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CHAPTER SIXTEEN: IMPLEMENTATION

16.1 INTRODUCTION

This chapter summarizes Master Plan provisions related to public services and states both the Plan Description and Implementation Measures for SP II.

The MHCSD has authority to provide various public services at Mountain House, while San Joaquin County has authority over land use planning, the administration of justice, the provision of human services, and integrated waste management. The Tracy Rural Fire Protection District will perform initial fire protection duties under contract to the Community Services District.

16.2 PUBLIC SERVICE AND INFRASTRUCTURE PROVISIONS

Master Plan Summary

The Master Plan establishes a framework for public services to provide Mountain House residents with urban services and facilities in a cost-efficient manner that does not have adverse fiscal impacts on the County. To provide an adequate urban level of public services for Mountain House residents, annexation into the MHCSD will be required for all new development in the Mountain House community, with the exception of Preliminary Maps. As a condition of a development permit, land zoned Agriculture-Urban Reserve may or may not be required to annex to the MHCSD, at the MHCSD's discretion.

Public services will be provided in a manner consistent with the Public Financing Plan and the Master Plan. The County will ensure that the actions of the MHCSD are consistent with County plans, policies, standards, ordinances and programs relative to Mountain House. Agreements regarding public services for Mountain House will be consistent with the applicable Master and Specific Plan provisions.

Permanent civic and public administration buildings will be located in the Town Center.

Plan Description

The Specific Plan II and associated implementing projects are required through various Community Approvals to include as applicable all required public facilities and services on a fair share basis with all other developments within the community per the Master Plan, various Plans and Programs and related MHCSD requirements. Services include the plans for funding and/or construction of the following:

- The second permanent Fire Station. (MHCSD Development Fees, PLEP Dedications),
- MHCSD community, administration and operations related facilities including the MHCSD Administration Building, Corporation Yard, Library, and transit facilities,
- Funding and/or construction of all associated Neighborhood Parks,
- Funding and/or construction of all associated Community Parks,
- Funding and/or construction of the Old River Regional Park facility,
- Funding and/or construction of the permanent improvements of the Mountain House Creek corridor north of Neighborhood G,
- The dedication of all associated K-8 school sites to the Lammersville Unified School District for the District's construction of the facilities, pursuant to the Mitigation

Agreement between the District and Trimark. Specific triggers for the timing of construction are dictated by the Lammersville District,

- Funding for any required MHCSO Operations and or maintenance facilities, as required by applicable agreements with the MHCSO,
- Water and Wastewater Treatment Plant expansions, as may be required by the MHCSO,
- The extension of oversized water, sewer, and storm drain facilities to the Specific Plan II areas,
- Improvements of various phased portions of either permanent or temporary Community Arterial Roadways, including traffic signals and other related facilities,
- Construction of any necessary interim storm protection facilities as may be required by the MHCSO, and
- The provision of all MHCSO required electric, gas, and telecommunications services.

All provision and timing of construction of community infrastructure will ultimately be determined in accordance with Community Approvals, including the Master Specific Plan, Public Financing Plan, MHCSO Development Fee Ordinances, and various implementing finance and facility agreements between the Master Developer and the MHCSO, the County and the Lammersville Unified School Districts.

In accordance with the County's Mountain House Public Land Equity Program and Ordinance, the Tentative Map proposals will include the delineation of a series of public land areas including roadways, entry monument areas, K-8 School sites, Neighborhood, Community and Regional Park sites, Public Facility sites, the Mountain House Creek corridor, and other drainage related open space improvements. This delineation may be modified during the application review and approval process, as well as the subsequent Final map process when specific engineering plans are performed.

A detailed PLEP Application, including calculations and a specific map showing the various PLEP areas will be submitted under separate cover. The analysis of PLEP land calculations indicates that the proposed dedications of PLEP lands will generate a surplus of public lands beyond the requirements in the County Ordinance. It is the intent of Trimark to request a land credit voucher through the MHCSO to be used as future PLEP credits with future subdivision maps.

SPII Implementation Measures

1. **MHCSO Public Service Provision Requirements.** All implementing projects shall comply with the applicable provisions of the MHCSO Plans, Programs and Ordinances.
2. **MHCSO Annexation and Cost Reimbursement Requirements.** All implementing projects shall comply with the applicable provisions of the MHCSO Annexation Ordinance and other applicable Reimbursement Policies, Programs and Ordinances.
3. **County Cost Reimbursement Requirements.** All implementing projects shall comply with the applicable provisions of the San Joaquin County Master Specific Plan and Specific Plan II Cost Reimbursement Ordinances.

4. **County Public Land Equity Ordinance Requirements.** All implementing projects shall comply with the applicable provisions of the San Joaquin County Public Land Equity Program and Ordinance.
5. **Exemptions to CSD Annexations.** Those lands improved with existing structures as generally cited in Section 3.2.4: Pre-Existing Land Uses Within the Mountain House Community Boundaries, of the Master Specific Plan shall not be obligated to annex to the CSD unless they elect to join the CSD in order to obtain a higher level of services, in which case, a Will-Serve Letter from the CSD shall be required as part of the development application submittal. Lands zoned Agriculture-Urban Reserve shall not require a Will-Serve Letter for application submittal and may or may not require annexation to the CSD.
6. **MHCSD/County/Developer Agreements.** All implementing projects shall comply with the applicable requirements of the Public Financing Plan and Technical Report, Master Acquisition and Reimbursement Agreement between the MHCSD and Trimark Communities, Master Plan Development Agreement between San Joaquin County and the Master Developer, MHCSD Capital Improvement Program, and applicable development fee Ordinances.
7. **MCSD and BBID Annexation.** Prior to the approval of Final Maps, excluding “Preliminary Maps”, the area contained within such map areas shall first be annexed for service to both the MHCSD and BBID.

16.3 SPECIFIC PLAN AMENDMENTS

Proposed changes to a specific plan typically require approval of a Specific Plan Amendment (SPA). Specific Plan Amendments are processed in the same manner as the initial Specific Plan adoption, requiring review by the Planning Commission and action by the Board of Supervisors.

Minor Revisions

It is anticipated that the Specific Plan II may need to respond to changing conditions and expectations during the course of its implementation. To address this intent, Specific Plan II provides for Minor Revisions to the Specific Plan in addition to typical Specific Plan Amendments. The Community Development Director shall determine whether a proposed revision is minor and may be acted upon as a minor revision to the Specific Plan administratively.

A minor revision to the Specific Plan may be processed if it is determined by the Community Development Director to be in substantial conformance with:

1. The San Joaquin County General Plan;
2. The Mountain House Master Plan;
3. The Planning Principles and overall intent of Specific Plan II;
4. The applicable development agreement(s);
5. Applicable Environmental Impact Report or subsequent CEQA performed for the project.

Examples of minor revisions to the Specific Plan include, but are not limited to:

- The addition of new or updated information that does not substantively change the Specific Plan;
- Minor adjustments to land use boundaries and street alignments where the integrity of the general land use and circulation pattern is maintained; and
- Changes to the provision of public infrastructure and facilities that do not impact the level of service provided or affect the development capacity in the Plan Area.

Determinations and actions by the Community Development Director related to the suggested minor revisions may be appealed to the Planning Commission. The determinations made by the Community Development Director shall be documented and on file with the Planning Department. If the Community Development Director determines that a proposed amendment does not meet the above criteria, a Specific Plan Amendment (SPA) shall be required.