

three years of the issuance of the first building permit for a development project, or within five years of the first grading permit for said development project, whichever occurs first, any necessary improvements to transportation facilities, as defined by the intersection of two arterial highways on the County of Orange Master Plan of Arterial Highways (MPAH), to which the project contributes measurable traffic, are to be constructed and completed to attain level of service "D" at the intersections.

Intersections exempt from the above paragraph include facilities under the jurisdiction of another City/County or the State or those included on the Deficient Intersection List established pursuant to this Element. However, it is the policy of the City of Villa Park that all development contributing measurable impacts to intersections on the Deficient Intersection List and all projects contributing cumulatively, or individually, 10% or more of the traffic using an intersection will be assessed a mitigation fee determined by the involved jurisdictions and locally administered as a part of the Capital Improvement Program.

Achievement of the adopted level of service standard and implementation exacted transportation improvements shall take into consideration extraordinary transportation circumstances which may impact identified intersections and/or timing of the required improvements. An example of extraordinary circumstances would be when arterial roadways serve as substitute freeway access (thus impacting LOS performance) while planning and construction of additional freeway improvements are underway.

- All development projects shall participate in comprehensive public facilities financing plans as established by City Council as a condition of development approval except where an increased level of participation exceeding these requirements is established through negotiated legal mechanisms.