

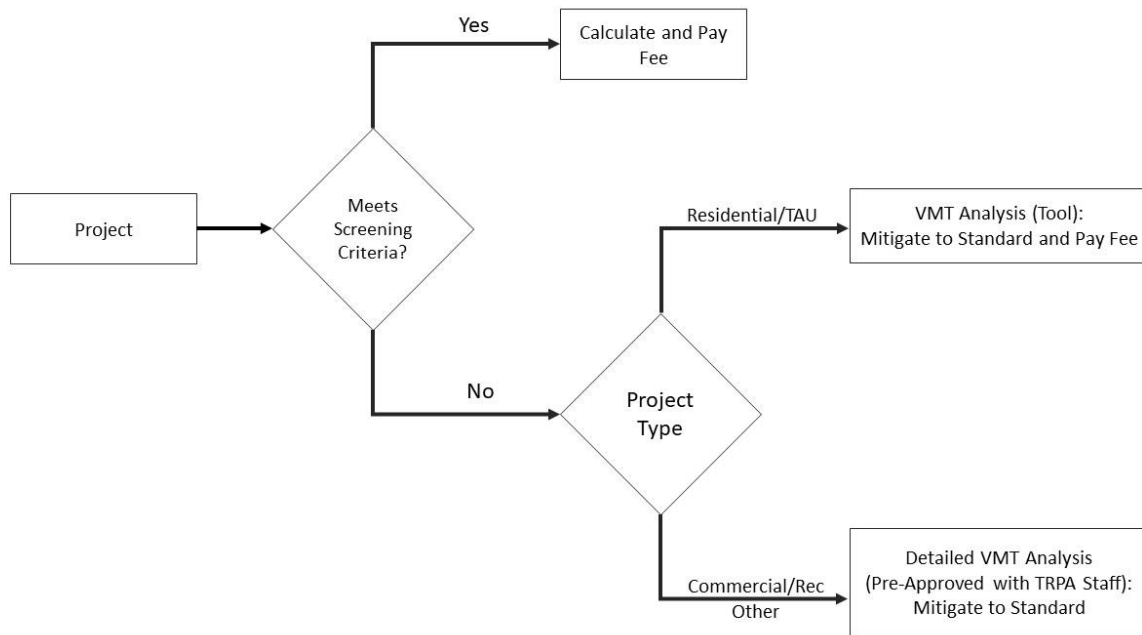
Exhibit 3 to Attachment B
Amendments to Code of Ordinances

#	Code Citation	Title	Action
1	65.2.4.C.1	Regional and Cumulative Impact Fees	Not require deed-restricted affordable, moderate, and achievable housing developed within areas eligible for Residential Bonus Units from contributing to the Mobility Mitigation Fund.

65.2.4. Requirements for New Development

New development shall be subject to the requirements provided below and illustrated in Figure 65.2.4-1.

FIGURE 65.2.4-1: PROJECT IMPACT ANALYSIS AND MITIGATION FEE PROCESS SUMMARY



A. Applicant Responsibility

Project information about proposed uses, transportation demand management features included in the proposed project, vehicle trip generation, vehicle miles travelled, and other information relevant to the project and required for analysis of the project transportation impact shall be made available to TRPA by the applicant at the time application is made.

B. Traffic Analysis

As part of the project application for new development, the applicant shall prepare and submit to TRPA an analysis of potential transportation and air quality impacts using the TRPA project impact analysis methodology. If more detailed VMT analysis than what can be provided using the project impact analysis methodology is necessary, the applicant shall submit a technically adequate analysis of potential transportation impacts in addition to the analysis from the project impact analysis methodology. If a project's impacts to air quality cannot fully be evaluated using the project impact analysis methodology, additional air quality analysis may be required. The analysis shall also include:

1. Impacts of the proposed project on regional and subregional air quality;
2. Measures necessary to mitigate all air quality impacts to a level consistent with the environmental thresholds, the Goals and Policies, the Regional Transportation Plan, and the 1992 Air Quality Plan; and

3. Additional information that TRPA may require.

C. Required Offsets

New development shall offset the potential transportation and air quality impacts of the project in accordance with the provisions provided below.

1. Regional and Cumulative Impact Fees

In order to offset regional and cumulative impacts, additional development, [excepting deed-restricted affordable, moderate, and achievable housing developed within areas eligible for Residential Bonus Units](#), shall contribute to the Mobility Mitigation Fund, except as provided for in subparagraph 2 below. The amount of contribution is established in subparagraph 65.2.4.D.

2. Regional and Cumulative Mitigation Measures

To offset regional and cumulative impacts, and in lieu of the contribution required under subparagraph 65.2.4.C.1, additional development may provide mitigation measures. The cost of such measures shall be equal to or greater than the contribution required under subparagraph 65.2.4.C.1. Regional and cumulative mitigation measures may include, but are not limited to:

- a. Transfer and retirement of remote offsite development rights;
- b. Offsite transit facility construction and other measures to increase transit accessibility;
- c. Offsite facilities to reduce commuter trips;
- d. Inclusion of features in the proposed development that will reduce vehicle miles travelled, including, but not limited to, publicly available parking restricted to carpool and transit users, transit facilities, bicycle facilities, and pedestrian facilities;
- e. Other measures included in the project impact analysis methodology.

3. Localized Mitigation Measures

In order to offset the localized impacts of a project, when a project impact analysis has been prepared pursuant to subparagraph 65.2.4.B, all necessary mitigation measures shall be required as a condition of project approval for all new development. Mitigation measures may include, but are not limited to:

- a. Inclusion of features in the proposed development that will reduce vehicle miles traveled, including, but not limited to, publicly available parking restricted to carpool and transit users, transit facilities, bicycle facilities, and pedestrian facilities;
- b. Unbundle parking costs from property costs and implement market price public parking;
- c. Contribution to the Mobility Mitigation Fund in an amount sufficient to pay for the actual cost of the necessary mitigation measures after exhausting all project-level mitigation options.

d. Other measures included in the project impact analysis methodology.

D. Fee Schedule

The mobility mitigation fee shall be assessed in accordance with the mitigation fee schedule in the Rules of Procedure. The mitigation fee shall be adjusted annually consistent with the annual change in the Consumer Price Index for the San Francisco region. Fee adjustments are limited to increases, even in instances when the calculation may result in a negative percentage growth, to preserve the intent of the mobility mitigation fee and maintain consistency with the costs to implement VMT reduction measures. The current mobility mitigation fee shall be included within the schedule provided in the Rules of Procedures subsection 10.8.5.

E. Limited Exception for New Development within Adopted Area or Community Plans

New development shall be exempt from the requirements of subparagraph 65.2.4.C if located within an adopted area or community plan, where the impacts under Threshold Standard TSC-1 have been evaluated in the EIS, EA, or IEC for the area or community plan and TRPA finds that the new development's impacts are mitigated by the implementation element of the area or community plan consistent with the standards of subparagraphs 65.2.4.B and 65.2.4.C.