATION CRITERIA

The City of Boynton Beach shall develop scoring criteria to rank and prioritize Complete Streets projects for implementation. Projects selected may be submitted to the Palm Beach TPA Transportation Alternatives Program (TA) or Local Initiatives (LI) Program for funding or integrated into the City's Capital Improvement Program.

IMPLEMENTATION STEPS

The implementation of Complete Streets will require cooperation and collaboration between many stakeholders on a regular basis. The City of Boynton Beach will take the following steps to facilitate the process:

- The City shall restructure or revise related procedures, plans, regulations or processes to accommodate the goals of this policy on all applicable projects. This may include incorporating Complete Streets checklists or other tools into decision making processes.
- The Planning and Zoning Division shall review and propose revisions to all appropriate land use ordinances, policies and regulations to support the implementation of Complete Streets.
- The Planning and Zoning Division shall coordinate the development of a new bicycle and pedestrian plan and adopt a new complete streets implementation plan that will include the City's multimodal plan and classification of roadways.
- The Planning and Zoning Division and Public Works/Engineering Departments shall review, revise or recommend changes to all policies, procedures and design standards associated with site plan and other requirements for public and private development to ensure best practices are utilized to support Complete Streets.
- The City shall review all street design policies and guides to ensure that they reflect the current state of best practices in transportation design.
- The City shall continue to identify local, state and federal funds to implement Complete Streets Improvements to supplement the City's Capital Improvement Program. This will require a continued partnership and coordination with Palm Beach TPA, FDOT and Palm Beach County.
- The City shall promote collaboration and coordination between the City's departments and other transportation and planning agencies, including the Florida Department of Transportation, Palm Beach County, Palm Tran, and South Florida Regional Transportation Authority.
- The Public Works/Engineering Department shall establish necessary procedures to ensure Complete Streets principles are incorporated at the earliest stage of design.
- The Public Works/Engineering Department shall integrate Vision Zero activities in the City's ongoing program and services focused on improving and promoting multi-modal transportation.
- The Public Works/Engineering Department shall collect and analyze data to understand trends in traffic fatalities and serious injuries in the City. The department shall also identify high need areas and to develop projects that ensure such improvements are implemented.
- The City may offer a variety of Complete Streets outreach materials and meetings for the general public and community leaders to ensure information on Complete Streets is accessible. City staff shall also seek professional development in the area of Complete Streets through attending various professional training opportunities offered locally and nationally.
- The City shall actively promote public information and education that considers equity by targeting advocacy organizations and underrepresented communities which could include non-native English speakers, people with disabilities, etc. depending on the local context.

PERFORMANCE MEASURES

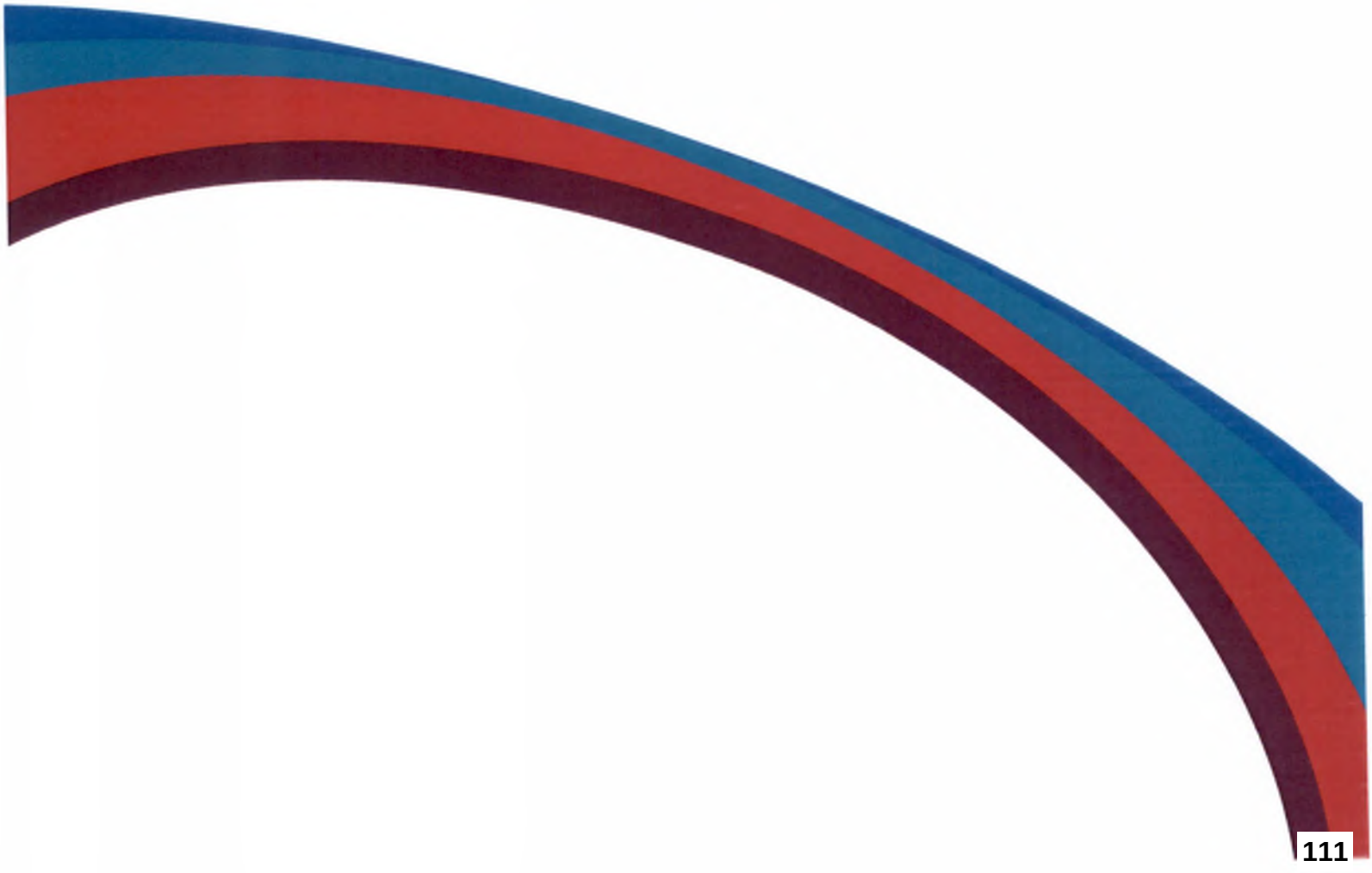
The implementation of Complete Streets will require regular evaluation to determine progress and effectiveness. The City's Public Works/ Engineering Department will be responsible for tracking and analyzing the performance measures listed below.

Using a GIS database, the performance measures that may be evaluated include, but are not limited, to the following:

- Miles of bicycle lanes, routes, or trails built / dedicated by width and type
- Number of bicycle parking facilities installed
- Number of bus shelter and benches added within the City
- Number of traffic calming facilities built / installed
- Linear feet of pedestrian accommodations built or repaired
- Number of crosswalks built or improved
- Number of ADA accommodations built / installed
- Number of street trees planted
- Number of exceptions approved
- Bicycle and pedestrian crash data involving serious injuries and fatalities
- Total dollar amount spent on Complete Streets improvements
- Number of Complete Streets improvements and initiatives implemented within the boundaries of the City's Community Redevelopment Agency.
- Number of commuters who drove a car, truck or van
- Percentage of commuters who drove alone
- Number of people who bike to work

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DRAFT 2045
CITY OF BOYNTON BEACH
COMPLETE STREETS MOBILITY PLAN
& MOBILITY FEE
TECHNICAL REPORT

October 2021

Prepared for:

CITY OF BOYNTON BEACH

Prepared by:

NUE URBAN CONCEPTS
LAND USE • MOBILITY • PARKING • FEES

BAXTER & WOODMAN
Consulting Engineers

DRAFT 2045
CITY OF BOYNTON BEACH
COMPLETE STREETS MOBILITY PLAN & MOBILITY FEE
TECHNICAL REPORT

OCTOBER 2021

Produced for: City of Boynton Beach

Produced by: Jonathan B. Paul, AICP
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October 5th, 2021

Mr. Gary R. Dunmyer, P.E., MBA, GC
Interim Director of Public Works and Engineering
City of Boynton Beach
222 NE 9th Avenue
Boynton Beach, FL 33435

Re: City of Boynton Beach Complete Streets Mobility Plan & Mobility Fee Technical Report

Dear Mr. Dunmyer:

Enclosed is the draft technical report for the City of Boynton Beach Complete Streets Mobility Plan and Mobility Fee Technical Report. This Draft Technical Report has been prepared to facilitate feedback and review from community stakeholders, development interest, engaged residents, governmental entities and the City of Boynton Beach City Commission. This is a final draft; the City Commission has not taken any formal action to adopt the Mobility Plan or Mobility Fee. Once feedback is received, any updates or changes will be coordinated with City Staff and a final technical report will be prepared for consideration by the City Commission. Florida Statute does require that a Mobility Fee be based on the most recent and localized data. To ensure statutory consistency, an Implementing Mobility Fee Ordinance will need to be developed.

The Mobility Fee is based upon the multimodal projects included in the Complete Streets Mobility Plan. Within one year of adoption, the City shall update its Comprehensive Plan to reflect the adopted Complete Streets Mobility Plan and Mobility Fee to ensure internal consistency and Statutory compliance. The Mobility Fee is consistent with all legal and statutory requirements and meets the dual rational nexus test and the rough proportionality test. The Mobility Fee is a departure from the County's existing road impact fee. The Mobility Fee recognizes the importance of small local business and "mom and pop" retail uses and does not charge a higher fee than larger chain uses, which is how the County's current road impact fee is structured. It is also recommended that the City consider adoption of an inflation index factor to adjust the fee on an annual basis to keep pace with rising construction and land cost. I look forward to continuing working with City Staff on outreach efforts and finalizing the Complete Streets Mobility Plan and Mobility Fee.

Sincerely,

Jonathan B. Paul

Jonathan B. Paul, AICP
Principal

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EXECUTIVE SUMMARY

In 1985, the Florida Legislature passed the Growth Management Act that required all local governments in Florida adopt Comprehensive Plans to guide future development and mandated that adequate public facilities be provided "concurrent" with the impacts of new development. Transportation concurrency became the measure used by local governments to ensure that adequate public facilities, in the form of road capacity, was available to meet the transportation demands from new development. By 1993, the Florida Legislature recognized an unintended consequence of transportation concurrency is that it essentially stopped development in urban areas where road capacity was constrained and pushed development to suburban and rural areas where road capacity was either available or was cheaper to construct.

The City of Boynton Beach amended its Comprehensive Plan in 2004 to establish a Transportation Concurrency Exception Area (TCEA) within the area around downtown to address the impact transportation concurrency has on limiting development. In 2007, the Legislature introduced the concept of mobility plans and mobility fees as a replacement of transportation concurrency, proportionate share, and road impact fees. In 2011, the Legislature eliminated state mandated transportation concurrency and made it optional for **"any local government".** In 2013, the Legislature encouraged **"local governments",** defined equally in Florida Statute as **"counties and municipalities",** to adopt alternative mobility funding systems, such as mobility fees based on a plan of improvements, as an alternative to transportation concurrency, proportionate share, and road impact fees.

In 2019, the City amended its Comprehensive Plan to establish the legislative intent to develop a mobility plan and mobility fee as a potential replacement of its TCEA policies, transportation concurrency, proportionate share, roadway level of service (LOS) standards and road impact fees. The City has developed a Complete Streets Mobility Plan that includes multimodal projects for sidewalks, paths, trails, bike lanes, intersections, roads, and planning for future Tri-Rail Coastal service. This Technical Report documents the methodology used to develop a Mobility Fee, based on the Complete Streets Mobility Plan, that will allow new development and redevelopment, within portions of the City that are located east of the Mall and Congress Avenue, to equitably mitigate its transportation impact through payment of the Mobility Fee to the City. The Mobility Fee is intended to replace the City's TCEA, transportation concurrency, proportionate share and serve as an alternative to collection of the Palm Beach County road impact fee from development within the City's Mobility Fee Assessment Area. This Technical Report demonstrates that the Complete Streets Mobility Plan and Mobility Fee meet the dual rational nexus test, rough proportionality test, and the requirements of Florida Statute Sections 163.3180 and 163.31801.

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LEGISLATIVE BACKGROUND

The State of Florida passed the Growth Management Act of 1985 that required all local governments in Florida to adopt Comprehensive Plans to guide future development. The Act mandated that adequate public facilities must be provided "concurrent" with the impacts of new development. State mandated "concurrency" was adopted to ensure the health, safety, and general welfare of the public by ensuring that adequate public facilities would be in place to accommodate the demand for public facilities created by new development.

Transportation concurrency became the measure used by the Florida Department of Community Affairs (DCA), Florida Department of Transportation (FDOT), Regional Planning Councils (RPCs), and local governments to ensure that adequate public facilities, in the form of road capacity, was available to meet the transportation demands from new development. To meet the travel demand impacts of new development and be deemed "concurrent", transportation concurrency was primarily addressed by constructing new roads and widening existing roads.

Traditional transportation concurrency allowed governmental entities to deny development where road capacity was not available to meet the travel demands from new development. Transportation concurrency also allowed governmental entities to require that developments be timed or phased concurrent with the addition of new road capacity. In addition, transportation concurrency also allowed governmental entities to require new development to improve (widen) roads that were already overcapacity (aka "deficient" or "backlogged').

In urban areas throughout Florida, traditional transportation concurrency had the unintended consequence of limiting and often stopping growth in urban areas (aka cities). This occurred because roads were often over capacity based on traffic already on the roads or the combination of that traffic and trips from approved developments. Further, the ability to add road capacity in urban areas was more limited as right-of-way was often constrained by existing development and utilities, physical barriers, environmental protections, and community opposition from homeowners worried about increases in traffic and the impact adding road capacity would have on their homes. Stopping development in urban areas encouraged suburban sprawl by forcing new development to suburban and rural areas where road capacity was either readily available or cheaper to construct. In the late 90's, as the unintended impact of transportation concurrency became more apparent, the Legislature adopted Statutes to provide urban areas with alternatives to address the impact of new development through Transportation Concurrency Exception Areas (TCEA) and Transportation Concurrency Management Areas (TCMA).

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The intent of TCEAs and TCMAs was to allow local governments alternative solutions to provide mobility within urban areas by means other than providing road capacity and to allow infill and redevelopment in those areas. In the mid 2000's, Florida experienced phenomenal growth that strained the ability of local governments to provide the necessary infrastructure to accommodate that growth. Many communities across the State started to deny new developments, substantially raise impact fees, and require significant transportation capacity improvements. In 2005, the Legislature enacted several laws that weakened the ability of local governments to implement transportation concurrency by allowing new development, that was not a development of regional impact (DRI), to make proportionate share payments to mitigate its travel demand. Prior to 2005, only DRIs were permitted to mitigate their impact through proportionate share payments. The Legislature also introduced Multi-Modal Transportation Districts (MMTD) for areas that did not meet requirements to qualify for TCEAs or TCMAs.

In 2007, the Florida Legislature introduced the concept of mobility plans and mobility fees to allow development to equitably mitigate its impact and placed additional restrictions on the ability of local governments to charge new development for over capacity roadways. The Legislature directed the Florida Department of Community Affairs (DCA) and the Florida Department of Transportation (FDOT) to evaluate mobility plans and mobility fees and report the finding to the Legislature in 2009.

In 2009, the Legislature designated Dense Urban Land Areas (DULA), which are communities with a population greater than 1,000 persons per square mile, as TCEA's. The Legislature accepted the findings of the DCA and FDOT analysis for mobility plans and mobility fees but did not take any formal action as the State was in the midst of the great recession. The Legislature also placed further restrictions on local government's ability to implement transportation concurrency, by adding direction on how to calculate proportionate share and how overcapacity road are addressed.

In 2011, the Florida Legislature through House Bill (HB) 7207 adopted the "Community Planning Act" which implemented the most substantial changes to Florida's growth management laws since the 1985 "Local Government Comprehensive Planning and Land Development Regulation Act," which had guided comprehensive planning in Florida for decades. The 2011 legislative session eliminated State mandated concurrency, made concurrency optional for local governments, and eliminated the Florida Department of Community Affairs (DCA) and replaced it with the Florida Department of Economic Opportunity (DEO). The Act essentially removed the DEO, Florida Department of Transportation (FDOT), and Regional Planning Councils (RPC) from the transportation concurrency review process.

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Although local governments are still required to adopt and implement a comprehensive plan, the requirements changed significantly and shifted more discretion to local governments to plan for mobility within their community and enacted further restrictions on the implementation of transportation concurrency, proportionate share, and backlogged roads. The Florida Legislature did not include any provisions in House Bill 7207 exempting local governments existing transportation concurrency system, when it elected to abolish statewide transportation concurrency, made transportation concurrency optional for local governments, and enacted further restrictions on the implementation of transportation concurrency. Florida Statute Section 163.3180(1) provides local governments with flexibility to establish concurrency requirements:

"Sanitary sewer, solid waste, drainage, and potable water are the only public facilities and services subject to the concurrency requirement on a statewide basis. Additional public facilities and services may not be made subject to concurrency on a statewide basis without approval by the Legislature; however, any local government may extend the concurrency requirement so that it applies to additional public facilities within its jurisdiction".

House Bill 319, passed by the Florida Legislature in 2013, amended the Community Planning Act and brought about more changes in how local governments could implement transportation concurrency and further recognized the ability of local governments to adopt alternative mobility funding system, such as mobility fees based on a plan of improvements, to allow development, consistent with an adopted Comprehensive Plan, to equitably mitigate its travel demand impact. Florida Statute Section 163.3180(5)(i) states:

"If a local government elects to repeal transportation concurrency, it is encouraged to adopt an alternative mobility funding system that uses one or more of the tools and techniques identified in paragraph (f). Any alternative mobility funding system adopted may not be used to deny, time, or phase an application for site plan approval, plat approval, final subdivision approval, building permits, or the functional equivalent of such approvals provided that the developer agrees to pay for the development's identified transportation impacts via the funding mechanism implemented by the local government. The revenue from the funding mechanism used in the alternative system must be used to implement the needs of the local government's plan which serves as the basis for the fee imposed. A mobility fee-based funding system must comply with the dual rational nexus test applicable to impact fees. An alternative system that is not mobility fee-based shall not be applied in a manner that imposes upon new development any responsibility for funding an existing transportation deficiency as defined in paragraph (h)."

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Florida Statute Section 163.3164(29) very clearly defines a local government as: ***"any county or municipality"***. If the Legislature had intended for a County or Charter County to be exempt from provisions of the Community Planning Act or to have authority over a municipality as it relates to transportation concurrency, impact fees, or mobility fees, it would have either included specific references or defined city and county separately, not cohesively as a **"local government."**

The Community Planning Act did not elect to "grandfather" any local governments existing transportation concurrency system and did not place restrictions on any local government from repealing transportation concurrency or adopting an alternative mobility funding system in either House Bill 7207 adopted in 2011 or House Bill 319 adopted in 2013. After 20 years of amending Florida Statute Section 163.3180 (roughly every two (2) years over a 20-year period between 1993 and 2013) the Legislature was fully aware that local governments through-out Florida implemented alternatives to transportation concurrency and elected not to provide any exemptions in 2013 to preempt Florida Statute Section 163.3180, like it did in 2009.

In 2009, the Legislature enacted statutory provisions in Florida Statute Section 163.3180 (5)(b)5. that exempted Broward County and Florida Statute Section 163.3180 (5)(b)6. that exempted Miami Dade County from specific statutory requirements related to transportation concurrency exception area requirements. Those exemptions were repealed as part of the 2011 Community Planning Act that made concurrency optional and eliminated statutory provisions related to dense urban land areas (DULAs), long term transportation concurrency management areas (TCMAs), multimodal transportation districts (MMTDs), and transportation concurrency exception areas (TCEAs). The Legislature clearly had established prior precedent in exempting certain local governments from requirements under Florida Statute Section 163.3180 and elected not to do so in 2011 and 2013.

Prior to the passage of the Florida Community Planning Act by the Legislature on June 2, 2011, transportation concurrency was mandatory for local governments statewide, except those with approved TCEAs or MMTDs. After adoption of the Community Planning Act, transportation concurrency became optional for any local government and the Legislature encouraged local governments to adopt alternative mobility funding systems and specifically references mobility fees, based on a plan for mobility improvements. Accordingly, the Florida Department of Economic Opportunity (DEO), which replaced the Department of Community Affairs, provides the following direction related to elimination of transportation concurrency and adoption of a mobility fee-based plan, in accordance with Florida Statute 163.3180:

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"Transportation Concurrency

In accordance with the Community Planning Act, local governments may establish a system that assesses landowners the costs of maintaining specified levels of service for components of the local government's transportation system when the projected impacts of their development would adversely impact the system. This system, known as a concurrency management system, must be based on the local government's comprehensive plan. Specifically, the local government comprehensive plan must provide the principles, guidelines, standards, and strategies, including adopted levels of service, to guide the application of its transportation concurrency management system.

Prior to June 2, 2011, transportation concurrency was mandatory for local governments. Now that transportation concurrency is optional, if a local government chooses, it may eliminate the transportation concurrency provisions from its comprehensive plan and is encouraged to adopt a mobility fee based plan in its place (see below). Adoption of a mobility fee based plan must be accomplished by a plan amendment that follows the Expedited State Review Process. A plan amendment to eliminate transportation concurrency is not subject to state review.

It is important to point out that whether or not a local government chooses to use a transportation concurrency system, it is required to retain level of service standards for its roadways for purposes of capital improvement planning. The standards must be appropriate and based on professionally accepted studies, and the capital improvements that are necessary to meet the adopted levels of service standards must be included in the five-year schedule of capital improvements. Additionally, all local governments, whether implementing transportation concurrency or not, must adhere to the transportation planning requirements of section 163.3177(6)(b), Florida Statutes.

Mobility Fee Based Plans

If a local government elects to repeal transportation concurrency, it is encouraged to adopt an alternative mobility funding system that uses one or more of the tools and techniques identified in section 163.3180(5)(f), Florida Statutes:

Adoption of long-term strategies to facilitate development patterns that support multimodal solutions, including urban design, appropriate land use mixes, intensity and density.

Adoption of an area wide level of service not dependent on any single road segment function.
Exempting or discounting impacts of locally desired development.

Assigning secondary priority to vehicle mobility and primary priority to ensuring a safe, comfortable, and attractive pedestrian environment with convenient interconnection to transit.

Establishing multimodal level of service standards that rely primarily on non-vehicular modes of transportation where existing or planned community design will provide adequate a level of mobility.

Reducing impact fees or local access fees to promote development within urban areas, multimodal transportation districts, and a balance of mixed-use development in certain areas or districts, or for affordable or workforce housing." **(Appendix A)**

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The Community Planning Act also includes specific requirements for any local government that elects to maintain transportation concurrency. These requirements are to be addressed in the local governments comprehensive plan and capital improvements required to meet adopted level of service standards are required to be included in the capital improvements element five (5) year schedule of improvements.

The Legislature also clarified in the Community Planning Act that any backlogged facility is the responsibility of local governments; new development shall not be charged for backlog, and that new developments can assume any backlogged facility will be addressed by local governments when calculating its proportionate share mitigation. This essentially means it is the local governments responsibility to fund improvements to deficient transportation facilities. Florida Statute Section 163.3180(5)(d):

"The premise of concurrency is that the public facilities will be provided in order to achieve and maintain the adopted level of service standard. A comprehensive plan that imposes transportation concurrency shall contain appropriate amendments to the capital improvements element of the comprehensive plan, consistent with the requirements of s. 163.3177(3). The capital improvements element shall identify facilities necessary to meet adopted levels of service during a 5-year period."

The Community Planning Act recognized that impact fees, mobility fees, and other transportation concurrency mitigation requirements are equivalent forms of transportation mitigation by requiring that dollar-for-dollar credit shall be provided where a local government requires a development to make a proportionate share improvement or payment per Florida Statute Section 163.3180 (5)(h)2.e. that states:

*"The applicant shall receive a **credit on a dollar-for-dollar basis for impact fees, mobility fees, and other transportation concurrency mitigation requirements** paid or payable in the future for the project. The credit shall be reduced up to 20 percent by the percentage share that the project's traffic represents of the added capacity of the selected improvement, or by the amount specified by local ordinance, whichever yields the greater credit." **(emphasis added)***

In 2019, the Florida Legislature, through House Bill 7103, amended the Community Planning Act and required mobility fees to be governed by the same procedures as impact fees. This amendment further confirmed that mobility fees are an equivalent form of mitigation to impact fees that allow development to mitigate its impact to the transportation system consistent with the needs identified in the local governments adopted mobility plan per Florida Statute Section 163.3180(5)(i):

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"If a local government elects to repeal transportation concurrency, it is encouraged to adopt an alternative mobility funding system that uses one or more of the tools and techniques identified in paragraph (f). Any alternative mobility funding system adopted may not be used to deny, time, or phase an application for site plan approval, plat approval, final subdivision approval, building permits, or the functional equivalent of such approvals provided that the developer agrees to pay for the development's identified transportation impacts via the funding mechanism implemented by the local government. The revenue from the funding mechanism used in the alternative system must be used to implement the needs of the local government's plan which serves as the basis for the fee imposed. ***A mobility fee-based funding system must comply with s. 163.31801 governing impact fees.*** *An alternative system that is not mobility fee-based shall not be applied in a manner that imposes upon new development any responsibility for funding an existing transportation deficiency as defined in paragraph (h)."* ***(emphasis added)***

Figure 1. Concurrency Cycle



The elimination of state mandated transportation concurrency was the culmination of 20 years of amendments to Florida Statute Section 163.3180 and a recognition that governments cannot build their way out of congestion. The allowance to adopt alternative mobility funding systems was a recognition of the need for government to proactively plan for mobility, instead of reactively regulate road capacity **(Figure 1).**

Further, Florida Statute defines **"local governments"** as both **"counties and municipalities"** and did not provide counties any preemptions over cities or grandfather in any county transportation concurrency, proportionate share, or impact fee system.

In addition, the Legislature did not make mobility fees a subservient form of mitigation like proportionate share. The Legislature recognized impact fees, mobility fees, and other mitigation as equal options in both the requirement to provide credits for proportionate share payments and improvements, and as alternatives mobility funding systems to replace transportation concurrency and proportionate share systems under Florida Statute Section 163.3180.

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Impact Fee & Mobility Fee Comparison

The Florida Constitution grants local governments broad home rule authority to establish special assessments, impact fees, mobility fees, franchise fees, user fees, and service charges as revenue sources to fund specific governmental functions and capital infrastructure. Payment of impact fees or mobility fees are one of the primary ways local governments can require new development, along with redevelopment or expansion of existing land uses which generates additional transportation demand, to mitigate its impact to a local governments transportation system. While road impact fees and mobility fees are both intended to be means in which a development can mitigate its transportation impact, the following are the major differences between the two fees:

Road Impact Fees

- Partially or fully fund road capacity improvements, including new roads, the widening of existing roads, and the addition or extension of turn lanes at intersections to move people driving vehicles (i.e., cars, trucks, SUVs, motorcycles).
- Are based on increases in trip generation, vehicle trip length, and road capacity, along with the cost of road capacity improvements and the projected vehicle miles of travel from development.
- May be based on either an adopted LOS standard (aka standards or consumption-based fee) or on future road improvements (aka plan or improvements-based fee).

Mobility Fees

- Partially or fully fund multimodal improvements, including sidewalks, paths, trails, bike lanes, streetscape and landscape, complete and low speed streets, micromobility (i.e., electric bikes, electric scooters) devices, programs and services, microtransit (i.e., golf carts, neighborhood electric vehicles, autonomous transit shuttles, trolleys) circulators, services and vehicles, new roads, transit facilities and mobility hubs, the widening of existing roads, and turn lanes, signals, roundabouts, and ADA upgrades at intersections.
- Are based on increases in person trips, person trip lengths, and person miles of capacity from multimodal projects, along with projected person miles of travel from development.
- Assessment areas may include all or portions of a municipality or county, and may vary based on geographic location (e.g., downtown) or type of development (e.g., mixed-use).
- Must be based on future multimodal projects adopted as part of a mobility plan and incorporated or referenced in the local governments Comprehensive Plan.

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LEGAL

Local governments through-out Florida began adopting road impact fees in the late 70's and early 80's as a means for new development to pay for its traffic impact and provide local governments with revenues to fund transportation infrastructure improvements. Counties, especially Charter Counties, began to require that cities collect road impact fees on their behalf to fund improvements to the county road system. Throughout the 1980's, 1990's, and 2000's, cities through-out Florida challenged the ability of counties to compel cities to collect road impact fees for new development. The opposition stemmed in part from an unintended consequence of transportation concurrency which was that it essentially stopped development in urban areas (aka "cities"). Both cities and new development were constrained in their ability to add road capacity due to cost of acquiring developed land and fierce opposition from existing residents concerned about increased traffic and the impact new road capacity would have on their homes.

The inability of development in urban areas to meet transportation concurrency resulted in development moving to suburban and rural areas (aka "urban sprawl") where fewer residents would come out in opposition to new road capacity improvements and road capacity was either available or was cheaper to construct. Cities found themselves in the unenviable position of sending road impact fees to counties, when development did meet concurrency, only to see those road impact fees being spent on new road capacity projects outside of urban areas that made it even easier for development to continue to sprawl outside city limits.

Further, the courts frequently sided with counties, as cities that did challenge the legality of counties compelling them to collect impact fees did not offer alternatives to show how they would address the traffic impacts from new development. These challenges all occurred prior to the Florida Legislature adopting the "Impact Fee Act" through Florida Statute 163.31801. Further, these challenges also existed prior to the introduction of mobility plans and mobility fees and the adoption of the "Community Planning Act" through Florida Statute 163.3180.

Before the Florida "Impact Fee Act" was adopted, many local governments had already developed impact fees through their home rule powers. In 2006, the Legislature adopted the "Impact Fee Act" to provide process requirements for the adoption of impact fees and formally recognized the authority of local governments to adopt impact fees. Prior to 2006, the Florida Legislature, unlike many States throughout the U.S. that had adopted enabling legislation, elected to defer to the significant case law that had been developed in both Florida and throughout the U.S. to provide guidance to local governments to adopt impact fees.

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In 2009, the Legislature made several changes to the "Impact Fee Act", the most significant of which was placing the burden of proof on local governments, through a preponderance of the evidence, that the imposition of the fee meets legal precedent and the requirements of Florida Statute Section 163.31801. Prior to the 2009 amendment, Courts generally deferred to local governments as to the validity of an imposed impact fee and placed the burden of proof, that an imposed impact fee was invalid or unconstitutional on the plaintiff. There has yet to be a legal challenge to impact fees in Florida since the 2009 legislation, due in large part to the great recession and the fact that many local governments either reduced impact fees or placed a moratorium on impact fees between 2009 and 2015.

In 2019, the Legislature, through HB 207 and HB 7103, made several changes to the "Impact Fee Act", the most significant of which was the requirement that fees not be collected before building permit. The changes also expanded on the requirements of the dual rational nexus test, the collection and expenditure of fees, credits for improvements and administrative cost.

In 2020, the Legislature, through SB 1066, made several additional changes to the Impact Fee Act to clarify that new or updated impact fees cannot be assessed on a permit if the permit application was pending prior to the new or updated fee. The bill also made credits assignable and transferable to third parties.

In 2021, the Legislature, through HB 337 made significant amendments to the "Impact Fee Act", which the Governor subsequently approved. The amendments require that impact fees be based on planned improvements and that there is a clear nexus between the need for improvements and the impact from new development. The amendments have a greater impact on increases to existing impact fees and have phasing requirements for increases to existing fees. There are provisions that allow a local government to fully implement updated fees based on a finding of extraordinary circumstances, holding public hearings, and requiring a super majority approval by elected officials. Florida Statute Section 163.31801 now reads as follows:

"(1) This section may be cited as the "Florida Impact Fee Act."

(2) The Legislature finds that impact fees are an important source of revenue for a local government to use in funding the infrastructure necessitated by new growth. The Legislature further finds that impact fees are an outgrowth of the home rule power of a local government to provide certain services within its jurisdiction. Due to the growth of impact fee collections and local governments' reliance on impact fees, it is the intent of the Legislature to ensure that, when a county or municipality adopts an impact fee by ordinance or a special district adopts an impact fee by resolution, the governing authority complies with this section.

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(3) For purposes of this section, the term:

(a) "Infrastructure" means a fixed capital expenditure or fixed capital outlay, excluding the cost of repairs or maintenance, associated with the construction, reconstruction, or improvement of public facilities that have a life expectancy of at least 5 years; related land acquisition, land improvement, design, engineering, and permitting costs; and other related construction costs required to bring the public facility into service. The term also includes a fire department vehicle, an emergency medical service vehicle, a sheriff's office vehicle, a police department vehicle, a school bus as defined in s. 1006.25, and the equipment necessary to outfit the vehicle or bus for its official use. For independent special fire control districts, the term includes new facilities as defined in s. 191.009(4).

(b) "Public facilities" has the same meaning as in s. 163.3164 and includes emergency medical, fire, and law enforcement facilities.

(4) At a minimum, each local government that adopts and collects an impact fee by ordinance and each special district that adopts, collects, and administers an impact fee by resolution must:

(a) Ensure that the calculation of the impact fee is based on the most recent and localized data.

(b) Provide for accounting and reporting of impact fee collections and expenditures and account for the revenues and expenditures of such impact fee in a separate accounting fund.

(c) Limit administrative charges for the collection of impact fees to actual costs.

(d) Provide notice at least 90 days before the effective date of an ordinance or resolution imposing a new or increased impact fee. A local government is not required to wait 90 days to decrease, suspend, or eliminate an impact fee. Unless the result is to reduce the total mitigation costs or impact fees imposed on an applicant, new or increased impact fees may not apply to current or pending permit applications submitted before the effective date of a new or increased impact fee.

(e) Ensure that collection of the impact fee may not be required to occur earlier than the date of issuance of the building permit for the property that is subject to the fee.

(f) Ensure that the impact fee is proportional and reasonably connected to, or has a rational nexus with, the need for additional capital facilities and the increased impact generated by the new residential or commercial construction.

(g) Ensure that the impact fee is proportional and reasonably connected to, or has a rational nexus with, the expenditures of the funds collected and the benefits accruing to the new residential or nonresidential construction.

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(h) Specifically earmark funds collected under the impact fee for use in acquiring, constructing, or improving capital facilities to benefit new users.

(i) Ensure that revenues generated by the impact fee are used, in whole or in part, to pay existing debt or for previously approved projects unless the expenditure is reasonably connected to, or has a rational nexus with, the increased impact generated by the new residential or nonresidential construction.

(5)(a) Notwithstanding any charter provision, comprehensive plan policy, ordinance, development order, development permit, or resolution, the local government or special district must credit against the collection of the impact fee any contribution, whether identified in a proportionate share agreement or other form of exaction, related to public facilities or infrastructure, including land dedication, site planning and design, or construction. Any contribution must be applied on a dollar-for-dollar basis at fair market value to reduce any impact fee collected for the general category or class of public facilities or infrastructure for which the contribution was made.

(b) If a local government or special district does not charge and collect an impact fee for the general category or class of public facilities or infrastructure contributed, a credit may not be applied under paragraph (a).

(6) A local government, school district, or special district may increase an impact fee only as provided in this subsection.

(a) An impact fee may be increased only pursuant to a plan for the imposition, collection, and use of the increased impact fees which complies with this section.

(b) An increase to a current impact fee rate of not more than 25 percent of the current rate must be implemented in two equal annual increments beginning with the date on which the increased fee is adopted.

(c) An increase to a current impact fee rate which exceeds 25 percent but is not more than 50 percent of the current rate must be implemented in four equal installments beginning with the date the increased fee is adopted.

(d) An impact fee increase may not exceed 50 percent of the current impact fee rate.

(e) An impact fee may not be increased more than once every 4 years.

(f) An impact fee may not be increased retroactively for a previous or current fiscal or calendar year.

(g) A local government, school district, or special district may increase an impact fee rate beyond the phase-in limitations established under paragraph (b), paragraph (c), paragraph (d), or paragraph (e) by establishing the need for such increase in full compliance with the requirements of subsection (4), provided the following criteria are met:

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1. *A demonstrated need study justifying any increase in excess of those authorized in paragraph (b), paragraph (c), paragraph (d), or paragraph (e) has been completed within the 12 months before the adoption of the impact fee increase and expressly demonstrates the extraordinary circumstances necessitating the need to exceed the phase-in limitations.*

2. *The local government jurisdiction has held not less than two publicly noticed workshops dedicated to the extraordinary circumstances necessitating the need to exceed the phase-in limitations set forth in paragraph (b), paragraph (c), paragraph (d), or paragraph (e).*

3. *The impact fee increase ordinance is approved by at least a two-thirds vote of the governing body.*

(h) This subsection operates retroactively to January 1, 2021.

(7) If an impact fee is increased, the holder of any impact fee credits, whether such credits are granted under s. 163.3180, s. 380.06, or otherwise, which were in existence before the increase, is entitled to the full benefit of the intensity or density prepaid by the credit balance as of the date it was first established.

(8) A local government, school district, or special district must submit with its annual financial report required under s. 218.32 or its financial audit report required under s. 218.39 a separate affidavit signed by its chief financial officer or, if there is no chief financial officer, its executive officer attesting, to the best of his or her knowledge, that all impact fees were collected and expended by the local government, school district, or special district, or were collected and expended on its behalf, in full compliance with the spending period provision in the local ordinance or resolution, and that funds expended from each impact fee account were used only to acquire, construct, or improve specific infrastructure needs.

(9) In any action challenging an impact fee or the government's failure to provide required dollar-for-dollar credits for the payment of impact fees as provided in s. 163.3180(6)(h)2.b., the government has the burden of proving by a preponderance of the evidence that the imposition or amount of the fee or credit meets the requirements of state legal precedent and this section. The court may not use a deferential standard for the benefit of the government.

(10) Impact fee credits are assignable and transferable at any time after establishment from one development or parcel to any other that is within the same impact fee zone or impact fee district or that is within an adjoining impact fee zone or impact fee district within the same local government jurisdiction and which receives benefits from the improvement or contribution that generated the credits. This subsection applies to all impact fee credits regardless of whether the credits were established before or after the date the act become law.

(11) A county, municipality, or special district may provide an exception or waiver for an impact fee for the development or construction of housing that is affordable, as defined in s. 420.9071. If a county, municipality, or special district provides such an exception or waiver, it is not required to use any revenues to offset the impact.

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(12) This section does not apply to water and sewer connection fees.

(13) In addition to the items that must be reported in the annual financial reports under s. 218.32, a local government, school district county, municipality, or special district must report all of the following information data on all impact fees charged:

(a) The specific purpose of the impact fee, including the specific infrastructure needs to be met, including, but not limited to, transportation, parks, water, sewer, and schools.

(b) The impact fee schedule policy describing the method of calculating impact fees, such as flat fees, tiered scales based on number of bedrooms, or tiered scales based on square footage.

(c) The amount assessed for each purpose and for each type of dwelling.

(d) The total amount of impact fees charged by type of dwelling.

(e) Each exception and waiver provided for construction or development of housing that is affordable."

The purpose of this Technical Report is to demonstrate that the City's Mobility Fee is proportional and reasonably connected to, or has a rational nexus with, both the need for new multimodal transportation projects and the mobility benefits provided to those who pay the fee, otherwise known as the "dual rational nexus test" and "rough proportionality test", as required by Florida Statute Section 163.31801(4)(f),(g) and (h). The "dual rational nexus test" requires a local government to demonstrate that there is a reasonable connection, or rational nexus, between:

The "Need" for additional (new) capital facilities (improvements and projects) to accommodate the increase in demand from new development (growth), and

The "Benefit" that the new development receives from the payment and expenditure of fees to construct the new capital improvements.

In addition to the "dual rational nexus test", the U.S. Supreme Court in *Dolan v. Tigard* also established a "rough proportionality test" to address the relationship between the amount of a fee imposed on a new development and the impact of the new development. The "rough proportionality test" requires that there be a reasonable relationship between the impact fee and the impact of new development based upon the applicable unit of measure for residential and non-residential uses and that the variables used to calculate a fee are reasonably assignable and attributable to the impact of each new development.

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The Courts recognized the authority of a municipality to impose "impact fees" in Florida occurred in 1975 in the case of *City of Dunedin v. Contractors and Builders Association of Pinellas County, 312 So.2d 763 (2d DCA. Fla., 1975)*, where the court held: "that the so-called impact fee did not constitute taxes but was a charge using the utility services under Ch. 180, F. S."

The Court set forth the following criteria to validate the establishment of an impact fee:

"...where the growth patterns are such that an existing water or sewer system will have to be expanded in the near future, a municipality may properly charge for the privilege of connecting to the system a fee which is in excess of the physical cost of connection, if this fee does not exceed a proportionate part of the amount reasonably necessary to finance the expansion and is earmarked for that purpose." 312 So.2d 763, 766, (1975).

The case was appealed to the Florida Supreme Court and a decision rendered in the case of Contractors and Builders Association of Pinellas County v. City of Dunedin 329 So.2d 314 (Fla. 1976), in which the Second District Court's decision was reversed. The Court held that "impact fees" did not constitute a tax; that they were user charges analogous to fees collected by privately owned utilities for services rendered.

However, the Court reversed the decision, based on the finding that the City did not create a separate fund where impact fees collected would be deposited and earmarked for the specific purpose for which they were collected, finding:

"The failure to include necessary restrictions on the use of the fund is bound to result in confusion, at best. City personnel may come and go before the fund is exhausted, yet there is nothing in writing to guide their use of these moneys, although certain uses, even within the water and sewer systems, would undercut the legal basis for the fund's existence. There is no justification for such casual handling of public moneys, and we therefore hold that the ordinance is defective for failure to spell out necessary restrictions on the use of fees it authorizes to be collected. Nothing we decide, however prevents Dunedin from adopting another sewer connection charge ordinance, incorporating appropriate restrictions on use of the revenues it produces. Dunedin is at liberty, moreover, to adopt an ordinance restricting the use of moneys already collected. We pretermit any discussion of refunds for that reason." 329 So.2d 314 321, 322 (Fla. 1976)

The case tied impact fees directly to growth and recognized the authority of a local government to impose fees to provide capacity to accommodate new growth and basing the fee on a proportionate share of the cost of the needed capacity. The ruling also established the need for local government to create a separate account to deposit impact fee collections to help ensure those funds are expended on infrastructure capacity.

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The Utah Supreme Court had ruled on several cases related to the imposition of impact fees by local governments before hearing Banberry v. South Jordan. In the case, the Court held that: "the fair contribution of the fee-paying party should not exceed the expense thereof met by others. To comply with this standard a municipal fee related to service like water and sewer must not require newly developed properties to bear more than their equitable share of the capital costs in relation to the benefits conferred" (Banberry Development Corporation v. South Jordan City, 631 P. 2d 899 (Utah 1981). To provide further guidance for the imposition of impact fees, the court articulated seven factors which must be considered (Banberry Development Corporation v. South Jordan City, 631 P. 2d 904 (Utah 1981):

"(1) the cost of existing capital facilities;

(2) the manner of financing existing capital facilities (such as user charges, special assessments, bonded indebtedness, general taxes or federal grants);

(3) the relative extent to which the newly developed properties and the other properties in the municipality have already contributed to the cost of existing capital facilities (by such means as user charges, special assessments, or payment from the proceeds of general taxes);

(4) the relative extent to which the newly developed properties in the municipality will contribute to the cost of existing capital facilities in the future;

(5) the extent to which the newly developed properties are entitled to a credit because the municipality is requiring their developers or owners (by contractual arrangement or otherwise) to provide common facilities (inside or outside the proposed development) that have been provided by the municipality and financed through general taxation or other means (apart from user fees) in other parts of the municipality;

(6) extraordinary costs, if any, in servicing the newly developed properties; and

(7) the time-price differential inherent in fair comparisons of amounts paid at different times."

The Court rulings in Florida, Utah and elsewhere in the U.S. during the 1970's and early 1980's led to the first use of what ultimately became known as the "dual rational nexus test" in Hollywood, Inc. v. Broward County, which involved a Broward County ordinance that required a developer to dedicated land or pay a fee for the County park system. The Florida Fourth District Court of Appeal found to establish a reasonable requirement for dedication of land or payment of an impact fee that:

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"... the local government must demonstrate a reasonable connection, or rational nexus between the need for additional capital facilities and the growth of the population generated by the subdivision. In addition, the government must show a reasonable connection, or rational nexus, between the expenditures of the funds collected and the benefits accruing to the subdivision. In order to satisfy this latter requirement, the ordinance must specifically earmark the funds collected for the use in acquiring capital facilities to benefit new residents." (Hollywood, Inc. v. Broward County, 431 So. 2d 606 (Fla. 4th DCA), rev. denied, 440 So. 2d 352 (Fla. 1983).

In 1987, the first of two major cases were heard before the U.S. Supreme Court that have come to define what is now commonly referred to as the "dual rational nexus test". The first case was Nollan v. California Coastal Commission which involved the Commission requiring the Nollan family to dedicate a public access easement to the beach in exchange for permitting the replacement of a bungalow with a larger home which the Commission held would block the public's view of the beach. Justice Scalia delivered the decision of the Court: "The lack of nexus between the condition and the original purpose of the building restriction converts that purpose to something other than what it was...Unless the permit condition serves the same governmental purpose as the development ban, the building restriction is not a valid regulation of land use but an out-and-out plan of extortion (Nollan v. California Coastal Commission, 483 U. S. 825 (1987)". The Court found that there must be an essential nexus between an exaction and the government's legitimate interest being advanced by that exaction (Nollan v. California Coastal Commission, 483 U. S. 836, 837 (1987).

The second case, Dolan v. Tigard, heard by the U.S. Supreme Court in 1994 solidified the elements of the "dual rational nexus test". The Petitioner Dolan, owner, and operator of a Plumbing & Electrical Supply store in the City of Tigard, Oregon, applied for a permit to expand the store and pave the parking lot of her store. The City Planning Commission granted conditional approval, dependent on the property owner dedicating land to a public greenway along an adjacent creek and developing a pedestrian and bicycle pathway to relieve traffic congestion. The decision was affirmed by the Oregon State Land Use Board of Appeal and the Oregon Supreme Court. The U.S. Supreme Court overturned the ruling of the Oregon Supreme Court and held:

"Under the well-settled doctrine of "unconstitutional conditions," the government may not require a person to give up a constitutional right in exchange for a discretionary benefit conferred by the government where the property sought has little or no relationship to the benefit. In evaluating Dolan's claim, it must be determined whether an "essential nexus" exists between a legitimate state interest and the permit condition. Nollan v. California Coastal Commission, 483 U. S. 825, 837. If one does, then it must be decided whether the degree of the exactions demanded by the permit conditions bears the required relationship to the projected impact of the proposed development." Dolan v. City of Tigard, 512 U.S. 383, 386 (1994)

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The U.S. Supreme Court in addition to upholding the "essential nexus" requirement from Nollan also introduced the "rough proportionality" test and held that:

"In deciding the second question-whether the city's findings are constitutionally sufficient to justify the conditions imposed on Dolan's permit-the necessary connection required by the Fifth Amendment is "rough proportionality." No precise mathematical calculation is required, but the city must make some sort of individualized determination that the required dedication is related both in nature and extent to the proposed development's impact. This is essentially the "reasonable relationship" test adopted by the majority of the state courts. Dolan v. City of Tigard, 512 U.S. 388, 391 (1994)"

An often-overlooked component of Dolan v. City of Tigard is the recognition that while multimodal facilities may off-set traffic congestion there is a need to demonstrate or quantify how the dedication of a pedestrian / bicycle pathway would offset the traffic demand generated. per the following excerpt from the opinion of the Court delivered by Chief Justice Rehnquist:

"The city made the following specific findings relevant to the pedestrian/bicycle pathway: "In addition, the proposed expanded use of this site is anticipated to generate additional vehicular traffic thereby increasing congestion on nearby collector and arterial streets. Creation of a convenient, safe pedestrian/bicycle pathway system as an alternative means of transportation could offset some of the traffic demand on these nearby streets and lessen the increase in traffic congestion." We think a term such as "rough proportionality" best encapsulates what we hold to be the requirement of the Fifth Amendment. No precise mathematical calculation is required, but the city must make some sort of individualized determination that the required dedication is related both in nature and extent to the impact of the proposed development.

With respect to the pedestrian/bicycle pathway, we have no doubt that the city was correct in finding that the larger retail sales facility proposed by petitioner will increase traffic on the streets of the Central Business District. The city estimates that the proposed development would generate roughly 435 additional trips per day. Dedications for streets, sidewalks, and other public ways are generally reasonable exactions to avoid excessive congestion from a proposed property use. But on the record before us, the city has not met its burden of demonstrating that the additional number of vehicle and bicycle trips generated by the petitioner's development reasonably relate to the city's requirement for a dedication of the pedestrian/bicycle pathway easement. The city simply found that the creation of the pathway "could offset some of the traffic demand . . . and lessen the increase in traffic congestion."

"As Justice Peterson of the Supreme Court of Oregon explained in his dissenting opinion, however, "[t]he findings of fact that the bicycle pathway system could offset some of the traffic demand' is a far cry from a finding that the bicycle pathway system will, or is likely to, offset some of the traffic demand." 317 Ore., at 127, 854 P. 2d, at 447 (emphasis in original). No precise mathematical calculation is required, but the city must make some effort to quantify its findings in support of the dedication for the pedestrian/bicycle pathway beyond the conclusory statement that it could offset some of the traffic demand generated." Dolan v. City of Tigard, 512 U.S. 687 (1994).

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The U.S. Supreme Court recently affirmed, through Koontz vs. St. Johns River Water Management District, that the "dual rational nexus" test equally applies to monetary exactions in the same manner as a governmental regulation requiring the dedication of land. Justice Alito described:

"Our decisions in Nollan v. California Coastal Commission, 483 U. S. 825 (1987), and Dolan v. City of Tigard, 512 U. S. 374 (1994), provide important protection against the misuse of the power of land-use regulation. In those cases, we held that a unit of government may not condition the approval of a land-use permit on the owner's relinquishment of a portion of his property unless there is a "nexus" and "rough proportionality" between the government's demand and the effects of the proposed land use. In this case, the St. Johns River Water Management District (District) believes that it circumvented Nollan and Dolan because of the way in which it structured its handling of a permit application submitted by Coy Koontz, Sr., whose estate is represented in this Court by Coy Koontz, Jr. The District did not approve his application on the condition that he surrender an interest in his land. Instead, the District, after suggesting that he could obtain approval by signing over such an interest, denied his application because he refused to yield." Koontz v. St. Johns River Water Management District 1333 S. Ct. 2586 (2013).

"That carving out a different rule for monetary exactions would make no sense. Monetary exactions—particularly, fees imposed "in lieu" of real property dedications—are "commonplace" and are "functionally equivalent to other types of land use exactions." To subject monetary exactions to lesser, or no, protection would make it "very easy for land-use permitting officials to evade the limitations of Nollan and Dolan." Furthermore, such a rule would effectively render Nollan and Dolan dead letters "because the government need only provide a permit applicant with one alternative that satisfies the nexus and rough proportionality standard, a permitting authority wishing to exact an easement could simply give the owner a choice of either surrendering an easement or making a payment equal to the easement's value." Koontz v. St. Johns River Water Management District 1333 S. Ct. 2599 (2013)

The Florida First District Court of Appeals recently affirmed (July 2021), through the BoCC of Santa Rosa County vs. the Builders Association of West Florida, that impact fees are required to meet the "dual rational nexus" test to avoid being found to be an unconstitutional tax and cited the Florida Impact Fee Act that requires impact fees to be based on the most recent and localized data. The Court cited expert testimony that the County's school impact fee "failed the dual rational nexus test because they did not account for the differences between the northern and southern parts of the county. This resulted in impact fees that were disproportionate to the growth in these geographical regions." This is the first legal case related to impact fees since the Florida Legislature adopted the Impact Fee Act in 2006 and placed the burden of proof on local governments to justify any fee imposed through amendments to the Impact Fee Act in 2009.

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COUNTY CHARTER

Florida Statute has changed dramatically between 2005 and 2013 related to eliminating statewide transportation concurrency, promoting development within urban areas, and encouraging multimodal mobility. Palm Beach County policies have largely remained unchanged during that same time. The County continues to implement transportation concurrency, focuses primarily on moving motor vehicles and providing roadway capacity and collects road impact fees to fund additional roadway capacity improvements based on the County Charter. The Palm Beach County Charter was last amended on July 20, 2010 and was approved by Palm Beach County voters on November 2, 2010, with an effective date of January 1, 2011.

Volume 1 of the County Charter of Palm Beach County, Florida, states in Article I: Creation, Powers and Ordinances of Home Rule Charter Government, Section 1.2 that: *"Nothing in this Home Rule Charter shall override or conflict with state law or the state constitution."* Further, the County Charter Section 1.3 states the following:

"Municipal ordinances shall prevail over county ordinances to the extent of any conflict regardless of the time of passage of the municipal ordinance, except that county ordinances shall prevail over conflicting municipal ordinances:"

"(2) In matters related to school, county-owned beaches, county district parks, and county regional parks, solid waste disposal, county law enforcement, county road programs, and county public buildings impact fees; and in matters related to county fire-rescue and county library impact fees in those municipalities whose properties are taxed by the county for library or fire-rescue purposes, respectively. This subsection shall not be construed as preempting or limiting in any way the enactment of municipal impact fee ordinances for those capital facilities provided exclusively by municipalities. The county shall provide a credit toward the payment of county impact fees for properties within those municipalities which provide like capital facilities. This section shall not be construed as a transfer of functions or powers related to municipal services."

County Charter Section 1.3 (4) includes provisions related to establishment of level of service (LOS) standards for collector and arterial roads which are not the responsibility of a municipality and states the following:

"In matters relating to the establishment of levels of service for collector and arterial roads which are not the responsibility of any municipality and the restriction of the issuance of development orders which would add traffic to such roads which have traffic exceeding the adopted level of service provided that such ordinance is adopted and amended by a majority of the board of county commissioners."

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The Florida Legislature adopted HB 7202, which became effective in July of 2011, that abolished state mandated transportation concurrency and made transportation concurrency optional for any local government within the State of Florida, including those in Palm Beach County. The Palm Beach County Charter was adopted prior to the effective date of HB 7207. The Florida Legislature did not provide any exemptions for Palm Beach County with regards to transportation concurrency or impact fees.

The Florida Legislature adopted HB 7207 during the 2011 Legislative Session, which occurred after the Palm Beach County Charter was amended effective January 1st, 2011, that led to abolishing statewide transportation concurrency, eliminating the Department of Community Affairs, and placed restrictions on local governments ability to implement transportation concurrency: all effective June 2nd, 2011 with no exceptions in Statute for Palm Beach County or any local government therein. The Florida Legislature has clearly provided "any" local government in Florida with the option to adopt alternative mobility funding system per Florida Statute 163.3180. The Legislature has not exempted Palm Beach County or any local government within the County, from repealing transportation concurrency and adopting an alternative mobility funding system. The County road impact fee program, like any local government imposing an impact fee, is required to meet the two prongs of the "dual rational test", which impact fee and mobility fees are required to meet per Florida Statute 163.3180 (5)(i). An expanded take on the two prongs of the dual rational nexus test as it relates to impact and mobility fees is as follows:

"Needs Prong:" That a rational nexus exists between an increase in demand from new development and the need for improvements, which serves as the basis for the fee, to accommodate that demand, and

"Benefits Prong:" That a rational nexus exists between the payment of fees by new development and the benefit that new development receives from the expenditure of those fees by the local government imposing the fee to fund the needed improvements.

In 1983, the Home Builders and Contractors Association of Palm Beach County sued Palm Beach County for imposing road impact fees on new development to construct road improvements made necessary by increased traffic generated by new development. The Palm Beach 1980 County Comprehensive Plan recognized that in view of the unusual growth rate being experienced in the county and to maintain a consistent level of road service and quality of life, ***extensive road improvements would be necessary, requiring regulation of new development activity which generates additional automobile traffic. (emphasis added)***

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The County Commission therefore enacted Ordinance 79-7 to finance the necessary road capital improvements and to regulate increases in traffic levels. The ordinance would require any new land development activity generating road traffic to pay its "fair share" of the reasonably anticipated cost of expansion of new roads attributable to the new development (Home Builders and Contractors Association of Palm Beach County, Inc. v. The Board of County Commissioners 446 So.2d 140 (Fla. Dist. Ct. App. 1984)). The 4th District Court of Appeal found in favor of the County.

The fundamental question facing Palm Beach County after 36 years of having a road impact fee based on the need for **"extensive road improvements"**: does the rational nexus still exist? Based upon the latest 2045 Palm Beach MPO Long Range Transportation Plan (LRTP), there are no longer **"extensive road improvement"** needs within the City of Boynton Beach or the areas around the City that served as the basis for the road impact fee **(Map A)**. The few road capacity projects identified in the 2045 LRTP within or adjacent to the City have either been incorporated into the City's Complete Street Mobility Plan (projects within Mobility Fee Assessment Area) or are in areas of the City which are still subject to Palm Beach County's transportation concurrency system and payment of the County's road impact fees **(Appendix B)**.

The following are some of the issues the County needs to be address and that get to the fundamental issue at hand, which is: **Does the Palm Beach County Road Impact Fee still meet the "dual rational nexus" test within the Boynton Beach Mobility Fee Assessment Area?**

1. Does the Palm Beach County Charter supersede the Legislative allowance for a local government to adopt alternative mobility funding system systems such as a mobility plan and a mobility fee to replace transportation concurrency and road impact fees?

2. The 2045 Palm Beach MPO Long Range Transportation Plan (LRTP) identifies relatively few County roads that are proposed to be widen by 2045. Most road widening projects are limited to Interstate 95, the Florida Turnpike and a few State Arterials. Of the County projects proposed in the LRTP, an overwhelming majority are in the western portions of unincorporated Palm Beach County. If there are "no" or "limited" road projects in the clear majority of Boynton Beach, how is the County meeting the first prong of the dual rational nexus test?

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3. There are few, if any County road widening projects or new roads proposed east of Congress Avenue or within City limits. Should new development within the Mobility Fee Assessment Area pay a road impact fee to subsidize road building serving western unincorporated Palm Beach County? How is the County meeting the second prong of the dual rational nexus test?

4. The current Palm Beach County road impact fees are a consumption-based model and evaluate vehicle trips only. A consumption-based model "assumes" that there is a ***need*** for new road capacity to accommodate new vehicle trips, even without identifying specific road improvements. Consumption based models work fine when it is assumed there are ample roadway capacity improvements that are being made. However, that assumption is no longer valid as evident by the adopted 2045 LRTP and the lack of road capacity improvements east of Congress Avenue.

5. New development, infill development, and redevelopment within Boynton Beach are paying road impact fees based on countywide trip data and trip lengths, even though they are making fewer vehicular trips and when they do make those trips, they are shorter in length. Not only are they paying more than they should; they are also not receiving any benefit from the fees being paid. It is reasonably debatable that the road impact fee that these developments are paying no longer meet either prong of the dual rational nexus test or the rough proportionality test.

6. There is no one size fits all approach in a County as diverse as Palm Beach. The benefit of mobility plans and mobility fees is they allow each City to identify the specific needs and improvements appropriate for their City and address the modes of travel desired within the City. To truly effectuate a shift in mode share to walking (mostly less than one (1) mile), bicycling and scooting (mostly less than three (3) miles), and microtransit trips (mostly less than five (5) miles) requires a level of detail, focus and planning that is most appropriate at a City level, not at a Countywide or within unincorporated County which is either rural or isolated, single-use, suburban style development.

7. The County has been collecting road impact fees within the City from development east of Interstate 95 where there are zero (0) road projects identified between now and 2045. The County has also not constructed any road capacity projects in the City east of Interstate 95 in over a decade, while building new roads serving suburban sprawl in western Palm Beach County. How does that meet the benefit test?

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COMPREHENSIVE PLAN

The 1st Goal articulated in the Transportation Element of the City's Comprehensive Plan recognizes the importance of integrating land use and transportation:

TRANSPORTATION ELEMENT

GOAL 2: "To develop and maintain a transportation system which will serve the transportation needs of all sectors of the City of Boynton Beach in a safe, efficient, cost effective, and aesthetically pleasing manner that promotes multi-modal transportation options, such as walking, bicycling, and transit."

In 2019, the City amended the Transportation Element of the Comprehensive Plan to establish legislative intent to develop a mobility plan and fee. The following are objectives and policies in the Transportation Element related to the City's Complete Streets Mobility Plan and Mobility Fee:

Objective 2.4 "The City shall develop and maintain a safe, convenient, multi- modal transportation system, including walking, bicycling, and public transit, which will meet future as well as current transportation needs, particularly within the TCEA and the CRA."

Policy 2.6.3 "The City may seek to repeal and replace Palm Beach County transportation concurrency, proportionate fair-share and road impact fees with a Mobility Fee based upon a Complete Streets Mobility Plan. Repeal of Palm Beach County transportation concurrency, proportionate fair-share and road impact fees will require consultation with Palm Beach County. The City may also apply a Mobility Fee to the city-maintained facilities, repealing City transportation concurrency and proportionate fair-share applicable to local roadways."

Policy 2.6.4 "The Mobility Fee may be implemented and adopted citywide or may be adopted only for specific areas or districts within the City. For each such specific area or district, an adopted Mobility Fee shall replace both Palm Beach County transportation concurrency, proportionate fair-share and road impact fees and City transportation concurrency and proportionate fair-share."

Policy 2.6.5 "The Complete Streets Mobility Plan and Mobility Fee may be adopted by resolution of the City Commission. The Mobility Fee would go into effect per the provisions of the Mobility Fee ordinance."

Policy 2.6.6 "Should the City Commission elect to adopt a Mobility Fee, the City, within one year of adoption of the implementing Ordinance, shall update the Transportation and Capital Improvement Elements of the Comprehensive Plan to reflect the repeal of transportation concurrency, proportionate fair-share and road impact fees and update policies related to level and quality of service standards, complete streets, capacity determinations, backlogged facilities, transportation and associated multi-modal policies and other elements addressed in the Complete Streets Mobility Plan."

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Policy 2.6.7 "The Complete Streets Mobility Plan shall include provisions that address mobility between destinations and should address accessibility to, from destinations, and between modes of travel. The improvements in the Plan shall be based upon the expected, anticipated or desired increase in new development, infill development and redevelopment by the established horizon year and the associated increase in vehicular and person travel demand. The Complete Streets Mobility Plan shall include quality and level of service standards for all modes of travel."

Policy 2.6.8 "The City, as part of a Complete Streets Mobility Plan, may adopt quality and/or level of service standards for pedestrians, bicycle, transit and other multi-modal facilities included in the Plan. Quality of Service standards shall be related to the overall travel experience of the user with higher standards established in areas where walking, bicycling, transit and other non-vehicular modes of travel are encouraged. Level of Service standards shall be related to the width or size of pedestrian, bicycle and non-vehicular facilities with wider and larger facilities in areas where non-vehicular modes of travel are encouraged and frequency of transit service with greater frequencies and spans of service in areas where transit is encouraged."

Policy 2.6.9 "The Complete Streets Mobility Plan may serve as a Master Plan for roads and transit within the City, and also function as a Bicycle, Pedestrian, Trails, Blueways, Greenways and other non-vehicular modes or travel Master Plan."

Policy 2.6.10 "The Complete Streets Mobility Plan may also incorporate provisions for reduced heat island effects and improve air quality through trees and landscaping and to reduce stormwater run-off and water quality through the integration of low impact development techniques, bio- swales, rain gardens and other green techniques that can be incorporated into the planning, design and construction of transportation improvements."

Policy 2.6.11 "The Complete Streets Mobility Plan may include policies related to land use to encourage multi-modal supportive development. The Plan may also include provisions that allow for reduction in development parking requirements in recognition of car and bicycle sharing in complete streets, and parking strategies that reduce parking requirements for mixed-use, multi-modal development and affordable housing."

Policy 2.6.12 "The Mobility Fee would be a one-time assessment on new development or redevelopment that results in an impact to the transportation system through an increase in vehicular trips or vehicular miles of travel or an increase in person trips or person miles of travel. The Mobility Fee, consistent with State Statute, shall be required to meet the dual rational nexus test and shall be reasonably attributable to the travel demand impact of new development, infill and redevelopment."

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Policy 2.6.13 "The Mobility Fee may include provisions to encourage and incentivize new development, infill and redevelopment within targeted areas of the City. The Mobility Fee may also include provisions to encourage affordable and workforce housing, mixed- use, multi-modal supportive development, and desired land uses that increase employment and attract economic development."

Policy 2.6.14 "An application for private development may not be required to pay a Mobility Fee and also meet transportation concurrency, proportionate-fair share and road impact fees to the extent the Mobility Fee address the same facilities and travel demand impacts as would be addressed through the application of transportation concurrency, proportionate-fair share and road impact fees for City and/or County or State maintained facilities."

Policy 2.6.15 "In consideration of a future Complete Streets Mobility Plan, the City may review the Land Development Regulations to consider incentives for and accommodate the needs of compact four-and-two-wheel vehicles (such as hybrids, smart cars, and vespas/scooters, etc.) by assessing the parking requirements and other provisions of the code."

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DEVELOPING A COMPLETE STREETS MOBILITY PLAN & FEE

There were multiple steps that went into development of the Complete Streets Mobility Plan and the Mobility Fee for the City. The City established legislative intent to consider development of a mobility plan and mobility fee through the 2019 amendments to the Comprehensive Plan. The following is a step-by-step overview of the process used to develop the Complete Streets Mobility Plan and Mobility Fee consistent with legal and statutory requirements **(Figure 2).**

Figure 2. Developing a Complete Streets Mobility Plan & Mobility Fee

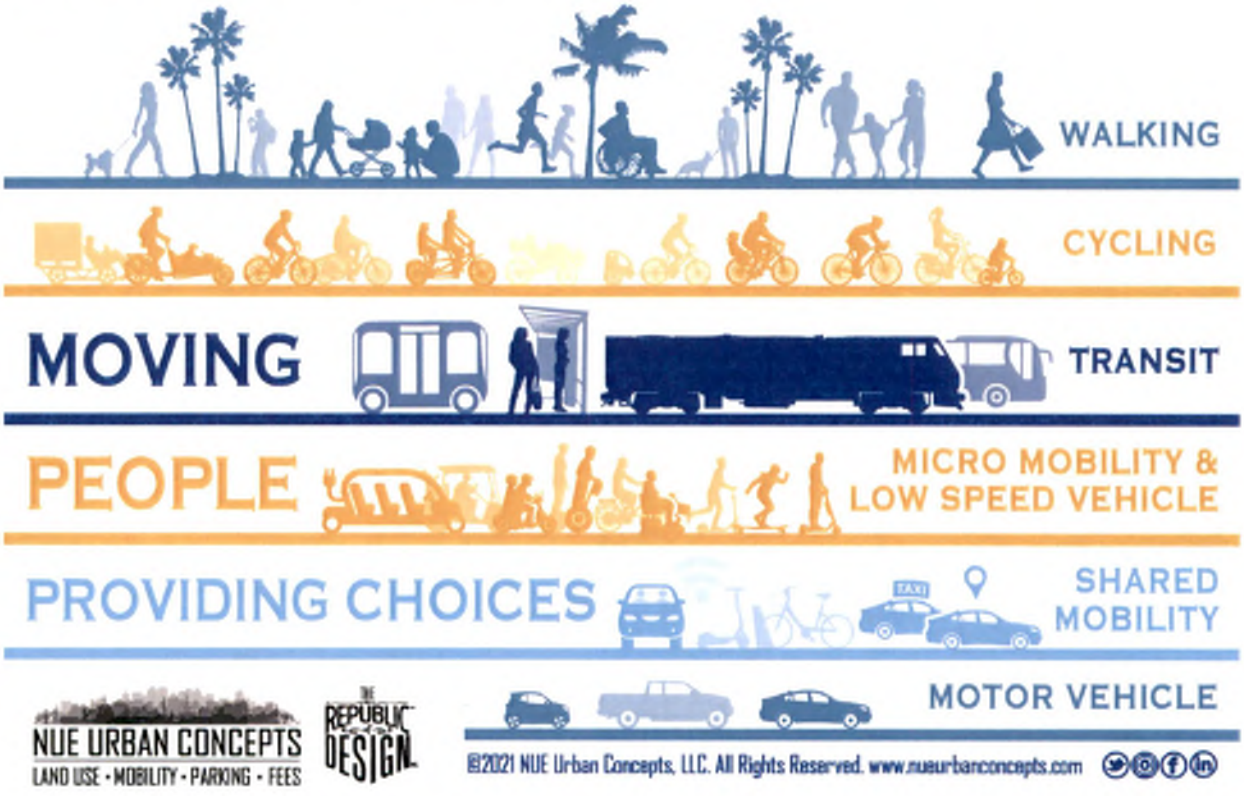


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COMPLETE STREETS MOBILITY PLAN

A Mobility Plan provides a blueprint for the City to proactively prioritize multimodal 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 City of Boynton Beach Complete Street Mobility Plan is a vision, over the next 25 years, for how the City's transportation system will transition from primarily moving vehicles, towards a multimodal system focused on safely moving people, whether they choose to continue driving their cars, or decide to walk, bicycle, ride transit, or use a new mobility technology **(Figure 3)**.

Figure 3. Moving People, Providing Choices

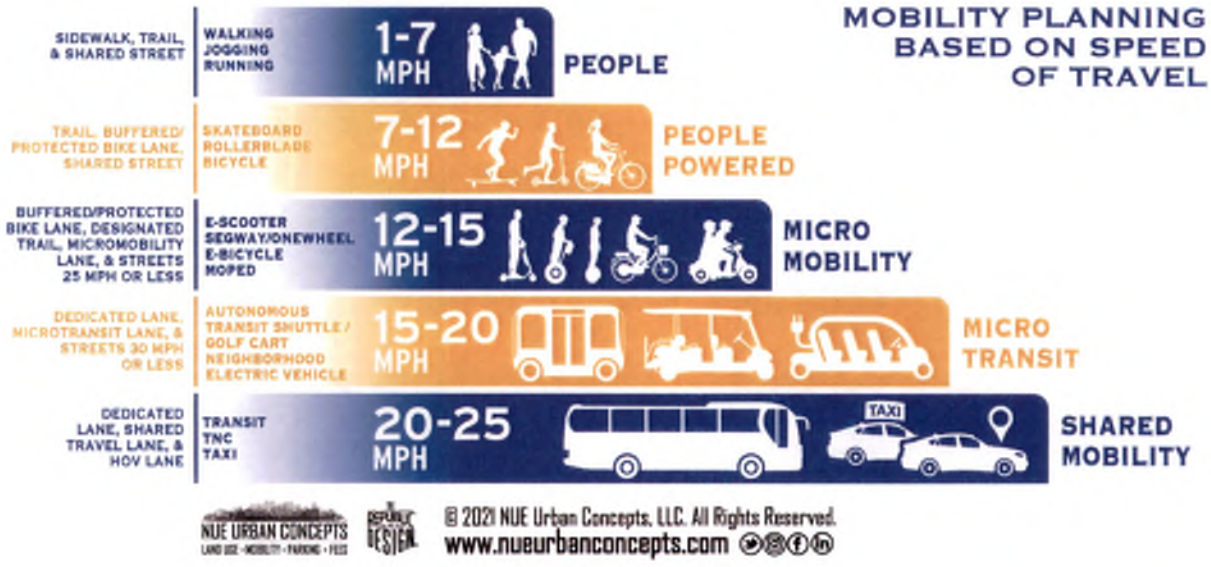


In order to facilitate the transition from a transportation system focused on moving cars towards a multimodal system focused on the movement of people, it's important to understand that the speed of travel varies greatly whether a person is walking, bicycling, scooting, riding transit or driving a car. The speed of multimodal travel generally falls within five tiers, each of which requires appropriate multimodal projects to accommodate the desired speed of travel **(Figure 4)**.

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Future updates of the Complete Streets Mobility Plan may involve additional multimodal projects to accommodate desired modes of travel other than single occupant cars. Specifically, as micromobility (e.g., electric bikes and electric scooters), microtransit (e.g., golf carts, neighborhood electric vehicles, and autonomous transit shuttles), and shared mobility (e.g., transit, ride-hail, and car-share) devices, services, and programs expand and new technology options become available, there will be a need to reimagine and repurpose road and street rights-of-way and travel lanes to accommodate the different speeds of travel for these multimodal modes of personal mobility.

Figure 4. Speed of Travel



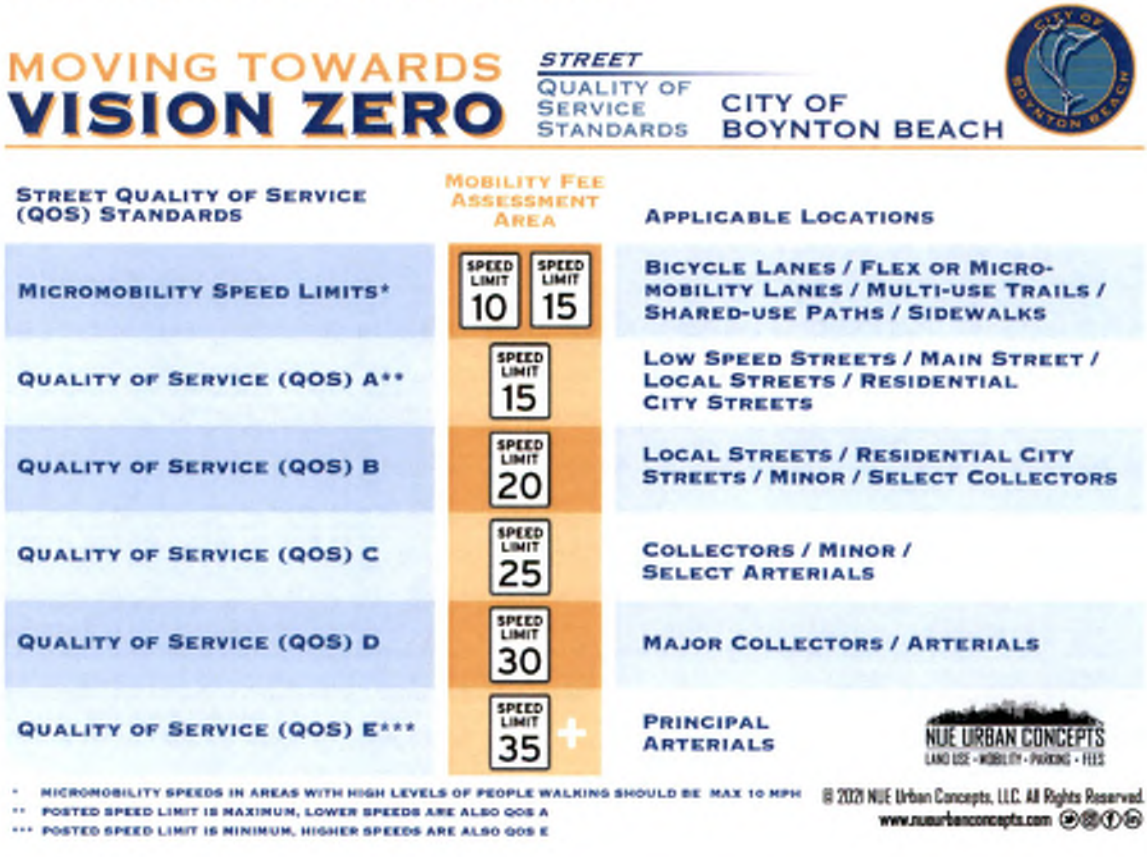
Florida Statute 163.3180 (5)(f)(5) identifies the establishment of multimodal quality of service (QOS) standards as part of a mobility plan and fee as one option to provide a distinct alternative to transportation concurrency. The establishment of street quality of service (QOS) standards, based on posted speed limits, as a replacement of roadway LOS standards is one way to make a clean break from transportation concurrency. Street QOS standards are intended to enhance mobility for all modes of travel and move towards Vision Zero, by prioritizing slower speeds for cars. Speed of travel is one of the most important factors in determining the design of a street. Street QOS standards are the inverse of roadway LOS standards in that as speed limits go down, street QOS goes up. Whereas, as speed limits go down the LOS of roadways also goes down. Street QOS standards that promote slower speeds provide planners and engineers with greater flexibility to implement innovative street designs, such as low speed and complete streets, narrower travel lanes, and locating buildings and trees closer to travel lanes.

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The lower the design speed, the greater the emphasis on the safe movement of people, whether they are walking, bicycling, or driving. Establishing street QOS standards based on posted speed limits more accurately reflects the intended purpose of a street or road and the desired level of people walking and bicycling, along with access to adjacent land uses. The lower the speed, the greater the accessibility to adjacent land uses and an emphasis on safely walking and bicycling. The higher the speed limit, access to adjacent land uses becomes more restrictive, with a greater emphasis on the movement of vehicles. However, just because a lower speed limit is posted, it does not mean cars will slow down, unless there are actual changes to the street right-of-way that will result in people driving slower and more people feeling comfortable to bicycle and walk.

Street QOS standards would be phased in over time as part of: (1) designing new multimodal projects or the repurposing; (2) reimagining of existing right-of-way to emphasize the safe movement of people versus the quick movement of cars, and (3) allow for greater levels of neighborhood traffic calming to improve safety and potentially reduced cut through traffic. The Phase Two Mobility Plan will utilize these Street QOS standards in the design of streets. Street QOS standards are intended to be flexible based on applicable locations and type of street **(Figure 5)**.

Figure 5. Street Quality of Service (QOS) Standards

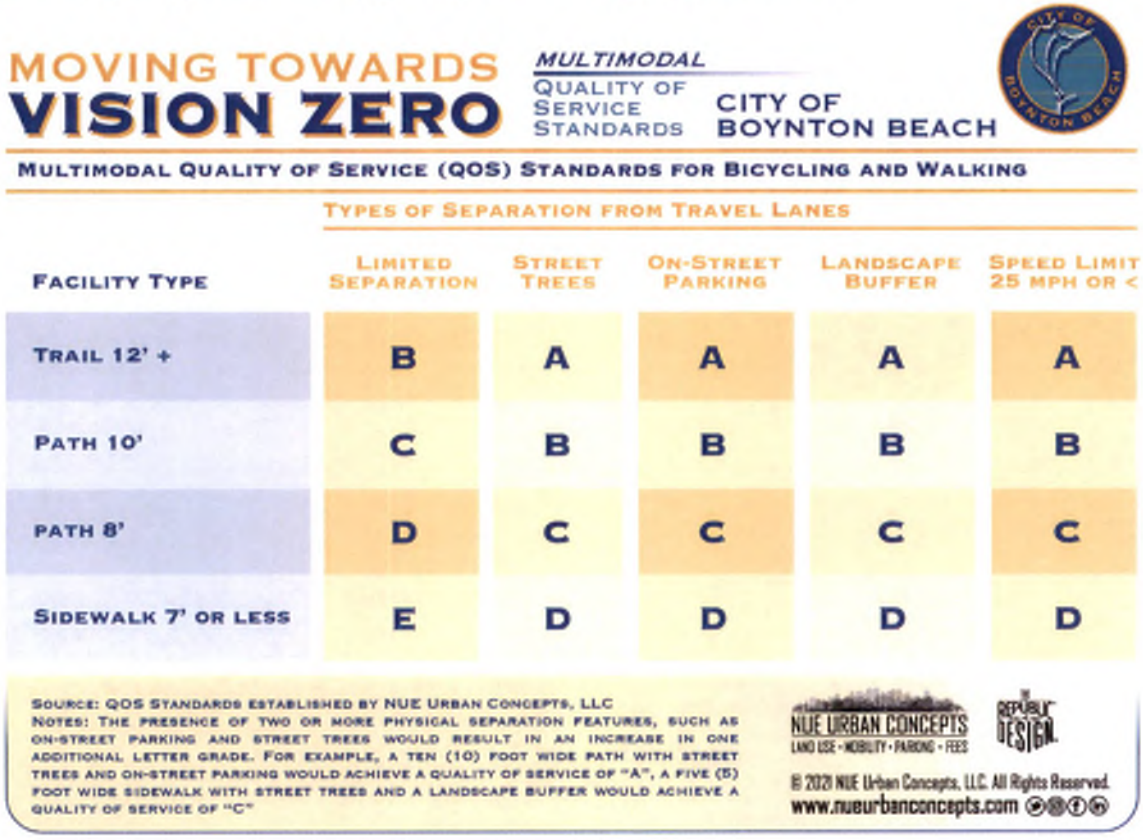


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Multimodal QOS standards are used to establish multimodal capacities for use in the Mobility Fee calculations and can be used to for performance measures, mobility planning, design standards, and prioritizing multimodal projects. These standards combine QOS and LOS based on: (1) the width of the facility (i.e., bike lane, path, sidewalk); (2) the type of physical separation between multimodal facilities and travel lanes for cars, SUVs, trucks, and other motor vehicles; and (3) the posted speed limit. The following multimodal QOS standards for people bicycling and walking on sidewalks, paths and trails vary based on the width of the facility, the type of physical separation from motor vehicle travel lanes (e.g., street trees, on-street parking) and posted speed limit **(Figure 6)**.

A sidewalk with limited separation from vehicle travel lanes would result in a QOS "E"; whereas a twelve (12) foot wide trail separated from travel lanes by a landscaped buffer would be a QOS "A". Higher QOS standards result in increased multimodal capacity and a greater likelihood that people would bike and walk. The QOS standards will enable the City to establish performance measures to evaluate improvements in the QOS for people bicycling and walking.

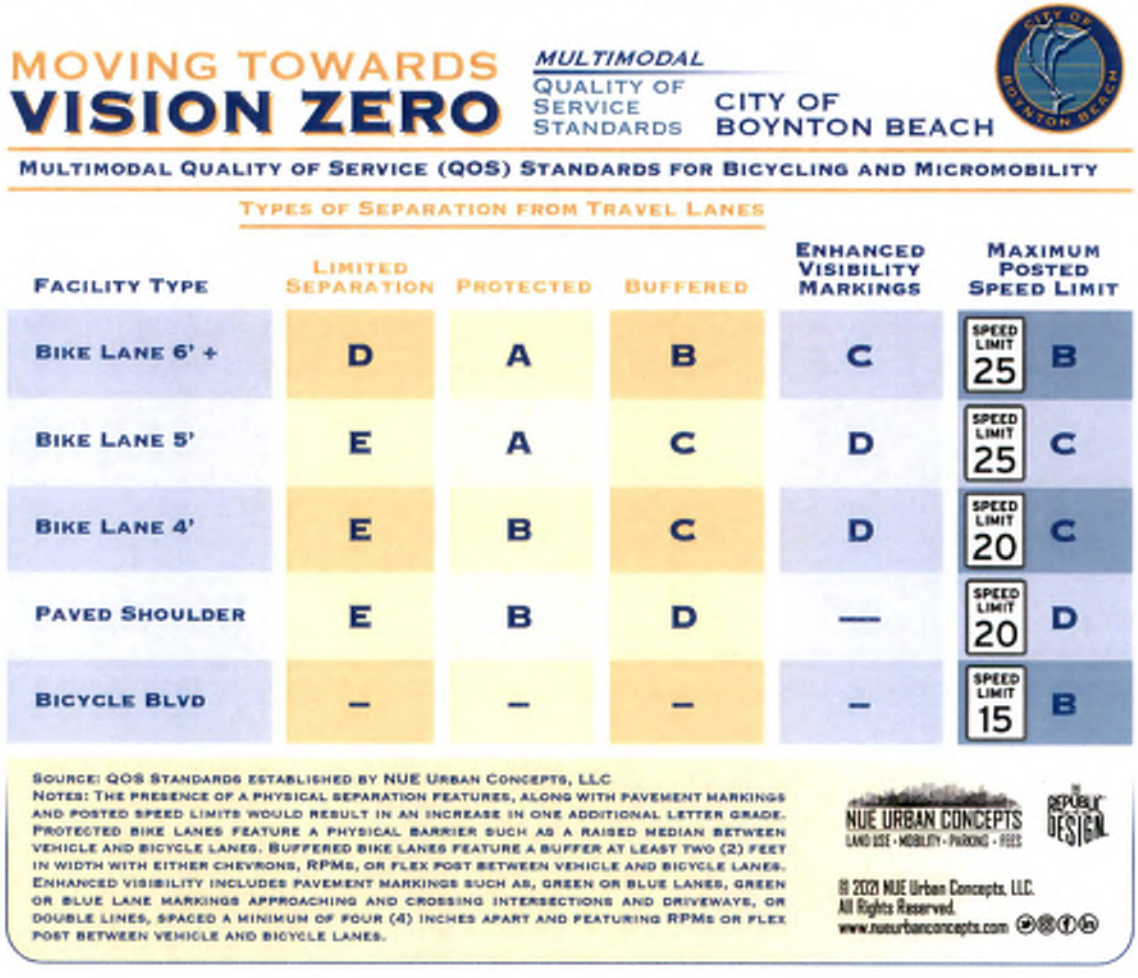
Figure 6. Bicycling and Walking Quality of Service (QOS) Standards



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The multimodal QOS standards for people bicycling and riding micromobility devices (e.g., e-bikes, e-scooters, golf carts) are focused on accommodating pedal powered and multimodal motorized travel demand on bike lanes, multimodal lanes, and multimodal ways. The following multimodal QOS standards for people riding bicycles and micromobility devices on bike lanes, multimodal lanes and ways vary based on the width of the facility, whether the facility is buffered or protected by a raised barrier, the visibility of the facility, and the posted speed limit (Figure 7). A four (4) foot wide bike lane adjacent to travel lanes would result in a QOS "E"; whereas a protected six (6) foot wide multimodal lane would result in a QOS of "A". The QOS standards will enable the City to establish performance measures to evaluate improvements in the QOS for people bicycling and riding micromobility devices.

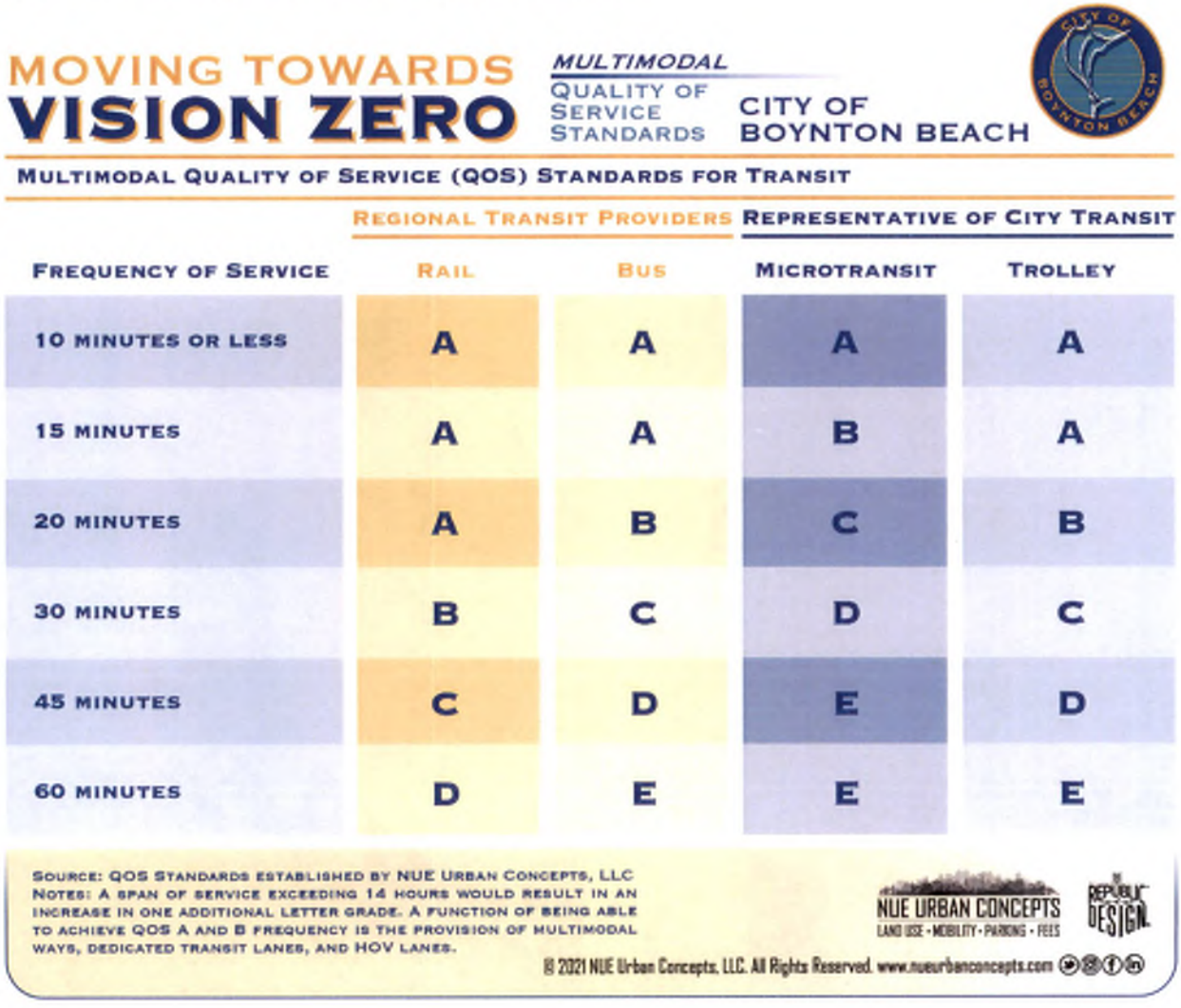
Figure 7. Bicycling and Micromobility Quality of Service (QOS) Standards



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Depending on the width of a facility, microtransit vehicles (e.g., autonomous transit shuttles, golf carts, neighborhood electric vehicles) may potentially use multimodal lanes and ways. The QOS standards are intended to be used only for corridors that feature transit service. The following multimodal QOS standards for transit are based upon the frequency of service and the type of transit service provided (Figure 8). The multimodal transit QOS standards are only for corridors with existing or future transit service. It should be recognized that the City has little say in the headways provided by future rail and bus operators. The City does have greater ability to pursue higher QOS standards for microtransit and trolley circulators. These QOS standards can be used by the City to prioritize transit circulator routes.

Figure 8. Transit Quality of Service (QOS) Standards



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MOBILITY FEE

The basis for the City of Boynton Beach's Mobility Fee are the multimodal projects identified in the Complete Street Mobility Plan consistent with Florida Statute 163.3180(5)(i). The Mobility Fees collected from new development and are to be used to fund the multimodal projects identified in the Complete Street Mobility Plan (Figure 9). The multimodal projects identified in the Complete Street Mobility Plan are intended to provide the person miles of capacity needed to meet future person miles of travel demand, consistent with the "needs" requirement of the dual rational nexus test. The Mobility Fees collected from new development are to be used to fund the needed multimodal projects to provide a mobility benefit to new development and serve the increase in person travel demand from that development, consistent with the "benefits" requirement of the dual rational nexus test.

Figure 9. Complete Street Mobility Plan and Mobility Fee



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EXISTING CONDITIONS EVALUATION (ECE)

Case law and State Statute prohibit local governments from charging new development for over capacity or "backlogged" roadways. The intent of a mobility plan and a mobility fee is to provide a distinct alternative to transportation concurrency. One way to make a clean break from transportation concurrency and overcapacity or "backlogged" roads is to replace road LOS with street quality of service (QOS) standards based on the posted speed limit **(Figure 5)**.

Road level of service (LOS) standards, and the associated road capacity provided, are based on the speed of travel for cars. The higher the roadway LOS standards the greater the number of lanes needed in order to obtain a desired speed of travel. Roadway LOS standards are an essential component in transportation concurrency. The lower the roadway LOS standards ("D" or "E"), the greater the capacity there is to move cars: up until traffic is gridlocked, which is known as LOS "F". Roads in the City of Boynton Beach generally flow at an acceptable rate, except during peak hours and special events.

An existing conditions QOS evaluation for arterials and collectors within and adjacent to the City was conducted based on the street QOS standards **(Appendix C)**. The existing conditions evaluation is intended to establish a baseline QOS analysis and will serve as a performance measure that will allow the City to quantify the change in QOS between Mobility Plan updates **(Table 1)**. The existing conditions street QOS evaluation replaces the "backlog" evaluation based on roadway LOS that would typically be conducted as part of a mobility fee analysis. The existing conditions analysis is necessary to demonstrate that new development and redevelopment is not being charged for existing deficiencies.

TABLE 1. EXISTING STREET QUALITY OF SERVICE

Location	QOS A	QOS B	QOS C	QOS D	QOS E
Assessment Area	0 miles	0 miles	1.5 miles	5.95 miles	28.45 miles

Source: Street Quality of Service based on existing posted speed limits and total miles of arterial and collector streets within and adjacent to the City **(Appendix C)**. Data collected by NUE Urban Concepts as of March 2021.

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GROWTH

The first requirement of the dual rational nexus for a mobility fee is to demonstrate that there is a need for future multimodal projects to accommodate the person travel demand from future growth. An evaluation of the projected population and employment for the City of Boynton Beach, based upon data from the latest version of the Southeast Regional Planning Model (SERPM), demonstrates that there is projected to be an increase in households, population, and employment within the Mobility Fee Assessment Area and within the entire city and adjacent areas **(Table 2)**.

The household, population, and employment data were obtained from the SERPM Traffic Analysis Zones (TAZs) for the model network evaluated for the Complete Streets Mobility Plan and Mobility Fee analysis **(Appendix D)**. Due to the existing TAZ structure that extends beyond City limits, the households, populations and employment data includes areas that are outside City limits. The intent of the data is to illustrate projected demand from growth in households, population, and employment within and around the City that will "need" future multimodal projects to provide mobility, part of the documentation required to demonstrate that the Mobility Fee is in compliance with the "needs" test under the dual rational nexus test.

TABLE 2. PROJECTED GROWTH

	MOBILITY FEE ASSESSMENT AREA			CITYWIDE & SURROUNDING AREAS		
Year	Households	Population	Employment	Households	Population	Employment
2015	26,640	56,255	32,833	40,944	95,652	52,395
2045	35,677	83,273	47,431	54,447	126,766	69,418
Increase	11,037	27,018	14,598	11,037	27,018	14,598

Source: Projected growth analysis prepared by NUE Urban Concepts, LLC. Data was extracted from Traffic Analysis Zones (TAZs) from the 2015/2045 Southeast Regional Planning Model (SERPM 8.504). The model files were obtained from the Palm Beach County Transportation Planning Agency (TPA) webpage. The data was projected for both the mobility fee assessment area and the entire city. There is some overlap in data due to TAZs extending beyond City limits. TAZ data includes areas adjacent to, but not within the incorporated limits of the City of Boynton Beach **(Appendix D)**.

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VEHICLE MILES OF TRAVEL (VMT)

The growth in vehicle miles of travel (VMT) is one of the factors evaluated to determine the need for future multimodal projects within the City. The latest version of the Southeast Regional Planning Model (SERPM) was used to determine the VMT growth within and around the City of Boynton Beach between 2020 and 2045 **(Table 3)**. The VMT data was obtained from the SERPM model network evaluated as part of the Mobility Plan and Mobility Fee analysis **(Appendix E)**.

Future traffic does not terminate at City limits, thus the evaluation of VMT data includes areas that are outside City limits to ensure the future model volumes evaluated terminate at logical endpoints (intersecting roads). The VMT data is used to project future person miles of travel demand to evaluate the "need" for future multimodal projects necessary to meet that demand and demonstrate compliance with the "needs" test under the dual rational nexus test.

The growth in travel on Interstate 95 is excluded from mobility fee calculations. Travel on Interstate 95 is excluded due to fact that the Interstate system is largely funded through federal fuel tax revenues and the potential to levy user fees (tolls) for managed travel lanes. The projected growth on Interstate 95 is relatively moderate given current conditions and future improvements to the Florida Turnpike, TRI-Rail, Brightline and the possibility of TRI-Rail Coastal Service.

TABLE 3. GROWTH IN VEHICLE MILES OF TRAVEL (VMT)

Year	Arterial & Collector Roads	Interstate 95	Total
2015 (model base year)	821,820	2,001,743	2,823,563
2020 (Mobility Plan base year)	**860,113**	**2,015,158**	**2,877,594**
2045 (model and plan future year)	1,080,067	2,083,595	3,163,662
VMT increase (2020 to 2045)	219,954	68,347	286,068

Source: Projected growth in VMT prepared by NUE Urban Concepts, LLC. The 2015 base year and 2045 future year VMT were extracted using the cost affordable model network from the 2015/2045 Southeast Regional Planning Model (SERPM 8.504). The model files were obtained from the Palm Beach County Transportation Planning Agency (TPA) webpage. The 2020 mobility plan base year VMT was interpolated based on an annual growth rate of .92% for arterial and collector roads and .13% for Interstate 95 based on the increase in VMT between the 2015 base year model data and the 2045 horizon year model data. The VMT increase is based on the difference between 2020 and 2045. The model network includes enclave areas within the City and portions of the regional road network that extend outside of the incorporated limits of the City **(Appendix E)**.

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PERSON MILES OF TRAVEL (PMT)

The evaluation of future person miles of travel (PMT) is the initial component in the development of a mobility fee. To account for person trips made by walking, biking, riding transit, and vehicle occupancy in a multimodal travel environment, vehicle travel demand is converted into person travel demand based on data from the 2017 National Household Travel Survey (NHTS). Person travel demand, also referred to as person miles of travel, is calculated based on person trips and person trip length from the NHTS data. An evaluation of the personal travel data from the NHTS resulted in a PMT factor of 1.81 (**Appendix F**). The projected increase in PMT within and around Boynton Beach between the Mobility Plan base year of 2020 and the Mobility Plan future year of 2045 is 398,116 (**Table 4**). The calculation for the increase in person miles of travel (PMT) is illustrated in further detail on **Figure 10**:

TABLE 4. INCREASE IN PERSON MILES OF TRAVEL (PMT)

2020 Base Year Vehicle Miles of Travel (VMT)	860,113
2020 Base Year Person Miles of Travel (PMT)	**1,556,805**
2045 Future Year Vehicle Miles of Travel (VMT)	1,080,067
2045 Future Year Person Miles of Travel (PMT)	**1,954,921**
Increase in Person Miles of Travel (PMT)	398,116

Source: Base and future year vehicle travel data from **Table 3**. PMT obtained by multiplying VMT by 1.81. The calculation for the increase in person miles of travel (PMT) is illustrated in **Figure 10**.

Figure 10: Person Miles of Travel (PMT) Increase

Increase in Person Miles of Travel (PMTi)

2020 PMT = (2020 VMT x PMTf)

2045 PMT = (2045 VMT x PMTf)

PMTi = (2045 PMT - 2020 PMT)

Where:

PMT = Person Miles of Travel

VMT = Vehicle Miles of Travel

PMTf = Person Miles of Travel factor of 1.81

PMTi = Person Miles of Travel Increase

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MULTIMODAL CAPACITY

The multimodal projects identified in the Complete Streets Mobility Plan form the basis of the mobility fee. The multimodal projects necessary to serve person miles of travel demand include sidewalks, paths, trails, bike lanes, microtransit circulators, low speed and complete streets, streetscape, intersections, and roadways. These multimodal projects are necessary to meet future person miles of travel demand and lay the foundation for use of new micromobility devices such as electric pedal assist bicycles (e-bike) and electric scooters (e-scooter) and microtransit vehicles such as autonomous transit shuttles, golf carts, and neighborhood electric vehicles. To account for the capacity benefit of multimodal projects, it requires the establishment of base person capacity rates for the multimodal projects included in the Complete Streets Mobility Plan.

The Florida Department of Transportation's (FDOT) Generalized Service Volume Tables were used to establish daily capacities for roadways and intersections **(Table 5)**. A principal difference between a road impact fee based on vehicle miles of travel (VMT) and a mobility fee based on person miles of travel (PMT) is accounting for vehicle occupancy.

To account for vehicle occupancy, the road capacities in **Table 5** are multiplied by a Vehicle Occupancy factor of 1.84, based upon data from the 2017 NTHS **(Appendix F)**. The Vehicle Occupancy factor is used in the multimodal capacity analysis for road and intersection projects identified in the Complete Streets Mobility Plan.

TABLE 5. ROAD CAPACITIES

Lane Type & Number	Vehicle Capacity	Person Capacity	Per Lane Person Capacity	Turn Lane Person Capacity
2-Lane Undivided (Class II)	15,600	28,700	14,350	720
4-Lane Divided (Class II)	33,800	62,190	15,550	780

Source: Florida Department of Transportation, Quality/Level of Service (LOS) Handbook, Generalized Annual Average Daily Volumes for Florida's Urbanized Areas **(Appendix G)**. Capacities are based on a LOS E standard. The daily person capacity is based on a Vehicle Occupancy factor of 1.84 per the 2017 NHTS Data for Florida **(Appendix F)**. Turn lane person capacity is derived by multiplying the daily person capacity by .5% per the FDOT Generalized Service Volume Tables. The person capacity, per lane person capacity, and turn lane person capacity are rounded to the nearest 10th.

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The establishment of multimodal capacities for people walking and bicycling are based on methodologies from multiple technical reports and manuals. The capacities for people walking and bicycling are based on both a level of service (LOS) and a quality of service (QOS). There is an inverse relationship between the LOS and QOS for people walking, bicycling and scooting. The LOS capacities for people walking, bicycling, and scooting are based upon the number of people that can be accommodated on a facility over a one-hour period.

A LOS of "A" typically denotes few people are using a sidewalk or bike lane and there is ample room for people to freely walk, bicycle, or scoot. A LOS "D" typically denotes more people are using a sidewalk or bike lane and movements are restricted. A QOS "D" typically denotes an environment where there is minimal separation between people walking and bicycling and vehicles and there is often a lack of landscape, shade, streetscape or protections from cars. In environments that feature a QOS "A", there are often wider sidewalks, paths or trails, with street trees and/or on-street parking and a landscape buffer that separate people walking, bicycling, and scooting from cars.

For people bicycling on-street, the presence of a protected barrier, a painted buffer or higher visibility green lane makes for a higher QOS. In Florida, most facilities for people walking, bicycling, and scooting feature a LOS "A" and a QOS "D" or "E": meaning few, if any, people use the facilities to walk, bicycle, or scoot. The multimodal capacity for the various types of multimodal projects in the Complete Streets Mobility Plan are based on varying LOS and QOS standards (**Table 6**). The City can increase the QOS and multimodal capacity by providing physical barriers between multimodal facilities and travel lanes. Physical barriers would include concrete medians, barrier walls, on-street parking, grass buffers and street trees. It is common practice in Europe to provide bicycle lanes adjacent to curbs and locate on-street parking between travel lanes and the bike lane. In the U.S. it is common for bike lanes to be provided between travel lanes and on-street parking. Increasingly, there is a recognition that the European model of providing curb separated and raised bike lanes and protected intersection is one of the main factors in the high level of bicycling and the mode share for people riding bikes. The U.S. has a long way to go to achieving mode share and greater use of bicycles. The Complete Streets Mobility Plan is a move in the right direction.

The establishment of capacities for microtransit is based on methodologies from the Transit Capacity and Quality of Service Manual. The proposed microtransit circulators can be comprised of a combination of golf carts, neighborhood electric vehicles (NEV), autonomous transit shuttles (ATS), and trolleys. The person capacities of microtransit vehicles assume an average of 180 persons per hour riding over a 16-hour span of service with varying headways (**Table 6**).

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TABLE 6. MULTIMODAL CAPACITIES

Type of Multimodal Facility	Unit of Measure	Daily Capacity
Bicycle Boulevards & Sharrows	On-Street Operation	1,200
Off-road unpaved Shared-Use Paths	8' to 12' wide	1,200
Sidewalk	5' wide	1,200
Sidewalk	6' to 7' wide	1,800
Bicycle Lane	4' to 5' wide	2,400
Shared-Use Path	8' to 9' wide	2,400
Microtransit Circulator	On-Street Operation	2,880
Shared-Use Path	10' to 11' wide	3,600
Buffered Bike Lane	6' to 8' wide	3,600
Shared-Use Trail	12' to 16' wide	4,800
Protected Bike Lane	6' to 8' wide	4,800

Source: The capacity for bicycle boulevards, sharrows, and unpaved shared-use paths is based on a LOS "A" and a QOS "B". The capacity for sidewalks and bike lanes is based on a LOS "A" capacity and a QOS "E". The capacity for an 8' shared-use path is based on a LOS "A" capacity and a QOS "D". The capacity for a 10' shared-use path and buffered bike lanes is based on a LOS "B" capacity and a QOS "C". The capacity for a 12' shared-use trail and protected bike lanes is based on a LOS "C" capacity and a QOS "B". Capacity methodologies for sidewalks, paths, trails, bicycles, and the riverwalk are based on methodologies established in Transportation Research Record 1636 Paper No. 98-0066, the 2006 Shared-Use Path Level of Service Calculator-A User's Guide developed for the Federal Highway Administration, and the 2010 Highway Capacity Manual. The transit circulator assumes the use of microtransit vehicles (i.e., golf carts, neighborhood electric vehicles (NEV), autonomous transit shuttles (ATS), and trolleys) with transit capacity of 180 people per house for a span of service of 16 hours a day.

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COMPLETE STREETS MOBILITY PLAN PROJECTS

The City of Boynton Beach's Complete Streets Mobility Plan consists of bike lanes, intersections, paths, roads, safety enhancements, sidewalks, trails, and transit over the next twenty-five years. The focus of the plan is to provide an interconnected network of safe and visible multimodal projects to encourage people to bicycle and walk and be able to safely access transit. The proposed traffic calming, and safety projects are intended to enhance safety of the overall multimodal network and are key to helping achieve the QOS standards and realizing the projected multimodal capacities.

The Intermodal Mobility Station, to be located adjacent to the future TriRail Coastal Station, is the hub for the entire multimodal system. The proposed People Mover Transit Circulator, to be comprised of various transit and microtransit vehicles, will connect the mobility station with Downtown, TriRail, and attractors and generators through-out the City. The multimodal projects included in the Complete Streets Mobility Plan have been identified to facilitate access to existing and future rail service and to realize the full multimodal capacity and utilization of the multimodal network, Intermodal Mobility Station, and the People Mover Transit Circulator.

The Complete Streets Mobility Plan will be a living document that will evolve overtime as multimodal projects are completed and new mobility technologies advance **(Appendix H)**. The Mobility Plan reflects the need for a transition away from existing transportation concurrency, proportionate share, and road impact fees to a multimodal transportation system focused on the movement of people and providing mobility choices. The capacity for each multimodal project is based on the road and multimodal capacities in **Table 5** and **Table 6**, multiplied by the length of each multimodal project and if the project is provided on one or both sides of a road **(Appendix H)**.

The total person miles of capacity (PMC) provided by the multimodal projects in the Complete Streets Mobility Plan is 428,842 **(Table 7)**. The full multimodal capacity was provided for all bicycle and pedestrian projects. If multimodal capacity was reduced to account for any existing facility, then there would need to be a corresponding adjustment in the cost of new construction of the multimodal projects.

The only reduction in new capacity added was for High Ridge Road and Miner Road, where the multimodal capacity for the four-lane divided road was reduced by the existing capacity provided by the existing two travel lanes for each road. The cost basis for both roads is for the addition of two additional lanes, not the full cost of a new four-lane divided road.

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The cost for multimodal projects in the Complete Streets Mobility Plan is based on the latest cost from projects completed by the City and supplemented by data from Palm Beach County, FDOT, and similar Florida based projects. The cost of design, construction, engineering and inspection, utility relocation, and landscape equaled 30% of construction cost. Where necessary, right-of-way equaled 30% of construction cost. The cost of the Intermodal Mobility Station and the People Mover Transit Circulator are based on recent cost for parking structures, buildings and microtransit vehicles.

The total projected cost of the Complete Streets Mobility Plan is $127,298,706 (Table 7). The projected cost estimates are planning level cost and will be further refined as multimodal projects enter the design phase. To keep pace with inflation, it is recommended that the mobility fee be indexed to an inflation factor and annually adjusted on January 1st of each calendar year. Annual inflation adjustments should help to limit the size of cost increases in between plan updates.

TABLE 7. SUMMARY OF MULTIMODAL PROJECTS

Complete Street Mobility Plan Projects	Person Miles of Capacity	Cost of Projects
Bike	2,112	$53,482
Pedestrian	96,718	$17,935,125
Road	6,000	$2,990,000
Transit & Microtransit	38,410	$33,150,000
Bike & Pedestrian	20,652	$8,088,670
Bike, Pedestrian & Micromobility	3,420	$886,665
Bike, Pedestrian & Road	44,023	$11,418,264
Bike, Road & Micromobility	51,648	$13,802,680
Bike, Pedestrian, Road & Micromobility	165,859	$38,973,820
Total	428,842	127,298,706

Source: The person miles of capacity is based on the multimodal capacities established in Table 5 and Table 6. The cost for multimodal projects is based on the most recent and localized data from the City, Palm Beach County, FDOT and similar Florida based projects (Appendix H).

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FUNDING

The availability of funding for multimodal projects over the next 25 years is projected to come from a variety of funding sources. Palm Beach County has the ability to allocate a portion of gas taxes and infrastructure sales tax towards City multimodal projects. Gas taxes have been declining locally, statewide and nationally as vehicles have become more fuel efficient and the percentage of electric vehicles and hybrid vehicles increase. Neither the Federal Government nor the State of Florida have raised gas taxes in a number of years. The gas taxes that are available are largely earmarked for maintenance and operations of the existing transportation network.

The County's existing infrastructure sales tax provides a broader opportunity to have available funds to contribute towards the multimodal projects identified in the Complete Streets Mobility Plan. Future infrastructure sales tax initiatives would require voter approval. There has been some discussion of a VMT tax to replace the gas tax at the federal and state level. There are several states that are testing pilot projects for a VMT tax. Given the current political climate, a VMT tax is unlikely to pass anytime soon. However, as a greater number of electric vehicles and autonomous vehicles come online, there will be renewed interest in replacing the gas tax with a VMT fee.

The Palm Beach County Transportation Planning Agency (TPA) has available funding identified through the 2045 Cost Feasible Long Range Transportation Plan (LRTP). The vast majority of projected funding is allocated towards improvements on the Strategic Intermodal System (SIS), with a significant amount of the funds allocated toward Interstate 95. The TPA has allocated significant resources to pursue implementation of Tri-Rail Coastal rail service.

The proposed Intermodal Mobility Station is included in the Complete Streets Mobility Plan in anticipation of future rail service. The multimodal capacity associated with the Station is based on future rail service. There is a pool of funds available to fund improvements on the State Highway System (SHS). In addition, there are off SHS improvements, as well as additional pools of funds identified in the LRTP, which could include some multimodal improvements that form the basis for the updated mobility fee.

Historically, there have been grants, earmarks and the use of the various pool of funds identified in the LRTP to allocate towards multimodal projects in Palm Beach County. While there are specific multimodal projects identified as funded in the LRTP, there are several that could be eligible for funding and have been identified under various pools of available funding. The majority of these are projects were anticipated to be funded by County road impact fees.

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The City's mobility fee would replace a portion of this anticipated funding. LRTP funds are typically part of a competitive process that identifies projects as part of the annual update of the Transportation Improvement Program (TIP). In recognition of the availability of funding identified in the LRTP and historic grants, earmarks, and other sources of funds available to Palm Beach County and the City of Boynton Beach, the mobility fee calculations include $12,000,000 in available funding between 2021 and 2045, or $500,000 a year over a 24-year period **(Table 8)**. This amount is subject to annual amendments.

TABLE 8. ANTICIPATED AVAILABLE FUNDING

Multimodal Project Cost	$127,298,706
Anticipated Available Funding	**$12,000,000**
Unfunded Multimodal Project Cost	$115,298,706

Source: The multimodal project cost is provided in Table 7. Anticipated available funding based on a rate of $500,000 per year over a 24-year period. The unfunded multimodal improvement cost obtained by subtracting the potentially available funding sources and the total multimodal improvement cost.

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NEW GROWTH EVALUATION (NGE)

To ensure that new growth is not paying for more than its fair share of the cost of the multimodal projects identified in the Complete Streets Mobility Plan, as required by case law and Florida Statute, a new growth evaluation has been conducted. The new growth evaluation is based on the projected increase in person miles of travel (PMT) and the projected increase in person miles of capacity (PMC) from the Complete Streets Mobility Plan improvements. A PMT / PMC ratio less than 1.00 means that more multimodal capacity is being provided than is needed to accommodate future travel demand and would require a reduction in the overall cost of capacity projects attributable to new growth. A PMT / PMC ratio greater than 1.00 means that new development is not being charged more than its fair share of the cost of multimodal projects and no additional adjustments would be needed. The new growth evaluation factor (NGEf) is illustrated on **Figure 11**.

FIGURE 11. NEW GROWTH EVALUATION (NGE)

New Growth Evaluation (NGE)

PMCi = ∑ (LENmp x CAPmp)

NGEf = (PMTi / PMCi)

Where:

LENmp = Length of Multimodal Projects in Complete Streets Mobility Plan

CAPmp = Capacity of Multimodal Projects in Complete Streets Mobility Plan

NGEf = New Growth Evaluation factor

PMTi = Person Miles of Travel increase

PMCi = Person Miles of Capacity increase

The projected PMTi / PMCi ratio is .928, which is less than 1.0 **(Table 9)**. Thus, new growth is being charged more than its attributable share of the cost of Complete Streets Mobility Plan. For purposes of the calculation of the Mobility Fee rate, the NGEf is set to 0.928 to ensure new growth is not charged more than its fair share.

TABLE 9. NEW GROWTH EVALUATION (NGE)

Increase in Person Miles of Travel (PMT)	398,116
Increase in Person Miles of Capacity (PMC)	428,842
New Growth Evaluation (NGE) factor	0.928

Source: The increase in person miles of travel is based on Table 4. The increase in person miles of capacity is based on Table 7. The new growth evaluation calculation is based on the formula in Figure 11.

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PERSON MILES OF TRAVEL RATE (PMTR)

The cost of multimodal projects in Table 7, the new growth evaluation factor in Table 9, and the increase in person miles of travel in Table 4 are used in the formula to calculate the person miles of travel (PMT) rate. The cost of multimodal projects is multiplied by the new growth evaluation factor to obtain a final cost of multimodal projects. The final cost is then divided by the increase in PMT to determine the PMT rate (Figure 12). With a final multimodal project cost of $106,997,199 and a PMT increase of 398,116, the calculated PMT rate is $268.76 (Table 10).

FIGURE 12. PERSON MILES OF TRAVEL RATE (PMTr)

Person Miles of Travel Rate (PMTr)

GCSTmp Formula = ∑ (LENmi x CSTmp)

NCSTmp Formula = (GCSTmp - FUNmp)

FCSTmp Formula = (NCSTmp x NGEf)

PMTr Formula = (FCSTmp / PMTi)

Where:

LENmp = Length of Multimodal Projects in Complete Streets Mobility Plan

CSTmp = Per Mile Cost of Multimodal Projects in Complete Streets Mobility Plan

GCSTmp = Gross Cost of Multimodal Projects in Complete Streets Mobility Plan

NCSTmp = Net Cost of Multimodal Projects in Complete Streets Mobility Plan

FUNmp = Funding Reasonably Anticipated for Complete Streets Mobility Plan

NGEf = New Growth Evaluation factor of 0.928

FCSTmp = Final Cost of Multimodal Projects in Complete Streets Mobility Plan

PMTi = Person Miles of Travel Increase

PMTr = Person Miles of Travel Rate

TABLE 10. PERSON MILES OF TRAVEL RATE (PMTr)

Unfunded Complete Street Mobility Plan Cost	$115,298,706
New Growth Evaluation Factor (NGEF)	0.928
Final Complete Street Mobility Plan Cost	$106,997,199
Increase in Person Miles of Travel (PMTi)	398,116
Person Miles of Travel Rate (PMTr)	$268.76

Source: The cost of multimodal projects is obtained from Table 7. The increase in person miles of travel is obtained from Table 4. The person miles of travel rate (PMTr) are determined per the calculation in Figure 12.

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MOBILITY FEE ASSESSMENT AREAS

There are two kinds of geographic areas in mobility fee systems: assessment areas and benefit districts. Assessment areas are based on either a physical location, such as a downtown, or a type of development pattern, such as a traditional neighborhood development (TND). New development within the City only pays the mobility fee rate applicable to the assessment area in which the new development is located. A benefit district is an area within which mobility fees collected are earmarked for expenditure as required by the second test of the dual rational nexus test.

A single Mobility Fee Assessment Area is proposed for the City. The Mobility Fee Assessment Area includes all areas of the City east of Interstate 95 and western portions of the City located between Congress Avenue and Interstate 95 (**Map B**). The Mobility Fee Assessment Area also includes an area west of Congress Avenue comprised of the Boynton Beach Mall and adjacent parcels. The mobility fee will apply uniformly within the Mobility Fee Assessment Area.

New development, along with redevelopment and change or expansion of a use that generates additional person travel demand will be required to mitigate their transportation impact through payment of the City's Mobility Fee. The development would no longer be subject to transportation concurrency, proportionate share or road impact fees. TCEA policies in the Comprehensive Plan may still apply, as they are an alternative to transportation concurrency, until the Comprehensive Plan is amended to remove or revise the TCEA policies. It is recommended that the term TCEA be replaced with mobility solutions or a similar term to transition away from transportation concurrency. The development would still be subject to evaluating site related access connections. It is also recommended that the City consider establishment of site access assessments or site impact assessments as a replacement of traffic impact analysis, which have become synonymous with transportation concurrency.

All areas outside of the Mobility Fee Assessment Area would still fall under the County's existing transportation concurrency system and would still pay the applicable County road impact fee. This would include any future annexed areas between the western most City limits and Military Trail and between Hypoluxo Road to the north and Dunes Road to the South. The City may elect in the future to establish additional assessment areas or expand the Mobility Fee Assessment Area citywide. The Downtown, Community Redevelopment Areas (CRAs), and Transit Oriented Developments (TODs) outside of a CRA would be candidates for future assessment areas. Should the City expand the Mobility Fee Assessment Area citywide, it may wise to consider the establishment of different assessment areas east and west of Interstate 95 to account for the difference in gridded transportation networks and mixture of land uses.

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PERSON TRAVEL DEMAND PER USE (PTDU)

The second component in the calculation of a mobility fee is the calculation of person travel demand for each use included on the mobility fee schedule. The factors utilized in the calculation of person travel demand for each use are the principal means to achieve the "rough proportionately" test established by the courts and Florida State 163.31801. Figure 13 illustrates the formula used to calculate the person miles of travel for each use.

FIGURE 13. PERSON TRAVEL DEMAND PER USE (PTDu)

Person Travel Demand per Use (PTDu)

Tvmt = (∑ ACvmt + ∑ LAvmt)

LAEf = 1 - (∑ LAvmt / Tvmt)

PTDu = (((((TG x % NEW) x PTf) x (PTI x LAEf)) x ODAf)

Where:

Tvmt = Total Vehicle Miles of Travel (VMT)

ACvmt = 2020 projected VMT for arterials and collectors

LAvmt = 2020 projected VMT for Interstate 95

LAEf = Limited Access Evaluation factor of 0.30

PTDu = Person Travel Demand per Use

TG = Trip Generation

% NEW = Percent of Trips that are Primary Trips

PTf = Person Trip Factor by Trip Purpose

PTI = Person Trip Length by Trip Purpose

ODAf = Origin & Destination Adjustment factor of 0.50 to avoid double-counting

Trip Generation

Trip generation rates are based on daily trip information published in the *Institute of Transportation Engineers' (ITE) Trip Generation Manual, 10th edition.* The detail for the daily trip generation rates for each use is included in Appendix I.

% New Trips

The percentage of new trips is based on a combination of the various pass-by analyses provided in ITE's Trip Generation Handbook, 3rd edition and various traffic studies conducted throughout Florida. The percentage of new trips differs slightly from the commonly used term pass-by trip.

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The term percentage new trips are the percentage difference in trips after pass-by trips are deducted. The concept is better understood per the following: (10 trips x (100% - 30% pass-by rate)) = 7 trips or 70% new trips). While the ITE's Trip Generation does not recognize pass-by rates for uses other than retail, pass-by rates were utilized for uses such as offices, day care, places of worship, entertainment and recreation uses to reflect how people move about the community. A pass-by trip is a trip that is traveling and stops at another land use between an origin point (commonly a dwelling) and a destination (place of employment). The detail for the % new trips is included in **Appendix I**.

Person Trip Factor

The person trip factor is used to convert vehicle trips to person trips based on the recently released 2017 National Household Travel Survey (NHTS). To obtain the most recent and localized data, the travel survey was evaluated specifically for Core Based Statistical Area (CBSA) #33100 that includes Miami, Fort Lauderdale & West Palm Beach. The NHTS person trip factors vary by trip purpose (**Appendix F**). A total of 1,367 unique trip surveys where evaluated based on trips of 30 miles or less in length. Trip purpose data aggregated by listed trip purpose. The total data referenced in Appendix E is based on unaggregated data from the 2017 NHTS for CBSA # 33100.

Person Trip Length

The person trip length is based on the recently released 2017 National Household Travel Survey (NHTS). To obtain the most recent and localized data, the travel survey was evaluated specifically for Core Based Statistical Area (CBSA) #33100 that includes Miami, Fort Lauderdale & West Palm Beach. The person trip lengths vary by trip purpose (**Appendix F**). A total of 1,367 unique trip surveys where evaluated based on trips of 30 miles or less in length. Trip purpose data aggregated by listed trip purpose. The total data referenced in Appendix E is based on unaggregated data from the 2017 NHTS for CBSA # 33100.

Limited Access Evaluation (LAE)

Travel on Interstate 95, which is a limited access facility, is excluded from mobility fee calculations as the Interstate System is principally funded and maintained by the Federal Government in coordination with FDOT and funded through the gas tax trust fund. To ensure development that generates new person miles of travel is not charged for travel on Interstate 95, a limited access factor has been developed. The factor is developed based on 2020 volumes from the SERPM model network (**Appendix E**). The limited access evaluation factor (LAEf) of 0.30 is applied to person trip lengths to account for the 70% of travel occurring on Interstate 95 (**Table 11**).

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TABLE 11. LIMITED ACCESS EVALUATION (LAE)

Collector & Arterial Roads VMT	860,113
Interstate 95 VMT	2,015,158
Total VMT	2,877,594
Limited Access Evaluation Factor	0.30

Source: The 2020 VMT data was obtained using the cost affordable model network from the 2015/2045 Southeast Regional Planning Model (SERPM 8.504). The VMT data was interpolated based on an annual growth rate of .92% for arterial and collector roads and .13% for Interstate 95. The growth rates are based on the increase in VMT between the 2015 base year model data and the 2045 horizon year model data. The limited access factor is calculated by dividing collector and arterial road VMT by the total VMT (860,113 / 2,877,594) = 30% (rounded to nearest hundredth).

Origin and Destination Adjustment (ODA)

Trip generation rates represent trip-ends at the site of a land use. Thus, a single origin trip from home to work counts as one trip-end for the residence and from work to the residence as one trip-end, for a total of two trip ends. To avoid double counting of trips, the net person travel demand is multiplied by the origin and destination adjustment factor of 0.50. This distributes the impact of travel equally between the origin and destination of the trip and eliminates double charging.

Person Travel Demand per Use (PTDu)

The result of multiplying trip generation rates, percentage of new trips, person trip length, the person trip factor, the limited access evaluation, and the origin and destination adjustment are the establishment of a per unit person travel demand per use within the Mobility Fee Assessment Area **(Appendix J)**. The PTDu by reflects the projected person travel during an average weekday by the various land uses in the mobility fee schedule.

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MOBILITY FEE SCHEDULE

To ensure the rough proportionately test is addressed, the person travel demand of individual uses is evaluated through the development of a mobility fee schedule. The Mobility Fee is based on the person travel demand for each use (PTDu) listed on the mobility fee schedule multiplied by the person miles of travel rate (PMTr) established in **Table 10**. The calculated person travel demand for each use represents the full impact of that use **(Appendix J)**. The Complete Streets Mobility Plan and Mobility Fee have been developed to provide the needed transportation improvements on City, County, and State roads to address future travel demand growth within and around the City and allow development to fully mitigate its impact by payment of a Mobility Fee to the City. The calculations for determining the Mobility Fee per Use within the Mobility Fee Assessment Area **(Figure 14)**.

FIGURE 14. MOBILITY FEE CALCULATION

Mobility Fee per Use (MFu)

MFu Formula = PTDu x PMTr

Where:

PTDu = Person Travel Demand per Use

PMTr = Person Miles of Travel Rate

MFu = Mobility Fee per Use

The Mobility Fee schedule seeks to strike a balance between the City's Comprehensive Plan and current market trends. The uses included on the Mobility Fee schedule enable the City to use the Mobility Fee as an additional tool to further integrate land use and transportation planning consistent with the City's Comprehensive Plan. The Mobility Fee schedule has been developed to recognize uses that enhance the City's quality of life and provide employment opportunities and economic development.

The Mobility Fee schedule of uses is broken down into four (4) components: (1) category of uses; (2) individual use classifications; (3) representative uses; and (4) the mobility fee per use. The first (1st) component are overall categories of uses, such as residential or office. Under each overall category there are multiple uses for which a mobility fee is calculated. The overall category is generally consistent with the overall function of a use of land for the individual use classification.

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These overall categories are generally consistent with the City Comprehensive Plan and the ITE Trip Generation Manual. These categories headings also specify if the individual uses are calculated on a per square foot (sq. ft.) or a different unit of measure.

The second (2nd) component are individual use classifications, such as community serving or commercial storage. These individual use classifications have similar person travel demand characteristics or similar functions to the overall use category. These individual use classifications are generally consistent with the ITE Trip Generation Manual classification under a give category of uses. The individual use classifications will specify the unit of measure to calculate the mobility fee if it differs from a rate per square foot (sq. ft.) or per 1,000 square feet.

The third (3rd) component are representative uses under the individual use classifications. These representative uses are shown in brackets such as (Day Care, Place of Assembly or Worship, Private School) after the individual use classification of Community Serving. These representative uses have similar person travel demand characteristics and functions to the individual use classification. Theses uses are not exhaustive and are intended to serve as a guide to describe the types of use that would be assessed a mobility fee based on the rate for the individual use classification. The definition of each individual use classification provides further detail on the types of representative uses would fall under an individual use classification. These representative uses are generally consistent with the ITE Trip Generation Manual classification under a give category of uses and individual use classifications.

The fourth (4th) component are the mobility fee rates per individual use classification. The mobility fees. The mobility fee for an individual uses is determined by multiplying the mobility fee rate by the applicable unit of measure. The following is an example the four (4) components of the mobility fee schedule **(Figure 15):**

FIGURE 15. MOBILITY FEE SCHEDULE COMPONENTS

Four (4) Components of a Mobility Fee Schedule	
Use Categories, Land Uses Classifications, and Representative Land Uses	
(1st Use Category) = Institutional Uses per sq. ft.	
(2nd Use Classification) = Community Serving **(3rd Representative Use = (Civic, Place of Assembly, Museum, Gallery)**	**(5th Mobility Fee Rate) = $2.52**

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The mobility fee schedule proposes a streamlined approach to residential mobility fees that is easy to administer and addresses affordability. The schedule proposes a flat residential mobility fee rate per square foot for single-family residential uses. The residential mobility fee is set-up so that a 600 sq. ft. cottage pays a mobility fee for 600 sq. ft. If a single-family house is 4,000 square foot, the mobility fee will be based on 4,000 sq. ft. The calculation of mobility fees on a per sq. ft. fee is consistent with how the building industry prices permits. The City Council may wish to establish a maximum square footage for which a single-family residential mobility fee would be assessed that differs from the Mobility Fee schedule.

The calculated mobility fee per use is provided in the mobility fee schedule (**Table 12**). The mobility fee is provided on a per sq. ft. basis. For uses where the mobility fee is based on a unit of measure other than sq. ft., such as hotel or marina, the mobility fee schedule provides the per unit of measure for calculating the mobility fee. The mobility fees are rounded to the nearest hundredth place. Moving towards a per sq. ft. fee would bring non-residential fees into conformance with how they are actually calculated, as opposed to the standard practice of providing fees on a per 1,000 sq. ft. basis, which is based on the process established in the ITE Trip Generation Manual.

Multi-family residential uses are assessed on a per bedroom basis. An additional residential use, known as Attainable Residential, has been established in support of affordable and workforce housing and is based on a per bedroom rate. In recognition of a housing trend towards smaller square foot residential dwellings, housing which meets the City's definition of Attainable Residential, or an accessory dwelling unit or tiny home may request that the Mobility Fee be assessed on either a per sq. ft. or per bedroom basis, whichever unit of measure would result in a lower mobility fee. The City may establish additional types of residential uses.

The institutional, industrial, recreation, and office use categories in the proposed schedule represent the most common land use classifications. There are two (2) primary retail land use classifications that have been established to directly reflect the person travel demand impact for each use to the transportation system. The first (1st) retail land use classification, Local Retail (non-chain and non-franchisee) has been established to recognize that local uses do not have as great a travel demand impact as regional and national chains to the transportation system and therefore would pay a lower mobility fee rate. The second (2nd) retail land use classification is intended for all other types of commercial and retail uses. To reflect higher travel demand, there are also five (5) individual uses that will be assessed additive mobility fees in addition to any mobility fee assessed for buildings associated with the use. As more and more land uses downsize, a mobility fee based solely on building size does not fully capture the travel demand impact of certain high travel demand uses. The following Mobility Fee schedule illustrates the mobility fee rates per use based on the applicable unit of measure (**Table 12**).

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TABLE 12. MOBILITY FEE SCHEDULE

Use Categories, Use Classifications, and Representative Uses	Mobility Fee
Residential & Lodging Uses per applicable unit of measure	
Single-Family Residential [1] per sq. ft.	$1.92
Multi-Family Residential [1] per bedroom	$1,233
Attainable Residential [1 & 2] per bedroom	$929
Overnight Lodging [1] (Bed & Breakfast, Hotel, Inn, Motel, Resort, SRO, Vacation Rental) per room	$1,906
Recreational Vehicle Park (RVs, Tiny Homes on Wheels, Travel Trailers) per space or lot	$1,207
Long Term Care (Assisted Living, Congregate Care, Group Home, Nursing Home) per sq. ft.	$1.31
Public & Educational Uses per sq. ft.	
Community Serving (Day Care, Place of Assembly or Worship, Private School)	$1.87
Industrial Uses per sq. ft.	
Industrial (Brewing, Fabrication, Distribution, Manufacturing, Utility)	$1.37
Commercial Storage (Mini Warehouse, Warehouse, Boat, RVs & Other Outdoor Storage) [3]	$0.74
Entertainment & Recreation Uses per unit of measure	
Marina (including Yacht Club) per berth	$695
Entertainment & Recreation, Outdoor per acre	$4,129
Entertainment & Recreation, Indoor (Fitness, Kid & Family Play, Sports, Studios, Theater) per sq. ft.	$3.26
Office Uses per sq. ft.	
Office (Bank, Financial, General, Higher Education, Professional)	$2.72
Medical Office (Clinic, Doctor, Dentist, Emergency, Health, Hospital, Veterinary, Wellness)	$5.60
Commercial Services & Retail Uses per applicable unit of measure	
Local Retail (Commercial, Restaurant, Sales, Services, Vehicles) [4, 5] per sq. ft.	$3.39
Retail (Commercial, Restaurant, Sales, Services, Vehicles) [5] per sq. ft.	$6.78
Bank Drive-Thru Lane or Free-Standing ATM per lane or ATM [6]	$11,993
Motor Vehicle & Boat Cleaning (Detailing, Wash, Wax) per lane or stall [7]	$6,999
Motor Vehicle Charging & Fueling per charging or fueling position [8]	$13,915
Pharmacy Drive-Thru per lane [9]	$9,284
Quick Service Restaurant Drive-Thru per lane [10]	$31,428

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TABLE 12. MOBILITY FEE SCHEDULE FOOTNOTES

[1] Residential uses and overnight lodging within vertical mixed-use buildings shall pay the applicable mobility fee rates for the residential and overnight lodging use. Any non-residential use within the vertical mixed-use buildings that is not directly affiliated with the residential or overnight lodging use shall pay the applicable mobility fee. Any residential use that meets the City definition of Attainable Residential or is an accessory dwelling unit or tiny house, may request that the mobility fee be assessed on either a per sq. ft. or per bedroom basis, whichever unit of measure results in the lowest mobility fee. Square footage is habitable and living space with climate control.
[2] Attainable Residential includes affordable and workforce housing meeting City, County, or State criteria for defining affordable and workforce housing. Micro-units, studios, or active adult (senior housing) units less than 750 sq. ft. are also included (units greater than 750 sq. ft. considered multi-family). Where a unit does not have a defined bedroom(s), the unit itself would be considered a bedroom.
[3] Acreage for any unenclosed material and vehicle storage, sales and display shall be converted to square footage.
[4] Local is defined as a commercial or retail use with five (5) or fewer location statewide, no national locations, non-chain and non-franchisee owned.
[5] Square footage shall be based on gross sq. ft. under roof or canopy and all areas used for outdoor display, sales, seating, and storage not under roof or canopy.
[6] Each bank building shall pay the office mobility fee rate for the square footage of the building. Drive-thru lanes, free-standing ATM's and drive-thru lanes with ATM's are assessed a separate mobility fee per lane or per ATM and are added to any mobility fee associated with a bank building. The free-standing ATM is for an ATM only and not an ATM within or part of another non-financial building, such as an ATM within a grocery store.
[7] Motor Vehicle & Boat cleaning mobility fee rates shall be calculated based on the number of stalls, lanes, or drive-thru lanes associated with the cleaning, detailing, washing, and waxing of motor vehicles and boats. The mobility fee is an additive fee and is assessed in addition to the retail mobility fee per square foot for any building which will be occupied and be used for interaction with customers. Buildings for storage or maintenance of equipment would be considered ancillary to the use itself and would not be assessed a mobility fee per sq. ft. based on the applicable retail rate.
[8] Rates per vehicle charging or fueling position apply to any retail uses with vehicle charging or fueling, whether a convenience store, gas station, general store, grocery store, supermarket, superstore, variety store, wholesale club or service stations with charging stations or fuel pumps. In addition, there shall be a separate retail mobility fee per square foot for any building. The number of charging or fueling positions is based on the maximum number of vehicles that could be charged or fueled at one time.
[9] Any drive-thru associated with a pharmacy will be an additive fee in addition to the retail mobility fee per square foot of the building. The number of drive-thru lanes will be based on the number of lanes present when an individual places or pick-up a prescription or item.
[10] Any drive-thru associated with a quick service restaurant will be an additive mobility fee in addition to the retail mobility fee per square foot. The number of drive-thru lanes will be based on the number of lanes present when an individual places and / or picks-up an order. The quick service restaurant drive-thru rate applies for any type of retail building, whether a multi-tenant or free-standing building.

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Mobility Fee Calculations

The following are a few examples for how the mobility fee would be calculated for a use:

Single Family Residential (2,000 sq. ft.)
Mobility Fee: 2,000 sq. ft. x $1.92 per sq. ft. = $3,840 (rounded)

Multi-Family Residential (1,100 sq. ft. and two bedroom)
Mobility Fee: two bedrooms x $1,233 per bedroom = $2,466 (rounded)

Attainable Residential (700 and one bedroom)
Mobility Fee: one bedroom x $929 per bedroom = $929 (rounded)

Overnight Lodging (100 rooms)
Mobility Fee: 100 rooms x $1,906 per room = $190,600

Entertainment & Recreation, Outdoor per acre (10 acres)
Mobility Fee: 10 acres x $4,129 per acre = $41,290

Office (3,000 sq. ft.)
Mobility Fee: 3,000 sq. ft. x $2.72 per sq. ft. = $8,160 (rounded)

Doctors Office (4,000 sq. ft.)
Mobility Fee: 4,000 sq. ft. x $5.60 per sq. ft. = $22,400 (rounded)

Local Retail (2,500 sq. ft.)
Mobility Fee: 2,500 sq. ft. x $3.39 per sq. ft. = $8,475 (rounded)

Chain Restaurant (3,500 sq. ft.)
Mobility Fee: 3,500 sq. ft. x $6.78 per sq. ft. = $23,730 (rounded)

Convenience Store (5,000 sq. ft.) with 20 Fueling Positions (10 Gas Pumps)
Additive Mobility Fee: 5,000 x $6.78 per sq. ft. = $33,900 + 20 x $13,915 per position = $312,200
Mobility Fee: $33,900 + $278,300 = $312,200

Quick Service Restaurant (1,250 sq. ft.) with two (2) Drive-Thru Lanes
Additive Mobility Fee: 1,250 x $6.78 per sq. ft. = $8,475 + 2 x $31,428 per lane = $42,994
Mobility Fee: $8,475 + $62,856 = $71,331

Bank (3,000 sq. ft.) with two (2) Drive-Thru ATM Lanes
Additive Mobility Fee: 2,500 x $2.72 per sq. ft. = $8,160 + 2 x $11,933 per lane = $23,866
Mobility Fee: $8,160 + $23,866 = $32,026

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MOBILITY FEE COMPARISON

A comparison between the City of Boynton Beach Mobility Fee and the existing Palm Beach County road impact fee has been prepared **(Appendix K)**. The comparison shows what the closest comparable County road impact fee would be to the City's Mobility Fee. It should be noted that this is not an apples-to-apples comparison. The County's road impact fee is based on rates from there 2011 impact fee study and there 2017 impact fee study. The County elected to pick and choose whatever rate it deemed appropriate. The County's road impact fees are not based on the most recent and localized data as required by Florida Statute.

The County road impact fee also uses a consumption-based methodology that is just based on an adopted level of service standard, not a road project the County actually intends to construct. The Boynton Beach Mobility Fee uses a plan-based methodology where the Mobility Fee is based on the cost to construct real world projects. The County road impact fee uses vehicle miles of travel and trip lengths that it deemed appropriate. The City Mobility Fee uses person miles of travel, person miles of capacity, person travel demand, and trip lengths based on NHTS data for southeast Florida. The City Mobility Fee is also based on information as of 2021, the County last updated its study in 2017. Further, the County picked and choose rates from the 2011 and 2017 road impact fee calculations. The unit of measure used by the County also differ from the Mobility Fee.

The City's Mobility Fee was also calculated per 1,000 sq. ft. to allow for a better comparison to the County's road impact fee **(Appendix K)**. The calculation is for comparison purposes only, the Mobility Fee proposed for adoption is provided on **Table 12**. Based on the comparative analysis, the proposed Mobility Fee is slightly lower across all categories. Thus, per Florida Statute, the City could make the Mobility Fee effective the day of 2nd reading and adoption of the implementing ordinance, since Statute does not require a 90-day waiting period if a mobility fee is lower than what is currently being assessed on new development and redevelopment. Any use that has not yet paid their road impact fee to the County could elect to the pay the City's Mobility Fee, even if a building permit application has been filed with the City. If a developer has already paid the County, it would be the responsibility of the developer to request a refund from the County, which the County may or may not grant. The Mobility Fee is proposed to be assessed at building permit application and collected prior to building permit issuance.

While the comparison is a useful metric, the Mobility Fee is based on the City's Complete Streets Mobility Plan and the County's is not. The uses listed in the City and County fee schedule are not the same, a best fit analysis with the City's fee was made to allow for the comparison. For anyone desiring to understand the County road impact fee, they should contact the County.

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MOBILITY FEE BENEFIT DISTRICT

The benefit test of the dual rational nexus test requires that local governments establish separate areas within which mobility fees collected are earmarked for expenditure. It is recommended, given the relatively compact nature of the City, that a single Mobility Fee Benefit District be established. **(Appendix L)**. The limits of the Mobility Fee Benefit District are greater than the Mobility Fee Assessment Area in recognition that person travel does not stop at City limits. There may be some instances where the City may wish to provide funding to an adjacent municipality, the County, or State to make a multimodal improvement outside City limits that provides a benefit to those who pay the fee within the City. The approximate limits are Hypoluxo to the north, US Hwy 1 and the Intercoastal to the east, the City limits, and the L 30 canal to the south, and Military Trail to the west.

The enactment of a Mobility Fee Benefit District ensures that mobility fees collected within the Benefit District are expended on multimodal projects that provide a mobility benefit to new development and redevelopment within the City that pay the mobility fee. The establishment of a Mobility Fee Benefit District ensures that the second requirement of the dual rational nexus test is met by clearly defining where funds are collected and where they are expended. The establishment of a Mobility Fee Benefit District also ensures that the land uses within the District that pay the fee are provided the benefit of mobility from the multimodal projects to be funded within the District.

DEFINITIONS

The following are definitions of unique terms referenced in the mobility fee Technical Report. These definitions will be incorporated by reference into the implementing mobility fee ordinance:

Assessment Area shall mean a geographic area of the City where mobility fees are assessed on new development, along with redevelopment, change or use and expansion of a use that generate an increase in person travel above the current use of land.

Attainable housing shall mean multifamily affordable and workforce housing units which meet City, County, or State criteria for defining affordable and workforce housing. Micro-units, studios or active adult (senior housing) units less than 750 sq. ft. are also included (units greater than 750 sq. ft. are considered multi-family). When a unit does not have a defined bedroom(s), the unit itself would be considered a bedroom.

Autonomous transit shuttle shall mean a vehicle that uses artificial intelligence, sensors and global positioning system coordinates to drive itself with or without the active intervention of a human operator.

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Bank Drive-Thru Lane or Free-Standing ATM shall mean any drive-thru lane used for banking purposes such as deposits, withdrawals, balance inquires, or bill pay. The drive-thru may include either a teller window, pneumatic device for transferring banking information or funds, or an Automated Teller Machine (ATM). This use also includes free standing bank drive-thru lanes and freestanding walk-up or drive-thru ATM machines. An ATM inside or attached to a building that has a use open to the public or end user and is not just a standalone ATM structure or building shall not be assessed a fee. The fee shall be based upon the total number of drive-thru lanes with a banking window, pneumatic device or ATM and/or the total number of free-standing ATM's.

Bedroom shall mean a defined area principally for sleeping and shall include a closet and at least one window and one door for means of ingress and egress as required by the latest edition of the Florida Building Code.

Benefit District shall mean areas designated in the applicable mobility fee ordinance where fees that are paid by development are expended.

Capacity shall mean the maximum sustainable flow rate, at a service standard, at which persons or vehicles reasonably can be expected to traverse a point or a uniform section of a bicycle facility, pedestrian facility, roadway, or shared-use multimodal facility during a given time-period under prevailing conditions. For transit, the capacity is the maximum number of persons reasonably accommodated riding a transit vehicle, along with the frequency and duration of transit service.

Commercial Services and Retail Uses shall mean those commercial activities which provide for sale, lease or rent of products, services, accommodations or use of space to individuals, businesses, or groups and which include those uses specified in the ITE Trip Generation Manual under Land Use Code Series 800 and 900.

Commercial Storage shall mean facilities or acreage in which one or more warehouses, storage units or vaults are rented for the storage of goods and/or acreage or is providing for the storage of boats, RVs, vehicle trailers and other physical items that are larger than what is typically stored within an enclosed structure. The acreage for outdoor storage, excluding drive aisles, buffers and stormwater management areas, shall be converted to square footage for purposes of calculating the fee. This shall not include an individual's personal property where such items are stored by the owner of the land and not for commercial purposes, subject to allowance by land development and zoning regulations. This use falls under ITE Trip Generation Manual under Land Use Codes in the 100 Series that include Warehouse in the use description.

Community Serving shall mean those uses that are operated by a civic origination, governmental entity, non-profit, foundation, or fraternal organization, including places of assembly and worship, day cares, private schools, along with uses such as YMCA, museum, art studio, gallery, cultural center, community meeting spaces, community theater, library, or a fraternal or masonic lodge or club, or any community and civic based uses that do not sell retail goods or services for profit. Food, beverages, goods, and services maybe offered for ancillary fundraising to support the use.

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Complete Streets shall mean a transportation policy and design approach that requires multimodal transportation improvements to be planned, designed, operated, and maintained to enable safe, convenient, and comfortable travel and access for users of all ages and abilities regardless of their mode of transportation and to allow for safe travel by those walking, bicycling or using other forms of non-motorized travel, riding public transit or driving motor vehicles or low speed electric vehicles.

Complete Street Mobility Plan shall mean the plan adopted by the City of Boynton Beach that identifies multimodal projects to meet the future person travel demands of new development and redevelopment.

Entertainment and Recreation, Indoor shall mean facilities that primarily focus on individual or group fitness, exercise, training or provide recreational activities. The uses typically provide exercise, dance or cheerleading classes, weightlifting, yoga, pilates, cross-fit training, fitness and gymnastics equipment. Indoor commercial recreation also includes kid and family friendly activities such as bowling, pool, darts, arcades, video games, batting cages, trampolines, laser tag, bounce houses, skating, climbing walls, and performance centers. Food, beverages, equipment, and services maybe offered for ancillary sales.

Entertainment and Recreation, Outdoor shall mean means outdoor recreational activity including land uses with miniature golf, batting cages, video arcade, bumper boats, go-carts, golf driving ranges, tennis, racquet or basketball courts, soccer, baseball and softball fields, paintball, skating, cycling or biking that require paid admittance, membership or some other type of fee for use. Buildings for refreshments, bathrooms, changing and retail may be included. The fee shall be based upon the total acreage of the facility for active uses outside of buildings and all buildings used to carry out a primary function of the land use activity. Areas for parking, buffers and stormwater that are not active features of the land use are excluded from the fee acreage. The use would generally fall under the ITE Land Use Code 400 series.

Entertainment and Recreation Uses shall mean those public or quasi-public uses that serve a community's social, cultural, fitness, entertainment and recreational needs, which include applicable land uses specified in the ITE Trip Generation Manual under Land Use Code Series 400 and 500.

Industrial shall mean those activities which are predominantly engaged in building and construction trades, the assembly, finishing, processing, packaging, and/or storage, or distribution of goods or products, utilities, recycling, waste management and uses that include brewing and distilling that may have taps, sampling or tasting rooms, and include those uses specified in the ITE Trip Generation Manual under Land Use Code Series 000 and 100 but excluding governmental uses and warehouses. Industrial uses typically have ancillary office space and may have display or merchandise display areas for various trades and industries that are not open to the general public. Industrial uses are also located in land uses and zoning districts intended for industrial uses.

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Section 1. The foregoing "Whereas" clauses are true and correct and are hereby ratified and confirmed by the City Commission.

Section 2. The City Commission of the City of Boynton Beach, Florida, hereby adopts the Boynton Beach Complete Streets Mobility Plan and Mobility Fee Technical Report, copies of which are attached hereto and made a part hereof as Exhibits "A" and "B".

Section 3. This Resolution shall become effective immediately upon passage.

PASSED AND ADOPTED this 2nd day of November, 2021.

CITY OF BOYNTON BEACH, FLORIDA

	YES	NO
Mayor – Steven B. Grant	✓	
Vice Mayor – Woodrow L. Hay	✓	
Commissioner – Justin Katz	✓	
Commissioner – Christina L. Romelus	✓	
Commissioner – Ty Penserga	✓	
VOTE	5-0	

ATTEST:

Crystal Gibson, MMC
City Clerk

(Corporate Seal)