TRI-VALLEY TRANSPORTATION COUNCIL
RESOLUTION NO. 2026-08

A RESOLUTION OF THE TRI-VALLEY TRANSPORTATION COUNCIL AMENDING THE TRI-VALLEY TRANSPORTATION DEVELOPMENT FEE (TVTDF) RATE SCHEDULE TO ADD REDUCED FEE AMOUNTS FOR TRANSIT PRIORITY AREA RESIDENTIAL CATEGORIES PURSUANT TO AB 3177

WHEREAS, the Tri-Valley Transportation Council (TVTC) was established through a Joint Exercise of Powers Agreement (JEPA) among the jurisdictions of Dublin, Livermore, Pleasanton, Danville, San Ramon, Alameda County, and Contra Costa County; and

WHEREAS, the Tri-Valley Transportation Council administers the Tri-Valley Transportation Development Fee (TVTDF) program to fund regional transportation improvements needed to mitigate traffic impacts generated by new development within the Tri-Valley Development Area; and

WHEREAS, the current TVTDF rate schedule is based on the 2020 Nexus Study and the Strategic Expenditure Plan adopted by the TVTC Board; and

WHEREAS, Assembly Bill 3177 (AB 3177), adopted in September 2024, amended the California Mitigation Fee Act to require agencies that impose transportation impact fees to establish a reduced fee for qualifying residential development located within a Transit Priority Area (TPA); and

WHEREAS, a Transit Priority Area is generally defined as an area within one-half mile of a major transit stop, and qualifying developments must meet additional statutory criteria related to parking supply and access to nearby retail uses; and

WHEREAS, TVTC retained Kimley-Horn and Associates to evaluate potential reductions in vehicle trip generation associated with residential development located within Transit Priority Areas in the Tri-Valley region; and

WHEREAS, the analysis concluded that while trip reductions within TPAs may vary based on the mix of land uses and development patterns, a reduction in the range of approximately nine percent to thirty-three percent could be supported by the analysis; and

WHEREAS, the analysis further concluded that a conservative reduction of ten percent (10%) could be justified for residential development located within Transit Priority Areas while maintaining the nexus relationship between development and the regional transportation improvements funded by the TVTDF program; and

WHEREAS, adding new residential land use categories for developments located within Transit Priority Areas will allow the TVTDF program to comply with the requirements of AB 3177 while maintaining the financial stability of the regional fee program; and

WHEREAS, in accordance with California Government Code section 66001, in approving the revised rates, the Tri-Valley Transportation Council makes the following findings:

(1) **Identify the purpose of the fee**. TVTC policy, as expressed through the TVTC Action Plan, is that new development shall contribute for mitigation of their impacts on Routes of Regional Significance and that the cost sharing of recommended improvements will be implemented through the TVTC Development Fee regional impact fee program. Fees collected through the TVTDF program are used to fund improvements to transportation infrastructure required to accommodate and mitigate the impacts of new development. The new reduced fees for land use categories for single family residential TPA and multi-family residential TPA are being added pursuant to the requirements of AB 3177 which requires that residential developments within transit priority zones be charged a lower fee amount than residential developments outside of these zones to reflect the lower trip generation that is likely to occur when development occurs near major transit stops.

(2) **Identify the use to which the fee is to be put**. The fees collected from these new fee single family residential TPA and multi-family residential TPA categories will be used to fund transportation infrastructure improvements identified in the Strategic Expenditure Plan consistent with the fees collected from other types of land uses identified in the TVTDF fee schedule.

(3) **Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed**. Based on the analysis in the 2020 Nexus Study and the Kimley-Horn analysis, new development projects, including those within TPA zones, within the Tri-Valley will generate additional trips which will impact the transportation system in the region, including on Routes of Regional Significance. However, new single family and multi-family residential developments within TPAs are expected to generate a lower number of trips than developments outside of TPAs. Consequently, while there is a reasonable relationship between the use of fees for the construction of transportation infrastructure projects necessary to mitigate the impacts caused by all new development projects, new developments projects within TPAs generate a lower amount of impacts and thus, should be responsible for a lower fee contribution.

(4) **Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed**. The need for planned projects is based on the forecasted increase in congestion on Routes of Regional Significance, as well as other transportation impacts resulting from new development. The 2020 Nexus Study analyzed the contribution by each land use type based on the proportion of average AM/PM trips generated by each land use type. The Kimley-Horn analysis determined that new development within TPAs generates a lower amount of trips. There is a reasonable relationship between the need for planned

projects and new residential development projects in TPAs because these new projects will generate additional trips, albeit at a lower rate than new development outside of TPAs, and the planned projects funded by fees imposed on single family residential TPA and multi-family residential TPA developments will mitigate those transportation impacts.

(5**) Determine there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed**. The 2020 Nexus Study demonstrates that there is a reasonable relationship between the amount of the proposed fees and the cost or portion of the cost attributable to the development on which the fees are imposed because each land use category's share of the total trips generated was multiplied by the applicable project costs and then divided by the total number of units, square feet or trips that will occur within the development horizon. As supported by the Kimley-Horn analysis, single family and multi family residential projects in TPAs are proposed to be charged a lower rate to reflect the lower trip generation occurring within TPAs as compared to new development outside of TPAs. Thus, by imposing a lower fee rate for single family and multi-family residential projects in TPAs, there is a reasonable relationship between the amount of the fee and the portion of planned projects attributable to single family and multi-family residential projects in TPAs. Further, the TVTDF is set well below the maximum justified fee rate and thus, the amount of the fees for both new development within and outside of TPAs is lower than the actual costs attributable to new development.

WHEREAS, Section 3.d.i. of the Joint Exercise of Powers Agreement requires approval by at least six TVTC member agencies to adopt or amend the Strategic Expenditure Plan or modify the TVTDF fee structure.

NOW THEREFORE BE IT RESOLVED THAT the Tri-Valley Transportation Council hereby, by a supermajority of six (6), amends the Tri-Valley Transportation Development Fee (TVTDF) rate schedule to add the following residential categories applicable to qualifying development within Transit Priority Areas:

Single Family Residential (Transit Priority Area):	$6,476.46 per Dwelling Unit (DU)
Multi-Family Residential (Transit Priority Area):	$3,818.48 per Dwelling Unit (DU)

and be it further,

RESOLVED that these rates represent a **ten percent (10%) reduction** from the existing TVTDF residential rates and shall apply only to residential developments that meet the eligibility requirements established in AB 3177 and such 10% reduction is appropriate considering that TVTDF rates are set well below the rates justified for all land use types within the Nexus Study; and be it further

RESOLVED that TVTC staff shall notify all member agencies of the updated fee schedule and direct agencies to apply the Transit Priority Area residential fee categories to qualifying development projects consistent with the requirements of AB 3177.

PASSED, APPROVED AND ADOPTED at the meeting of July 20, 2026, by the following votes:

AYES: **Haubert, Andersen, Wang, Testa, Rubio, Josey**

NOES: **None**

ABSENT: Morgan

ABSTAIN: None

Signed by:

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David Haubert, Chair
Tri-Valley Transportation Council

ATTEST:

Signed by:

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Maritoni Maravilla, TVTC Administrator