Transportation Uniform Mitigation Fee

ADMINISTRATIVE PLAN

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Western Riverside Council of Governments (WRCOG)

Administrative Plan for the ***Western Riverside County Transportation Uniform Mitigation Fee (TUMF) Program***

TABLE OF CONTENTS

Page

EXHIBITS

Page

Administrative Plan for the
Western Riverside County Transportation Uniform Mitigation Fee (TUMF) Program

Preamble

Future development within Western Riverside County will result in traffic volumes exceeding the capacity of the Regional System of Highways and Arterials (RSHA or Regional System) as it presently exists. The Regional System needs to be expanded to accommodate anticipated future growth; current funds are inadequate to construct the Regional System needed to avoid the unacceptable levels of traffic congestion and related adverse impacts.

The TUMF Program provides significant additional funds from new development to make improvements to the Regional System, complementing funds generated by Measure A, local transportation fee programs, and other potential funding sources. By establishing a fee on new development in the sub-region, local agencies have established a mechanism by which developers effectively contribute their “fair share” toward sustaining the regional transportation system. This is a twenty-five year program and is influenced by a variety of market factors that could cause a shortfall or surplus in the revenue projections. WRCOG shall review the TUMF Program no less than every four (4) years after the effective date of the 2024 TUMF Program Ordinance. Additionally, WRCOG will bring forward, on an annual basis, a Construction Cost Index Adjustment to the TUMF in effect at the time for review and action by the WRCOG Executive Committee. The Program is not designed to be the only source of revenue to construct the identified facilities, and it will be necessary for matching funds from a variety of available sources to be provided.

It is the intent that TUMF requirements may be met by paying cash, or by building eligible facilities through credit agreements, or through public financing through financing districts.

General TUMF Program parameters, definitions and procedures are described in the TUMF Program Ordinance adopted by participating Western Riverside County jurisdictions. The Western Riverside Council of Governments (WRCOG) is designated as the TUMF Program Administrator, and as such will work closely with member jurisdictions, the Riverside County Transportation Commission (RCTC), the Riverside Transit Agency (RTA), and Riverside County Regional Conservation Authority (RCA) to coordinate the TUMF expenditures to maximize the effectiveness of future transportation investments. As the Program Administrator, WRCOG, agrees to indemnify, defend and hold harmless any TUMF Program participant, and its respective agents, officers, members, officials, employees, and attorneys, whose TUMF Ordinance is challenged in court, from and against all claims, liabilities, damages, or costs of any kind whatsoever, including attorneys’ fees and court costs; provided, however, that such indemnity and defense shall not extend or apply to challenges alleging procedural defects in the adoption and implementation of the TUMF Ordinance.

“TUMF Administrative Plan” means the Administrative Plan for the Western Riverside County TUMF Program prepared by WRCOG dated March 24, 2003, in substantially the form approved by the WRCOG Executive Committee on April 7, 2003, as may be amended from time to time, provided that, any material amendments to the TUMF Administrative Plan shall be approved by WRCOG Executive Committee.”

This Administrative Plan serves as the guideline to implement the TUMF Program and will be amended as needed to address changing conditions over the life of the Program.

I. Purpose.

The Purpose of this Administrative Plan is to provide those jurisdictions and agencies that are participants in TUMF Program with guidelines and policies for implementation of the TUMF Program. This Administrative Plan specifies implementation and responsibilities for the TUMF Program.

TUMF Program funds may only be used for capital expenditures associated with the Regional System of Highways and Arterials and for capital expenditures for transit system improvements consistent with the TUMF Nexus Study. These purposes include expenditures for planning, environmental review, engineering and design costs, right of way acquisition, construction and administrative costs.

II. Authority.

The TUMF Program applies to those jurisdictions in Western Riverside County (County of Riverside and the Cities of Banning, Beaumont, Calimesa, Canyon Lake, Corona, Eastvale, Hemet, Jurupa Valley, Lake Elsinore, Menifee, Moreno Valley, Murrieta, Norco, Perris, Riverside, San Jacinto, Temecula, Wildomar and the March Joint Powers Authority (JPA)) that have adopted and are implementing the TUMF Program Ordinance. The TUMF Program has been developed pursuant to and consistent with authority provided in the requirements of California Government Code Chapter 5 Section 66000-66008 Fees for Development Projects also known as California Assembly Bill 1600 (AB 1600 or the Mitigation Fee Act), which governs the assessment of development impact fees in California. The Mitigation Fee Act requires that all local agencies in California, including cities, counties, and special districts follow three basic rules when instituting impact fees as follows:

A. Establish a nexus or reasonable relationship between the development impact fee's use and the type of project for which the fee is required;
B. The fee must not exceed the project's proportional "fair share" of the proposed improvement; and
C. The fee cannot be used to correct current problems or to make improvements for the benefit of existing development.

III. Imposition of and Participation in the TUMF Program.

Participating jurisdictions in Western Riverside County are responsible for adopting and enforcing all provisions of the TUMF Ordinance and calculating and collecting fees on new development within their jurisdictions. However, participating jurisdictions may adopt the amendment to the TUMF Ordinance (Amendment) which shall designate and authorize WRCOG to calculate and collect the TUMF on such participating jurisdiction's behalf.

To be considered a participant in the TUMF Program, WRCOG Member Agencies which existed in 2003 must have an effective date for the TUMF Ordinance of no later than June 1, 2003. Any Member Agency formed after 2003 must enact the TUMF Model Ordinance and any amendments thereto upon incorporation. All Member Agency must adopt any amendment of the TUMF Ordinance after approval by the WRCOG Executive Committee at a time agreed to by the Executive Committee,. Participating jurisdictions shall not repeal or modify the Model TUMF Ordinance, except that modifications are permitted to meet local municipal codes and references. Further, in order to be considered a participating jurisdiction, local jurisdictions shall collect the full TUMF and transmit the fee to WRCOG as provided herein or shall authorize WRCOG to collect TUMF on its behalf pursuant to the Amendment. To be a participating jurisdiction of the TUMF Program, a jurisdiction must be a party to the Joint Powers Agreement establishing WRCOG and a member of, and in good standing with, WRCOG.

Those jurisdictions that have ordinances with an effective date after June 1, 2003, or opt out of the TUMF Program and decide to participate at a later date must remit to WRCOG the amount of TUMF Program revenue for new development that was not collected by the jurisdiction. In order to verify the amount of revenue that would have been collected during the period in which a jurisdiction did not participate, said jurisdiction shall provide WRCOG with a report of building permit activity during the period said jurisdiction was opted out by the land uses identified in the Nexus Study. The remittance of the fee shall be accomplished in a lump sum payment unless other arrangements are agreed to in writing by WRCOG Executive Committee. Those jurisdictions that are not considered participants in the TUMF Program shall not be eligible to participate in the TUMF Program or the decision-making processes as more fully described in this document.

Non-participating jurisdictions will be ineligible to vote on any TUMF Program item and to receive their share of an estimated $1.02 billion in local streets and roads funds that will be allocated from the Reauthorized Measure A.

A. Calculation of the TUMF.

Each participating jurisdiction and/or applicant shall utilize the TUMF Online Portal for new development projects as outlined in the Fee Calculation portion of the Transportation Handbook as well as the most recent TUMF Ordinances and Fee Resolutions. TUMF Online Portal is summarized in Exhibit “F,” attached hereto.

The TUMF will be due only at the time of issuing of the Certificate of Occupancy and is not required to be paid at the initial permit application. The TUMF cannot be paid prior to the permit issuance process. However, the TUMF shall be calculated using the most current fee schedule in effect at the time the fee is due. Participating jurisdictions are prohibited from requiring the TUMF payment at permit issuance, however fees can be paid at any time after permit issuance at the discretion of the developer. Applicants are prohibited from freezing TUMF by such means as “locking” a fee rate by paying a deposit or a portion of the fee prior to the date the fee is due or by entering into a Development Agreement or other agreement with a participating jurisdiction that freezes the fee at a certain level.

For residential and non-residential the fee is based on the square footage of the development’s indoor space. For non-residential development projects not included in the TUMF Fee Calculation Handbook, a traffic analysis acceptable to WRCOG is required to determine the fee based on the traffic impact of the proposed project. This method of calculation may be different from how the local development impact fee is determined.

For the purpose of calculating the TUMF obligation for non-residential development the applicable land use category for a non-residential development is determined based on the predominate authorized use of the building or structure permitted by the underlying zoning associated with the new development. Projects could be subject to higher fee if the land use intensifies during the development process from what was originally proposed to the jurisdiction.

Each participating jurisdiction (subject to the written consent of WRCOG and evidenced by adoption of the Amendment), may elect WRCOG to calculate and collect the TUMF on behalf of the participating jurisdiction. Should a participating jurisdiction make such an election, the participating jurisdiction shall submit all information related to the development project that, in WRCOG's determination, is necessary for making such calculation, which shall generally include (without limitation) TUMF land use, type of development, number of units and square footage for residential development, square footage for non-residential development, a TIA if necessary and any additional pertinent information as requested by WRCOG. WRCOG will typically require 2 business days to review the information and make a determination once all required information has been provided to WRCOG. In cases where an outside consultant review of the information is necessary, the review period may be extended.

In submitting a development project to WRCOG for TUMF calculation, the participating jurisdiction certifies and warrants that all information related to the development project (i.e., square footage, TUMF land use, type of development, etc.) is true, accurate, and complete. WRCOG shall be entitled to rely on such information, and shall not be responsible for any harm resulting from any error, inaccuracy, or otherwise. Any balance in TUMF obligation due to incorrect development project information will be the responsibility of the participating jurisdiction.

In order for an agency to elect not to have WRCOG calculate and collect TUMF on its behalf, a participating jurisdiction shall adopt the Amendment to the TUMF Ordinance in the form prepared by WRCOG. The agency will give a six month notice to WRCOG prior to implementing a revised ordinance.

Exemptions to the Payment of TUMF. The TUMF Ordinance sets forth exemptions to the payment of TUMF. Those exemptions are summarized in Exhibit "G," attached hereto.

B. Refunds.

Under certain circumstances, and as initiated by an applicant, such as double payment, expiration of a building permit, or fee miscalculation, an applicant may be entitled to a TUMF refund. Refunds will be reimbursed by the end of the fiscal year on a first come, first served basis, depending upon the net revenue stream. Refunds will only be considered reimbursable if requested within 3 years of the original TUMF payment. In all cases, the applicant must promptly submit a refund request with proof of TUMF payment to WRCOG if WRCOG collected the TUMF, or if collected by a local jurisdiction, the refund request shall be submitted to that local jurisdiction, which will subsequently forward the request to WRCOG for verification, review and possible action.

1. **Expiration of Building Permits.** If a building permit should expire, is revoked, or is voluntarily surrendered and is, therefore voided and no construction or improvement of land has commenced, then the applicant may be entitled to a refund of the TUMF that was collected as a condition of approval.
2. **Reissuing of Permits.** All permits will pay the full amount of TUMF when reissuing

regardless of any increases in fees that may have occurred when the permit was previously issued. It is the developer's responsibility to obtain a refund from WRCOG when the permit has expired.

If a development project is partially under construction at the time of the effective date of the TUMF Ordinance, the TUMF shall be paid only on that portion of the development for which a building permit is next issued.

1. **Double Payments.** On occasion due to a clerical error, a developer has paid all or a portion of the required TUMF for project twice. In such cases, a refund of the double payment may be required. The refund process is more fully described in section VI of this document.

2. **Balance Due.** When TUMF is incorrectly calculated due to agency clerical error, or development was allowed to be built without the payment of TUMF, it is the agency's responsibility to remit the balance due to WRCOG. The error must be discovered within 3 years for the local agency to be held accountable. While the local agency may collect these funds from the applicant, it is the ultimate responsibility of the local agency to remit the amount due. This can be remitted through normal methods, alternate methods agreed to by the WRCOG Committees, including but not limited to deduction from reimbursement requests submitted to WRCOG for eligible expenses on TUMF projects.

C. March Joint Powers Authority.
The March JPA shall not have a separate vote at the WRCOG Executive Committee as it has representation by elected officials from the County of Riverside and Cities of Moreno Valley, Perris, and Riverside. The Executive Director of the March JPA shall be a voting member of the WRCOG Technical Advisory Committee (TAC) and Public Works Committee (PWC) for TUMF Program items only. The March JPA is a unique partner in the TUMF Program in that it has land use authority and therefore will need to adopt and implement the TUMF Program in the same manner as the cities and county.

IV. Allocation of Funds.

After the administrative costs and MSHCP are allocated (as specified in Section IX herein), TUMF funds shall be distributed in accordance with WRCOG Executive Committee actions, the Nexus Study, this Administrative Plan and any future amendments thereto.

A. Allocation to Regional Transit Improvements. Of the TUMF funds received by WRCOG, 3.13% shall be allocated to the RTA for making regional transit improvements.

B. Allocation to Regionally Significant Transportation Improvements. Of the TUMF funds received by WRCOG, 45.7% shall be allocated to the RCTC for programming improvements to the arterials of regional significance on the Regional System of Highways and Arterials.

C. Allocation to Zones. Of the TUMF funds received by WRCOG, 45.7% shall be allocated to the five Zones for programming improvements to the Regional System of Highways and Arterials as determined by the respective Zone Committees. The amount of TUMF funds allocated to each Zone shall be proportionate to the amount of TUMF revenue generated from the zone.

D. Allocation to Mitigate TUMF Construction Projects. Of the TUMF funds received by WRCOG, 1.47% shall be allocated to the RCA to purchase habitat for the MSHCP, to mitigate the impacts of TUMF construction projects.

V. Administration of the Program.

WRCOG shall administer the TUMF Program as described in the enabling Ordinance adopted by participating jurisdictions and further defined in this Administrative Plan, 4% of TUMF funds received shall be allocated for WRCOG administration.

VI. Administration of Credits.

The TUMF Ordinance has a provision that if a developer constructs a TUMF facility, the developer will receive credit against the TUMF obligation for the project improvements, noting that only one applicant is allowed per credit agreement. An applicant cannot enter into a credit agreement after the TUMF Facility Improvements have been constructed. Please refer to the WRCOG TUMF Credit/Reimbursement Manual attached hereto as Exhibit F and incorporated in full as if set forth herein for the procedures in which credits are administered and issued for developers constructing TUMF improvements.

VII. Administration of Reimbursements.

Local jurisdictions/agencies and developers are eligible for direct cash reimbursement for construction of TUMF facilities in certain instances. The process for local agencies is different than for landowners/developers; the processes are described in the WRCOG TUMF Credit/Reimbursement Manual, attached hereto as Exhibit F and incorporated in full as if set forth herein.

VIII. Administrative Responsibilities.

A. Program Administration.

As set forth in Section II, WRCOG is designated as the TUMF Program Administrator. As Administrator, WRCOG shall receive all fees generated from the TUMF as collected by WRCOG or local jurisdictions and review applications for correct land-use type assessment and proper payment of TUMF. This may include review of site plans and building permits to confirm correct land-use type assessment. WRCOG shall invest, account for and expend such fees in accordance with the TUMF Ordinance and applicable state laws.

For jurisdictions that are not participating in the TUMF Program, the representative for that jurisdiction shall not be eligible to vote on any matter related to the TUMF Program that goes before the WRCOG TAC and WRCOG Executive Committee.

1. **The WRCOG Executive Director.** Reporting to the WRCOG Executive Committee, the Executive Director shall be responsible for the following TUMF Program activities:
   - **a.** Administration of the TUMF Program, including development of model credit and reimbursement agreements, fee collection process and processing Program appeals;
   - **b.** Conduct an annual audit to report on the evidence that the collection and expenditure of funds collected is in accordance with the Mitigation Fee Act. The audit shall be presented to the WRCOG Executive Committee

and made available to the public accordance with GC Secs. 66001 and 66005;

c. Establishment and management of the "TUMF Program Trust Fund" for the purposes of depositing TUMF revenues and income interest earned on Trust Fund deposits;

d. Preparation of an Annual Report for consideration by the WRCOG Executive Committee detailing the status of the TUMF Program including but not limited to fees collected and disseminated, capital projects planned for, prioritized, and built;

e. Preparation of periodic (no longer than 8 years) comprehensive TUMF Program review as required by the California Mitigation Fee Act. The review of the TUMF Program will include a review of the various Nexus Study inputs and assumptions, and preparation of recommendations on potential TUMF Program revisions for consideration by the WRCOG Executive Committee. Such reviews and updates may include, but are not limited to recommended fee adjustments based on changes in the facilities required to be constructed, and revenues received pursuant to the Ordinance;

f. Preparation of technical studies/analysis required to select and prioritize Regionally Significant Arterial projects;

g. Development of a five-year TIP that identifies projects that are scheduled and funded for construction over a specified period of time and is reviewed on an annual basis;

h. Development of a 5-year Expenditure Report that documents the expenditure of funds that identifies the purpose to which the fee is to be put, demonstrates a relationship and purpose for which the fee is being collected and identifies all sources and amount of funding anticipated to complete the financing of incomplete infrastructure facilities in accordance with California Government Code Sections 66000 et seq. for consideration by the WRCOG Executive Committee;

i. Provide and supervise staff support and coordination with each of the TUMF Zone Committees as necessary;

j. Other related activities as directed by the WRCOG Executive Committee;

k. Approve Zone and RTA TIP Administrative Amendments; and

l. Execute TUMF reimbursement agreements and amendments. WRCOG will require all TUMF agreements and documents to be digitally signed using DocuSign or a similar application. WRCOG will not accept "wet" signature on agreements..

2. **The WRCOG Executive Committee.** The WRCOG Executive Committee shall be responsible for reviewing and acting on the following:

a. Recommendations for project selection and prioritization of the Regionally Significant Arterials, and the TIP;

b. Review and possible approval of recommendations on projects from the Public Works Committee (PWC) and WRCOG TAC;

c. The approval of the TUMF Program Administrative Plan, *Nexus Study* and any subsequent amendments thereto; and

d. Recommendation of changes to the TUMF model Ordinance for consideration by participating jurisdictions.

In developing recommendations on Regionally Significant Arterials for consideration by the WRCOG Executive Committee, WRCOG staff and the Committee structure shall work with RCTC to coordinate compatibility with Measure A project priorities and schedules of area transportation improvements. WRCOG staff and the WRCOG Executive Committee shall also work with WRCOG jurisdictions and each Zone Committee for the same purposes.

For jurisdictions that are not participating in the TUMF Program, the WRCOG Executive Committee representative for that jurisdiction shall not be eligible to vote on any matter related to the TUMF that goes before the PWC, the WRCOG TAC and/or the WRCOG Executive Committee.

3. **The WRCOG Technical Advisory Committee.** The WRCOG TAC shall review and make recommendations to the WRCOG Executive Committee on the following:
    - **a.** Program updates and reviews and all supporting technical documentation;
    - **b.** Revisions to the Administration Plan, Nexus Study Fee Calculation Handbook and any other Program document;
    - **c.** Ordinance revisions; and
    - **d.** Annual fee adjustments.

    The WRCOG TAC shall also provide additional assistance to the TUMF Program as requested by the WRCOG Executive Committee. For jurisdictions that are not participating in the TUMF Program, the WRCOG TAC representative for that jurisdiction shall not be eligible to vote on any matter related to the TUMF Program that goes before the WRCOG Executive Committee or WRCOG TAC.

4. **The Public Works Committee.** The PWC shall be comprised of the Public Works Director or designee from each participating jurisdiction of WRCOG, RCTC, and RTA and shall be responsible for the following:

    - **a.** Providing technical assistance and guidance for program updates;
    - **b.** Developing objective criteria for project selection and prioritization including but not limited to the following factors: traffic safety issues potentially created by growth, regional significance, availability of matching funds, mitigation of congestion created by new development, system continuity, geographic balance, project readiness, and status of completion of projects with reimbursement agreements in place;
    - **c.** Providing additional assistance to the TUMF Program as requested by the WRCOG Executive Committee, RCTC and/or the WRCOG TAC and/or the Zone TAC;
    - **d.** Overseeing the preparation of the Administrative Plan, the TUMF Nexus Study, Fee Calculation Handbook;
    - **e.** Preparing the 5-Year TIP, which will be reviewed and amended annually as members of the Zone TAC;
    - **f.** Providing recommendations on the RCTC Regional Arterial TUMF Program of Projects as part of the Nexus Study update to the WRCOG TAC, WRCOG Executive Committee and RCTC;
    - **g.** Selecting a lead agency for each of the projects on the TIP;

h. Reviewing the Annual and Five-Year Reports prepared by WRCOG;
i. Revising the RSHA as may be necessary (at each Nexus Study update); and
j. Review and revise Unit Cost Assumptions of the RSHA as may be necessary (at each Nexus Study update).

B. Regional Arterial Administration.

RCTC through an MOU with WRCOG (effective October 1, 2008) is the responsible agency for programming and delivering the Regionally Significant Arterials designated under Measure A and defined in the Nexus Study as "backbone" projects. WRCOG and RCTC have established a committee structure that incorporates the Public Works Directors, City Managers the WRCOG Executive Committee, and the RCTC Board for the development, review and approval of the Regional Arterial TUMF Program of projects.

1. **The RCTC Executive Director.** The Executive Director shall be responsible for the following TUMF Program activities:

   a. Establishment and management of the "TUMF Program Trust Fund" for the purposes of depositing TUMF revenues and income interest earned on Trust Fund deposits;
   b. Development of the RCTC Regional Arterial TUMF Program that identifies regional projects for reimbursement that are scheduled and funded for construction by jurisdictions and developers over a specified period of time and is reviewed on an annual basis;
   c. Staff support and coordination with the TUMF Committees as necessary; and
   d. Other related activities as directed by the RCTC Board.

2. **The Riverside County Transportation Commission.** RCTC shall be responsible for reviewing and acting on recommendations for project selection and prioritization of the RCTC Regional Arterial TUMF Program. RCTC shall review and consider recommendations for the RCTC Regional Arterial projects on the "backbone" of TUMF Regional Arterial network.

C. Zone Administration.

Each Zone shall establish a committee structure, similar to Exhibit "A", for the purpose of preparing a Zone Transportation Improvement Program (TIP) with the TUMF revenue that has been returned to the Zone and develop policies that impact the Zone, such as how to close a funding shortfall in the Zone. The Zone TIP will be updated on an annual basis. The Executive Committee has determined that the 5-Year TIP shall be balanced to the most reasonable extent possible and that program shortfalls will need to be closed or projects could be reduced or eliminated from the TIP. Projects remaining on the TIP from the previous year's TIP may be subject for removal after significant inactivity as decided by the Zone TAC. The Zone TAC shall be responsible for prioritization of projects, selection of the lead agency for each project, and to review all the projects for consistency within the Zone.

Projects within the Zone TIPs can only receive funding up to the "maximum share" as established in the TUMF Nexus Study. Projects that see these shares reduced or eliminated in an update to the Nexus Study will have the previous studies maximum share applied throughout the life of the project.

All Zones shall approve their TIP by consensus and forward their recommendations to Executive Committee for review and approval to ensure compatibility with the other Zones and the Nexus Study. Once approved by the Executive Committee, project funding allocation may not be taken away from any project without approval by both the Zone Executive Committee and WRCOG Executive committee.

Zone dollars are to be allocated by the Zone TAC only and cannot be utilized or borrowed for projects located outside the zone unless such projects are: 1) proposed and approved by the Zone Committee and have a direct benefit to the Zone and 2) are consistent with the Nexus Study. In furtherance of this Section VIII.B, each Zone shall abide by the Guidelines set forth in Exhibit "C".

The Riverside County Transportation Improvement Plan approved by Riverside County voters on November 5, 2002 states "Funding which is not allocated to a city or county because it is not a participant in the TUMF Program in the Coachella Valley area and the TUMF and MSHCP in the Western County area shall be allocated to the Regional Arterial Program in the geographic area in which the city or portion of the county is located".

Each City and a portion of the unincorporated area of Riverside County are assigned to each of the zones. All cities are in only one zone and have one voting member for the Zone Committee. For unincorporated areas, the Board Member whose district resides in the zone will be the representative. As some zones include multiple supervisorial districts, only the two largest districts within the respective zones will have a voting member on the Zone Committee.

The five Zones are as follows:

1. Northwest Zone – The Cities of Corona, Eastvale, Jurupa Valley, Norco, Riverside and the County of Riverside, and the March JPA;

2. Southwest Zone – The Cities of Canyon Lake, Lake Elsinore, Murrieta, Temecula, Wildomar, and the County of Riverside;

3. Central Zone – The Cities of Menifee, Moreno Valley and Perris, and the County of Riverside, and the March JPA;

4. Pass Zone – The Cities of Banning, Beaumont and Calimesa, and the County of Riverside;

5. Hemet/San Jacinto Zone – The Cities of Hemet and San Jacinto and the County of Riverside.

D. Local Administration. In accordance with the TUMF Ordinance, the Amendment, and the Mitigation Fee Act, WRCOG shall deposit, invest, and expend the transmitted fees.

1. **Accruals.** The TUMF Program utilizes the five Zone 5-Year TIPs to allocate funding for projects, which are based on the amount of available revenue to each Zone as determined by carryover and projected funds. At fiscal year-end, any unspent funds remaining on the TIPs that are not identified and accrued do not automatically roll over and may not be available for programming the following fiscal year. It is necessary for jurisdictions to identify those unused programmed funds so that they can be carried over to the next fiscal year. If the funds are not accrued, WRCOG cannot release the funds to the jurisdiction until the following year when the TIPs are officially adopted.

2. **Annual Reviews.** On an annual basis, after the close of the Fiscal Year, WRCOG will conduct reviews of TUMF collections by participating jurisdictions. This review will include, but not be limited to, accounting of TUMF collections, building permit review, exemptions and credits awarded in addition to supplemental banking-related information to document that TUMF fees are correctly being collected and remitted to WRCOG. For exemptions or credits awarded by participating jurisdictions, supplemental support documentation will be required to demonstrate that the development project was correctly awarded an exemption or credit.

E. Information from Participating Jurisdictions Electing For WRCOG To Calculate And Collect TUMF.

Participating jurisdictions that have elected for WRCOG to calculate and collect the TUMF are responsible for providing WRCOG all necessary materials/information to calculate the TUMF prior to TUMF collection. WRCOG will conduct an annual review, which will consist of verification to WRCOG that calculation worksheets were completed for all building permits issued within a given time period. This will require member agency staff to submit a list of building permits issued during the time period requested. Participating jurisdictions that have delegated fee calculation and collection to WRCOG will not be required to submit monthly remittance reports to WRCOG.

F. Riverside Transit Agency.

In accordance with the Nexus Study 3.13% of funds received will be made available to the RTA to make capital facilities improvements for transit purposes as identified in the Nexus Study. The RTA shall provide a report to the WRCOG Executive Director each year, detailing its expenditures of TUMF Program funds received, as well as future commitments for transit facilities using TUMF Program revenues as determined by the RTA Board of Directors.

IX. Administrative Costs.

The TUMF Ordinance, as amended from time to time, authorizes WRCOG to expend funds generated from TUMF that are necessary and reasonable to carry out its responsibilities to implement the Program. The WRCOG Executive Committee adopted a series of policies that clarify the expenditure and retention of program funds for the Administration of the Program and they are as follows:

A. WRCOG will retain no more than two percent (2%) of the total TUMF Program revenue for administration salaries and benefits;

B. Administration costs will be budgeted at whatever is reasonable and necessary, but not to exceed four percent (4%) of the TUMF revenues collected (inclusive of the two percent administrative salaries and benefit cap) unless otherwise directed by the Executive Committee.

C. WRCOG will take the administrative component from the total credit given obtained on executed credit agreements. This will be done by reducing the available credit by the administrative component of the TUMF program.

D. For refunds, whether it is because the project is no longer going forward or expiration of building permits (where no construction has commenced), the applicant is entitled to a refund including the administrative component. Refunds will be processed based on available cash and will not take precedence over the projects identified as funded on the approved TIP. Refunds will however take precedence over the addition of new projects to the TIP.

X. Appeals.

Appeals shall only be made in accordance with the provisions of this Section X.

A. Persons or Entities Who Have Standing to Appeal. No person or entity shall have standing to avail themselves of this Section X, except those persons or individuals who are responsible for paying the TUMF and have an unresolved appealable issue or matter.

B. Appealable Issues and Matters. No issue or matter shall be heard or reviewed under this Section X unless the issue or matter is appealable. An issue or matter is appealable, if a qualified person or entity ("Appellant") has a good-faith dispute directly related to Appellant's Property ("TUMF Dispute") regarding (i) the amount of Appellant's TUMF obligation; (ii) the administration of TUMF Credits; (iii) exemption of Appellant's property from the TUMF Program; or (iv) administration of TUMF reimbursements.

C. Types of Appeals

1. The first type of appeal is a programmatic appeal. This would involve appeals towards exemptions, reimbursements, credit amounts where the applicant feels the program incorrectly assessed a fee or credit.

2. The second type of appeal is an appeal of the actual calculation of the TUMF. An applicant may appeal that the development's impact and TUMF fee is inconsistent with what is outlined in the Nexus Study.

a. This appeal would follow the following process:

- Applicant Submits Notice to Appeal Application Using Standard Form
- WRCOG Reviews Form and Notifies Applicant Within 2 Weeks of Submittal
    - Appeal Granted, no analysis needed. Calculation updated.
        - Applicant Pays Updated Fee
    - Appeal Denied due to incomplete form
        - Applicant revises/updates form, resubmits
    - Appeal Denied due to wrong justification
- Applicant withdraws appeal and pays fee
- Additional study is determined to be needed. No action on fee estimate
- WRCOG retains consultant to conduct traffic study
- WRCOG Pays Consultant for Study Through Existing Contract

- Consultant Calculates Fee Due
- Consultant completes traffic study. Copy provided to applicant and WRCOG
- Fee Comparison Outcome
    - If the fee is higher, applicants pay higher fee amount
    - If the fee is lower, applicants pay lower fee amount
- WRCOG Provides Proof of Payment through TUMF Portal To Agency and Applicant

C. Appeal Process.

1. If a qualified person or entity has a TUMF Dispute, he or she shall first attempt to resolve the dispute informally with WRCOG staff. The staff of the local jurisdiction may also participate in such discussions. If the TUMF Dispute remains unresolved after a reasonable attempt to address it at the local level, the qualified person or entity may submit a written appeal to the WRCOG Executive Director. The Appellant and the WRCOG Executive Director, or designee, shall attempt to resolve the issue within thirty (30) days of the WRCOG Executive Director's receipt of the appeal. At the conclusion of the thirty (30) day period, the WRCOG Executive Director shall render a written decision on the appeal. If the Appellant desires further review from WRCOG, the Appellant may submit a written request for review to the WRCOG Executive Committee chair.

2. After the written appeal is received by the WRCOG Executive Committee chair, the item shall be presented to the WRCOG Administration & Finance Committee for review. At the request of either WRCOG staff or the Appellant, the decision of the WRCOG Administration & Finance Committee shall be forwarded to the WRCOG Executive Committee for review and action. The decision of the WRCOG Executive Commission shall be final.

XI. Arbitration.

When there is a dispute among the Zone members that cannot be resolved and prevents the adoption of a TIP the matter shall be forwarded to the WRCOG TAC and WRCOG Executive Committee for a determination. Once the WRCOG Executive Committee takes action on the issue the decision is final.

If there is a dispute at the WRCOG Executive Committee level regarding project prioritization of a specific project(s) and a consensus cannot be reached, that project shall be tabled until such time as new information is presented, and the matter can be resolved. If funding is previously established on the TIP for the project, funding cannot be removed without approval from the WRCOG Executive Committee.

XII. TUMF Program Amendments.

WRCOG shall undertake a review of all components of the TUMF Program in accordance with Government Code Section 66000 et seq. and other applicable laws, and, if necessary, recommend Program amendments and/or adjustments. Amendments to the

Administrative Plan will be subject to the approval of the WRCOG Executive Committee. Amendments required to the TUMF Program Ordinance shall be approved by each participating jurisdiction, acting on recommendations provided by the WRCOG Executive Committee.

A. TUMF Network Revisions.

The TUMF Network is reviewed and revised at regular Nexus Study updates, with minor adjustments such as name changes, distances, and other errors that may be found from time to time occurring on a more frequent basis. However, there could be instances when demonstratable error occurs which need to be addressed. In these situations, where a change could have a significant effect on the overall cost of the network, WRCOG will make the change to the network and make revisions the Nexus Study provided it has no effect on the TUMF fee. If the fixing of an error does cause an effect to the fee, it would be necessary to make an adjustment to the network to balance the overall network cost.

For a jurisdiction to move a network component into the regional "backbone" arterial network will require approval of both the WRCOG and RCTC executive committees, as RCTC identifies and prioritizes funding on this network.

For new cities there would be an opportunity to review the TUMF Network with WRCOG staff to ensure that the Network identifies their priorities and allows them to make recommendations and to have the ability to swap out facilities. Any revision request must meet the criteria to be on the Network before the PWC considers the request.

Jurisdictions that need to add additional facilities must justify the addition by demonstrating that it provides continued regional circulation, meets the criteria to be on the TUMF Network, and does not provide an advantage to a specific land-use, community, developer/project for the purposes of TUMF credits or reimbursements. A jurisdiction must also must swap out another facility and demonstrate that the impacts mitigated in the swapped facilities are substantially similar to those impacts that would have been mitigated in the abandoned facilities.

The focus of this process is the ability to shift projects on the TUMF Network with the intent to incur minimal fiscal impacts to the Program fee and Nexus determination, rather than adding new projects that would have a far more significant effect on the Program fee and therefore would be more appropriately addressed during the regular Nexus Study reviews. The exception to this policy is the ability for newly incorporated cities to request new additions to ensure appropriate facilities are designated to address their individual city's needs.

The process requires the jurisdiction to submit written justification of the requested TUMF Network facility shift. Elements to be addressed in the written justification should include an explanation of the rationale for the proposed facility shift specifically explaining why the facility should be addressed as part of the TUMF Program and cannot be addressed as part of an equivalent local program, and verification that the proposed shift in facility does not unduly favor or disadvantage a specific developer or development interest. Proximity to areas of significant recent development activity (i.e. shifts in development patterns resulting in changes in transportation system impacts to be mitigated) and the net cost differential to the program following the facility adjustment are key elements to be addressed in the written justification. The written justification must also demonstrate that the impacts mitigated in the proposed facility shift are substantially similar to those impacts that would have been mitigated in the abandoned facilities.

The existing criteria contained in the TUMF Nexus Study for identifying facilities to be included in the TUMF Network was refined for the purpose of evaluating requests for TUMF Network Amendments. All requested Network adjustments will be evaluated based on key performance indicators consistent with the existing criteria contained in the TUMF Nexus Study. The criteria are "Exhibit C" of this Plan. Only facilities defined in a participating jurisdiction's General Plan Circulation Element (or equivalent document) as an arterial highway facility with a minimum four (4) lanes at build-out will be evaluated for inclusion in the TUMF Network.

XIII. CEQA.

The TUMF Program currently is a financing mechanism dependent on future actions of the WRCOG Executive Committee for improvements to the RSHA. WRCOG and its associated committees will be prioritizing and scheduling improvements on the RSHA, as such, the appropriate environmental documentation, shall be completed before a project can commence construction.

The TUMF Program was developed to mitigate the cumulative impacts of future growth on the RSHA. It was not developed to mitigate project-specific traffic impacts. Accordingly, the program does not relieve any development project of the responsibility to mitigate project-specific impacts identified in the environmental analysis prepared for the project. When a development project is required to construct RSHA facilities as project-specific mitigation, it shall be eligible for credit and or reimbursement.

EXHIBIT A
TUMF Decision-Making Process

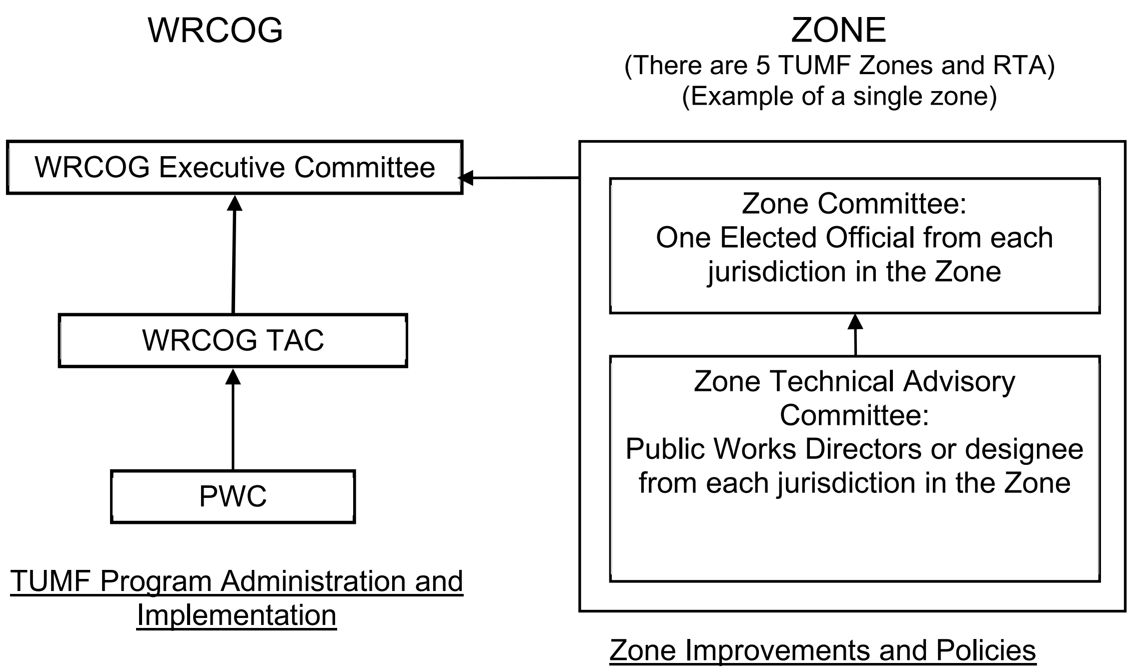

EXHIBIT B
Guidelines for the Administration of the Programmed Projects in the Zone's Adopted 5-Year TIP

Once each Zone's 5-Year Transportation Improvement Program (TIP) is adopted by the WRCOG Executive Committee, said TIPs shall be incorporated into and governed by these guidelines, the Administrative Plan, and the Nexus Study in accordance with AB 1600. Annually, WRCOG staff meets with the Zone Technical Advisory Committees to review the status of all programmed projects on the 5-Year TIPs and bring the subsequent project adjustment requests to the Zone Committees for approval. The goals of the annual review process are as follows: (i) to update project cost estimates; (ii) to review project status; (iii) to determine the continued viability of projects; (iv) review the backlog of reimbursement projects;(v) to address local jurisdiction issues; and (vi) address compliance with AB 1600.

Adjustments:

In accordance with the Nexus Study and the original reimbursement agreement entered into with the lead jurisdiction, all approved projects' funding and schedules are directly tied to critical milestones. As such, requests to change a project's funding or schedule shall necessitate an amendment to the original agreement and the adopted TIP.
Annual 5-Year TIP adjustments could include, but are not limited to:

- Scope of work reductions or additions;
- Project or phase delays;
- Project or phase cancellations;
- New shelf-ready network projects being added
- Project or phase advances; and

Levels of Approval:

A. Zone Committee/WRCOG Executive Committee

The following shall be approved by the Zone Committee and adopted by the WRCOG Executive Committee as required in the Administrative Plan:

1. Annual updates to the Zone TIP.

2. Requests to increase total TUMF funding allocations to projects on the Zone TIP. These requests may be made by the local jurisdiction administratively outside of the annual TIP update cycles if deemed necessary by one of the Zone participating jurisdictions and WRCOG management due to unforeseen circumstances that necessitate immediate action. Such unforeseen circumstances shall include, but not be limited to, higher than expected bid prices, TUMF as a Federal or State match, etc. WRCOG staff will obtain action from the Zone Committee in these cases either by calling for a Special Zone Committee meeting or through individual consultation.

3. Administrative requests to advance funds or adjust project schedules on TIP approved projects, upon the recommendation of the Public Works Committee. Such advancements are subject to:

- Jurisdiction's proof of readiness to move forward with project, and
- Zone's current cash flow can support the advancement or change.

B. WRCOG Executive Director

The WRCOG Executive Director shall be responsible for the review and approval of the following changes to an approved Zone TIP, including the review and approval of any agreements, for:

1. Change in Lead Jurisdiction, with the written consent of the transferring and accepting Lead Jurisdiction.

2. Cancellation of project upon request of the local jurisdiction. In the event of cancellation, all funds shall revert to the Zone TIP Trust account.

3. Approval of final completion of the project. Upon notification from the Jurisdiction that the Project has been completed, all unused funds programmed for that Project shall revert to the Zone TIP Trust account.

4. All other administrative requests, upon consultation with the Public Works Committee.

C. Public Works Committee

The Public Works Committee shall be responsible for the review and approval of the following:

1. Requests to move funds within project categories (environmental, design, etc.) administratively, contingent upon participating jurisdiction's certification of viability of all phases.

2. Provide recommendations to the WRCOG Executive Director on any other requests that are deemed administrative in nature by the Director.

D. Programming Funds

The TIP designates the amount of funding to be allocated to each zone's TIP based on two factors: 1) The balance of the Zone's TUMF account, and 2) the forecasted revenue for the next 5 years. The balance of the zone is from the zone's portion of all fees collected from development projects within that zone. This balance is used to pay reimbursements back to local agencies on their eligible projects in the TIP. The forecasted revenue is based on the trend of the previous 3 years in TUMF collections for that zone. Fee adjustments are factored into this projection.

This process establishes the total amount of funding in the zones that can be allocated to eligible improvements in the zone. Local agencies may request portions of this funding for their project's pre-construction and construction phases over the next five year period by phase and by year.

Agencies will always be able to administratively move funding from pre-construction to construction phases without the approval of the Zone Committee. Agencies can only move funding from construction to pre-construction with the approval of the zone. This is intended to keep the project in a deliverable state that does not overuse TUMF funding in pre-construction phases without remaining funds available for the construction phase.

Funding for a project programmed on Zone 5-Year TIPs is not considered obligated by WRCOG until certain steps outlined below have been implemented by the local jurisdiction.

1. Ensure that funding for the project phase is **programmed in the current year** of an adopted 5-Year TIP.
2. If the project falls under the limits of multiple jurisdictions, ensure that there is a signed Memorandum of Understanding (MOU) between agencies. This MOU should address an understanding of shared costs, scope of work, and agency responsibilities pertaining to the project. Project costs will be consistent with the adopted 5-year TIP.
3. Ensure that there is a **signed (executed) reimbursement agreement** that matches the funding amount with the funding amount of the project phase in the adopted TIP.
4. Submit **an invoice for TUMF eligible work** prior to the end of the fiscal year to obligate the project phase funding. At the time of submitting the first invoice, the project sponsor will be required to submit all necessary supporting documentation (not previously submitted) in accordance with the provisions of the reimbursement agreement.
5. WRCOG will obligate up to amount of the phase of the project if there is available revenue at the time the invoice is submitted.

If the first invoice has not been submitted to WRCOG within twelve months of the date of the executed agreement), there will be a review of the project status. Based on the review of project status, WRCOG will either:

i. extend the fund obligation for up to an additional twelve months if the project sponsor can demonstrate a realistic expectation that the project work will commence, and a first invoice is submitted within that time frame; or
ii. de-obligate the funds.

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EXHIBIT C
Criteria, Evaluations Thresholds

The following table summarizes the criteria, and evaluation thresholds for evaluating TUMF Network adjustment requests for approval.

Criteria	Evaluation Thresholds	Eligibility
Minimum	Less than 4 lanes	Not eligible
Future forecast traffic	Less than 20,000 vehicles per day	Not eligible
Future forecast	< 0.90 (LOS)	Not eligible
Regional Transit Facility	1 or more services	Potential eligibility if minimum traffic threshold not met
Net fiscal impact of TUMF Network adjustment	More than $1,000,000 cost addition	Must provide swapped out facility

EXHIBIT D
TUMF Program Definitions

For the purpose of the TUMF Administrative Plan, the following words, terms and phrases shall have the following meanings:

A. **"Class 'A' Office"** means an office building that is typically characterized by high quality design, use of high end building materials, state of the art technology for voice and data, on-site support services/maintenance, and often includes full service ancillary uses such as, but not limited to a bank, restaurant/office coffee shop, health club, printing shop, and reserved parking. The minimum requirements of an office building classified as Class 'A" Office shall be as follows: (i) minimum of three stories (exception will be made for March JPA, where height requirements exist); (ii) minimum of 10,000 square feet per floor; (iii) steel frame construction; (iv) central, interior lobby; and (v) access to suites shall be from inside the building unless the building is located in a central business district with major foot traffic, in which case the first floor may be accessed from the street to provide entrances/ exits for commercial uses within the building.

B. **"Class 'B' Office"** means an office building that is typically characterized by high quality design, use of high end building materials, state of the art technology for voice and data, on-site support services/maintenance, and often includes full service ancillary uses such as, but not limited to a bank, restaurant/office coffee shop, health club, printing shop, and reserved parking. The minimum requirements of an office building classified as Class 'B" Office shall be as follows: (i) minimum of two stories; (ii) minimum of 15,000 square feet per floor; (iii) steel frame, concrete or masonry shell construction; (iv) central, interior lobby; and (v) access to suites shall be from inside the building unless the building is located in a central business district with major foot traffic, in which case the first floor may be accessed from the street to provide entrances/exits for commercial uses within the building.

C. **"Development Project"** or **"Project"** means any project undertaken for the purposes of development, including the issuance of a permit for construction.

D. **"Gross Acreage"** means the total property area as shown on a land division of a map of record or described through a recorded legal description of the property. This area shall be bounded by road rights of way and property lines.

E. **"Habitable Structure"** means any structure or part thereof where persons reside, congregate or work and which is legally occupied in whole or part in accordance with applicable building codes, and state and local laws.

F. **"Industrial Project"** means any development project that proposes any industrial or manufacturing use allowed in the following Ordinance No.________ zoning classifications: I-P, M-S-C, M-M, M-H, M-R, M-R-A, A-1, A-P, A-2, A-D, W-E, or SP with one of the aforementioned zones used as the base zone.

G. **"Low Income Residential Housing"** means "Residential Affordable Units": (A) for rental housing, the units shall be made available, rented and restricted to "lower income households" (as defined in Health and Safety Code Section 50079.5) at an "affordable rent" (as defined in Health and Safety Code Section 50053),). Affordable units that are rental housing shall be made available, rented, and restricted to lower income households at an affordable rent for a period of at least fifty-five (55) years after the issuance of a certificate of occupancy for new residential development. (B) for for-sale housing, the units shall be sold to "persons or families of low or moderate income" (as defined in Health and Safety Code Section 50093) at a purchase price that will not cause the purchaser's monthly housing cost to exceed "affordable housing cost (as defined in Health and Safety Code Section 50052.5) Affordable units that are for-sale housing units shall be restricted to ownership by persons and families of low or moderate income for at least forty-five (45) years after the issuance of a certificate of occupancy for the new residential development.

H. **"Multi-Family Residential Unit"** means a structure with two or more legally independent residential dwelling units intended for human habitation.

I. **"Non-Residential Unit"** means retail commercial, service commercial and industrial development, which is designed primarily for non-dwelling use, but shall include hotels and motels.

J. **"Recognized Financing District"** means a Financing District as defined in the TUMF Administrative Plan as may be amended from time to time.

K. **"Residential Dwelling Unit"** means a building or portion thereof used by one (1) family and containing but one (1) kitchen, which is designed primarily for residential occupancy including single-family and multi-family dwellings. "Residential Dwelling Unit" shall not include hotels or motels.

L. **"Retail Commercial Project"** means any development project with the predominant use that proposes any retail commercial activity use not defined as a service commercial project allowed in the following Ordinance No. __________classifications: R-1, R-R, R-R-O, R-1-A, R-A, R-2, R-2-A, R-3, R-3-A, R-T, R-T-R, R-4, R-5, R-6, C-1/C-P, C-T, C-P-S, C-R, C-O, R-V-C, C-V, W-2, R-D, N-A, W-2-M, W-1, or SP with one of the aforementioned zones used as the base zone, which can include any eating/dinning facility residing on the retail commercial development premises.

M. **"Service Commercial Project"** means any development project that is predominately dedicated to business activities associated with professional or administrative services, and typically consists of corporate offices, financial institutions, legal, and medical offices, which can include a stand-alone eating/dining facility residing on the service commercial development premises.

N. **"Single Family Residential Unit"** means each residential dwelling unit development that is situated on one lot that shares no common wall, foundation, or other interconnection with another dwelling unit.

O. **"TUMF Participating Jurisdiction"** means a jurisdiction in Western Riverside County which has adopted and implemented an ordinance authorizing participation in the TUMF Program and complies with all regulations established in the TUMF Administrative Plan, as adopted and amended from time to time by the WRCOG.

P. **"Disabled Veteran"** means any veteran who is retired or is in process of medical retirement from military service who is or was severely injured in a theatre of combat operations and has or received a letter of eligibility for the Veterans Administration Specially Adapted Housing (SAH) Grant Program.

Q. Government/public buildings, public schools, and public facilities that are owned and operated by a government entity in accordance with Section G. subsection Iv of the model TUMF Ordinance. A new development that is subject to a long-term lease with a government agency for government/public buildings, public schools, and public facilities shall apply only if all of the following conditions are met:

(a) The new development being constructed is subject to a long-term lease with a government agency.

(b) The project shall have a deed restriction placed on the property that limits the use to government/public facility for the term of the lease, including all extension options, for a period of not less than 20 years. Any change in the use of the facility from government shall trigger the payment of the TUMF in effect at the time of the change is made.

(c) No less than ninety percent of the total square footage of the building is leased to the government agency.

(d) The new development is constructed at prevailing wage rates.

(e) A copy of the lease is provided to the applicable jurisdiction and to WRCOG.

(f) Based on the facts and circumstances, the intent of the lease is to provide for a long-term government use, and not to evade payment of TUMF.

R. **"Non-profit Organization"** means an organization operated exclusively for exempt purposes set forth in section 501(c)(3) of the Internal Revenue Code, and none of its earnings may inure to any private shareholder or individual. In addition, it may not be an action organization, i.e., it may not attempt to influence legislation as a substantial port of its activities, and it may not participate in any campaign activity for or against political candidates. For the purposes of the TUMF Program, the non-profit may be a 501(c) (3) charitable organization as defined by the Internal Revenue Service.

S. **"Long-Term Lease"** as used in the TUMF Program, a "long-term lease" shall mean a lease with a term of no less than twenty years.

T. **"Mixed-Use Development"** as used in the TUMF Program, means Developments with the following criteria: (1) three or more significant revenue-producing uses, and (2) significant physical and functional integration of project components.

U. **"Guest Dwellings"** and **"Detached Second Units"** according to the State of California legal definition as following: 1) The second unit is not intended for sale and may be rented; 2) The lot is zoned for single-family dwellings; 3) The lot contains an existing single-family dwelling; 4) The second unit is either attached to the existing dwelling and located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling; and 5) Are ministerially amended by each jurisdiction's local codes.

EXHIBIT E
TUMF Program Exemptions

The following types of new development shall be exempt from the provisions of the TUMF Administration Plan:

1. Low-income residential housing as defined in Exhibit D, Section G of the Administrative Plan.

2. Government/public buildings, public schools, and public facilities that are owned and operated by a government entity in accordance with Section Q of Exhibit D of the Administrative Plan and Section G. subsection Iv of the model TUMF Ordinance. Airports that are public use airports and are appropriately permitted by Caltrans or other state agency.

3. Development Projects which are the subject of a Public Facilities Development Agreement entered into pursuant to Government Code section 65864 *et seq*, prior to June 30, 2003, wherein the imposition of new fees are expressly prohibited, provided that if the term of such a Development Agreement is extended by amendment or by any other manner after June 30, 2003, the TUMF shall be imposed.

4. The rehabilitation and/or reconstruction of any habitable structure in use on or after January 1, 2000, provided that the same or fewer traffic trips are generated as a result thereof.

5. “Guest Dwellings” and “Detached Second Units” As defined in Exhibit D of the Administrative Plan and the TUMF Ordinance.

6. Additional single-family residential units located on the same parcel pursuant to the provisions of any agricultural zoning classifications set forth in the Municipal Code.

7. Kennels and Catteries established in connection with an existing single-family residential unit.

8. Any sanctuary, or other activity under the same roof of a church or other house of worship that is not revenue generating and is eligible for a property tax exemption (excluding concert venue, coffee/snack shop, bookstore, for-profit pre-school day-care, etc.)

9. Any nonprofit corporation or nonprofit organization offering and conducting full-time day school at the elementary, middle school or high school level for students between the ages of five and eighteen years.

10. New single-family homes, constructed by non-profit organizations, specially adapted and designed for maximum freedom of movement and independent living for qualified Disabled Veterans.

EXHIBIT F
TUMF Online Portal

The WRCOG TUMF operates through an online portal that may be accessed here. Upon arriving to the site, users, including project developers needing to calculate and pay the TUMF, will select “TUMF Explore” to begin the project information input process.
For jurisdictions listed below, the project information must be submitted directly to that jurisdiction's staff who will be inputting the information into the portal. Once the project record has been created in the portal, developers will be notified by email for updates of project status and the amount of the TUMF obligation.

- City of Jurupa Valley
- City of Moreno Valley
- City of Norco
- City of San Jacinto

For all other jurisdictions the project developer will follow these 7 steps to create an account and complete the project input online:

- Step 1: Select the participating jurisdiction from the menu and login. New users will need to register.
- Step 2: Locate the project using address or parcel number or by a point on the city’s map.
- Step 3: through 6: Complete project description form, including land use type, square footage, exemptions (if any), and special use categorization (if needed).
- Step 7: Payment of TUMF

At any time during the entry process the user may select “save draft and exit” and all information will be retained under the user’s login for each member agency where the developer may have entered a project. A number will be assigned to the project, which will be used as a reference for updates and any modifications.

Payments by credit card and e-check may be made via the portal. Please note that credit card transactions are subject to non-refundable fees.