

CHAPTER SIXTEEN: IMPLEMENTATION

16.1 Introduction

This Chapter summarizes Specific Plan provisions related to implementation of public services and infrastructure within Mountain House and Specific Plan III (SP III). The chapter proceeds to address how SP III implements the Master Plan development program for its planning area and phases in the necessary public infrastructure and services to support development.

16.2 Public Service and Infrastructure Provisions

16.2.1 Master Plan Summary

The Specific 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. Public services shall be provided in a manner consistent with the Public Financing Plan and the Master Plan. The County shall ensure that the actions of the Mountain House Community Services District (MHCSD) are consistent with County plans, policies, standards, ordinances and programs relative to Mountain House. Agreements regarding public services for Mountain House shall be consistent with the applicable Master and Specific Plan provisions. The civic and public administration buildings will be located in the Town Center.

To provide an adequate urban level of public services for Mountain House residents, annexation into the MHCSD shall be required for all new development in the Mountain House community. Those lands improved with existing structures shall not be obligated to annex to the MHCSD 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 MHCSD shall be required as part of the development application submittal. 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. If annexation to the MHCSD is required, it shall be completed prior to establishment of the use, issuance of building permit, or recording of a map, whichever occurs first.

16.2.2 Specific Plan III Description

Public services and infrastructure to serve development within SP III is described in Chapters 5, 6, 7, 8, 9, 12, 13 and 15. The public services and infrastructure described in these chapters will be provided or constructed in four main phases over 10 years according to the phasing plan for SP III. Figure 16-1: Phasing Plan, shows the areas of development slated for phased development from 2005 to 2015.

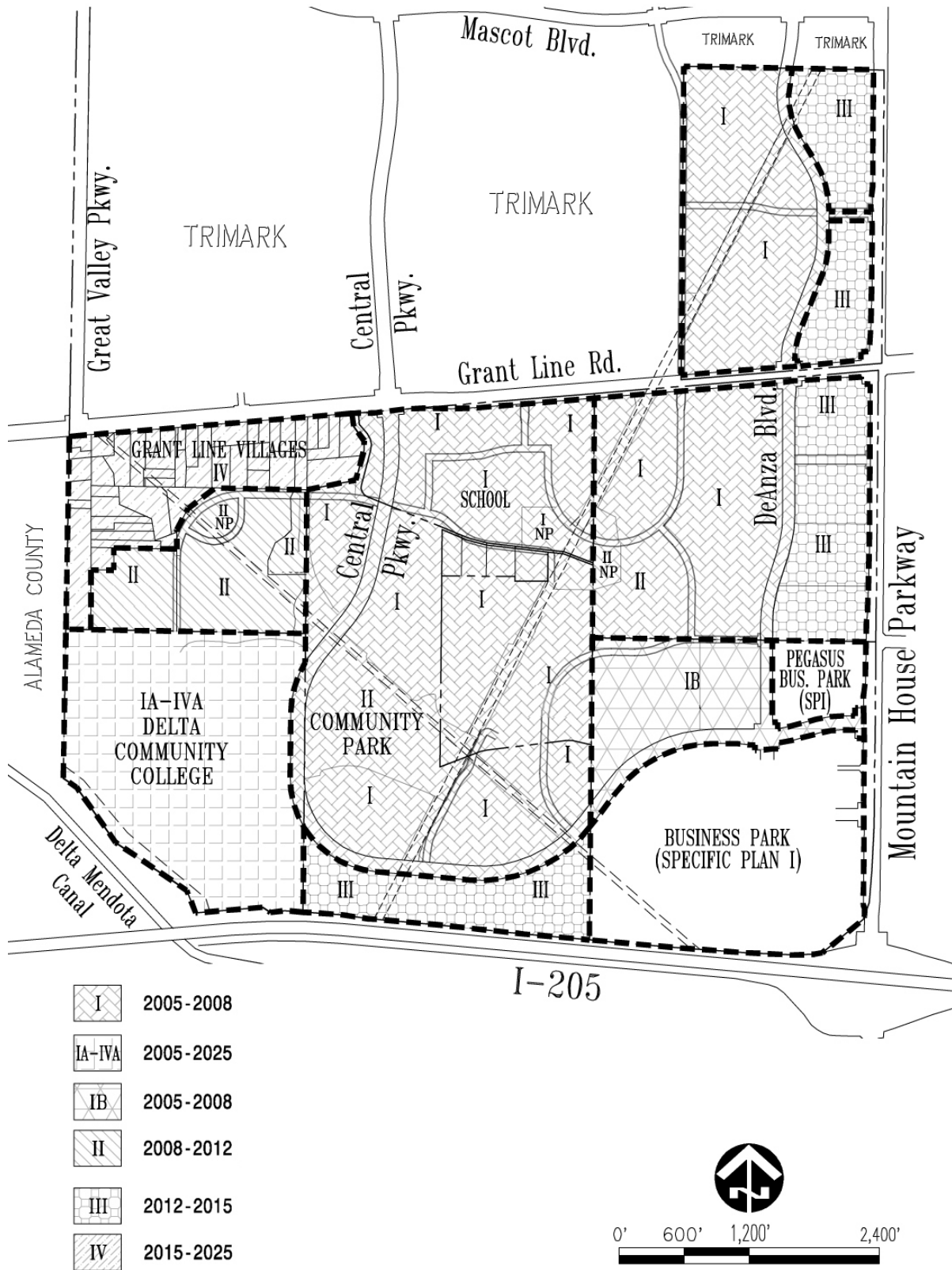


FIGURE 16-1: PHASING PLAN

The MHCS D provides a range of municipal services at Mountain house, including recreation, utilities and facilities maintenance; while San Joaquin County provides land use planning, criminal justice, human services, and police protection under agreement with the MHCS D. The Tracy Rural Fire Protection District provides fire protection services under contract to the MHCS D.

The provision and funding of public services at Mountain House are summarized in Table 16-1: Service Provision. As shown in Table 16-1: Service Provision, the MHCS D will provide services to the residents and businesses of SP III, and annexation into the MHCS D is required for the provision of services, including connection to the utility services provided by the MHCS D.

No net funds will be required from County general fund or any enterprise funds to finance any operations and maintenance of infrastructure or public facilities at SP III. A fiscal impact report assesses the impact of development of SP III on the County's general fund. See Appendix ___ (not determined yet). The MHCS D will evaluate the fiscal impact of SP III on the MHCS D and ensure that the fees set for other parts of Mountain House will be sufficient for SP III. As of December 2004, the fee stood at \$39.41 per 100 square feet of structure and \$6.86 per 100 square feet of land on residential property for parcels under 6000 square feet and \$1.09 per 100 square feet for parcels over 6000 square feet. The MHCS D conducts fiscal analysis for the entire Mountain House community on an ongoing basis to ensure that MHCS D revenues are sufficient to provide the required services to Mountain House, and adjusts the fees accordingly.

A variety of public and capital facilities will also be required to support the development of SP III and enable it to achieve a balance of convenience, civic life, housing diversities and the many other development objectives outlined in this Specific Plan. The majority of the land to be developed in SP III is currently farmland, and therefore has no utility infrastructure or other improvements necessary for development. Connections to utility providers are being provided as part of the overall Mountain House development, and the developers of SP III will pay a fee for annexation into the MHCS D to allow connection to utilities. Development also necessitates a complete road network to allow easy access to all parts of SP III and connections to other parts of the Mountain House Master Plan. The plan also calls for a large Community Park that will serve not only SP III but neighboring areas in Specific Plans I and II, as well.

All public infrastructure necessary for development of SP III will be provided from the resources of the project. Some facilities, such as roads, parks, and utility transmission facilities, will be constructed with funds internal to the project. The required funds will come from a number of potential sources, including infrastructure bonds, private capital, funding obtained through rates and fees, fee credits and grants and tax credits. Once the infrastructure and development plans are finalized, a financing plan will be prepared that will detail the sources and uses of funds for the specified capital improvements and amenities. The financing plan will also match the availability of funding to project needs over time through a phasing plan.

Table 16-1: Service Provision

Municipal Service	Provider	
	Management and Funding	Actual Provider
General Government		
Governing Body	County of San Joaquin/ MHCSD	County of San Joaquin/ MHCSD
Administration	County of San Joaquin/ MHCSD	County of San Joaquin/ MHCSD
Legal	County of San Joaquin/ MHCSD	County of San Joaquin/ MHCSD
Clerk/Finance	County of San Joaquin/ MHCSD	County of San Joaquin/ MHCSD
Public Protection		
Law Enforcement	County of San Joaquin/MHCSD	San Joaquin County Sheriff
Traffic Control	County of San Joaquin/MHCSD	San Joaquin County Sheriff
Accident Investigation	MHCSD	California Highway Patrol
Fire Protection	MHCSD	Tracy Rural Fire Protection District
Animal Control	County of San Joaquin	Count of San Joaquin
Community Services		
Recreation Programs	MHCSD	MHCSD
Local Parks/Recreation Facilities	MHCSD	MHCSD
Regional Park Services	County of San Joaquin	County of San Joaquin
Library	County of San Joaquin/ MHCSD	City/County Library System
Public Works/Public Utilities		
Streets and Highways	MHCSD	MHCSD
Domestic Water	MHCSD/Rate Payers	MHCSD
Wastewater Treatment/Disposal	MHCSD /Rate Payers	MHCSD
Solid Waste Management/Disposal	MHCSD /Rate Payers	County of San Joaquin
Flood Control	MHCSD	MHCSD
Road & Local Drainage Maintenance	MHCSD	MHCSD
Drainage	MHCSD	MHCSD
Street Lighting	MHCSD	MHCSD
Public Education		
K-9 Grade Levels	Lammersville School District	Lammersville School District
High School	Tracy Unified School District	Tracy Unified School District
Other Services		
Electricity	MHCSD/Rate Payers	MHCSD/MID
Gas	MHCSD/Rate Payers	MHCSD/PG&E
Cable Television	User	MHCSD/Charter Communications

Other public facilities that are not located within SP III but have been constructed in part to serve SP III, such as the water and wastewater treatment plants and associated pipes and facilities, will be constructed in part with funds from SP III through payments to the MHCSD.

Details of the costs of infrastructure and public facilities necessary for SP III are presented in Table 16-2: Uses of Funds for Capital Improvements and Public Facilities. These costs are currently estimated to total \$125.5 million. The costs include:

- Roads
- Community Parks
- Regional Park
- Open Space Corridors
- Utility Transmission Facilities, such as water, wastewater and storm water lines

The majority of public infrastructure improvements will be financed through private financing obtained by developers and landowners at SP III and assessment bonds or other public finance secured by property tax revenue. Some facilities, such as utility infrastructure, will be constructed with funds from the utility provider, which in turn are financed through connection charges, development fees and rates charged to end users. Some capital facilities have also been constructed by the MHCSD. Table 16-3: Sources of Funds for Capital Improvements and Public Facilities, summarizes the sources of funds anticipated for the capital improvements detailed in the Specific Plan, which total \$125.5 million. The bulk of the funding, approximately \$64.2 million, will come from private financing. An additional significant source of funding will be fees collected for traffic mitigation and infrastructure constructed elsewhere at Mountain House, as shown on Table 16-3: Sources of Funds for Capital Improvements and Public Facilities. As the financing plan is developed and the details of public financing mechanisms finalized, an additional analysis will be conducted to ensure that the total fees, assessments and taxes on the project do not render the project economically infeasible.

16.2.2.1 Schools

A total of two K-8 schools are designated within SP III, both in Neighborhood A/B. These schools will be owned and operated by the Lammersville Elementary School District (LESD). A high school will be constructed in Neighborhood D outside the SP III boundary. The high school will be owned and operated by the Tracy Unified School District. Funding and provision of school sites, facilities and services shall maintain pace with development and enrollment on a neighborhood basis according to the school funding agreements between the school districts and the developers within SP III. Timing requirements for phased provision of new school facilities shall be tied to residential development, enrollment experienced, and projected enrollment equaling a percentage of the ultimate school design capacity as approved by the School District. Phased permanent core facilities and classrooms may also be supplemented by relocatable classrooms according to State and School District standards and needs.

Table 16-2: Uses of Funds for Capital Improvements and Public Facilities

Cost Category	Amount
Infrastructure	
Water System	\$3,872,386
Streets	\$14,332,082
Storm	\$6,300,906
Sewer	\$1,567,157
Joint Trench/BBID Undergrounding	<u>\$5,357,948</u>
Subtotal	\$31,430,479
Public Facilities and Regional Fees	
Community Facilities Fee (1)	\$16,628,219
Regional Transportation Fee (1)	\$33,675,023
San Joaquin County Traffic Impact Fee	\$6,567,066
Schools (2)	\$0
Open Space Landscaping	\$2,286,764
Parks	\$18,318,010
Public Facilities (3)	<u>\$5,193,712</u>
Subtotal	\$82,668,795
Contingency	10.00% \$11,409,927
Total	\$125,509,201

(1) Fee Estimates Scaled up by acreage from estimates prepared for Kamilos Development.

(2) Schools assumed funded from CFD.

(3) CSD Facilities, Police, Fire, Capital Equipment, etc.

Sources: MacKay & Soms; Lynn Sutton; Economic & Planning Systems, Inc.

Table 16-3: Sources of Funds for Capital Improvements and Public Facilities

Source	Amount (5)
Private Capital (1)	\$64,192,137
Rate-based utility financing (2)	\$5,983,497
Public Financing (3)	TBD
MHTIF (4)	\$37,042,526
MHCSD Fees (4)	\$18,291,041
PLEP Credits	<u>\$0</u>
Total	\$125,509,201

- (1) Private financing and land sales proceeds
(2) Financing will be based on utility rates.
(3) Bond proceeds less closing costs and debt service reserve. Amount TBD.
(4) These fees will be paid by developers as a condition of annexation/building permit.
(5) Includes 10% contingency.

Sources: Mountain House Community Services District, Economic & Planning Systems, Inc.

A detailed breakdown of school facility costs and phasing assumptions is provided in the Public Financing Plan (PFP). Operational costs for schools serving Mountain House will be the responsibility of the School Districts. The costs of school planning and construction will be funded by new development, largely through annexation into the Community Facilities District already created for that purpose in the rest of Mountain House, but may be decreased by revenues obtained from the State and other sources. Initial K-8 planning costs shall be advanced by the developers, subject to subsequent reimbursement.

Although subsequent mitigation agreements with School Districts will determine specific mitigation and phasing requirements, the following shall be targets for phased openings of each new K-8 school as determined by the School District:

- a. Opening Phase 1 of each additional new K-8 when the most recently opened K-8 is near capacity.
- b. Opening of Phase 2 of each additional new K-8 when it nears capacity or when there are approximately 600-700 students on each new Phase 1 site.

16.2.2.2 Parks

A variety of parks and open spaces occur within SP III including a Community Park , two Neighborhood Parks, open space corridors and open spaces within residential areas. Parks will be

a central feature in each residential neighborhood and in the planning area as a whole. Therefore, park development will occur on a continual basis as growth takes place to keep up with, or precede, the demand from residents.

The Community Park will be developed in phases. The initial grading and landscaping of the park will take place at the same time as adjacent residential areas are developed. Facilities within the park will be constructed as demand arises or as specified by the MHCS D consistent with its Parks, Recreation and Leisure Plan. Additional, joint use facilities provided by the community college will be provided as the community college is constructed consistent with agreements between the college district and the MHCS D.

All Neighborhood Parks are scheduled for development to commence half-way through the residential development of each neighborhood. The initial grading and landscaping of the Neighborhood Parks will take place at the same time as adjacent schools or residential areas are developed. Facilities within the Neighborhood Parks will be constructed as demand arises or as specified by the MHCS D consistent with its Parks, Recreation and Leisure Plan.

Open space areas will be provided as adjacent development proceeds. Maintenance of public parks and recreational facilities will be provided by the MHCS D. Open space areas not dedicated to the MHCS D will be maintained through developer or homeowner agreements with the MHCS D, by a maintenance district or homeowners association.

All In-tract landscaping and utility right of way areas and all other landscape areas that were not in the original Master Plan as defined by MHCS D within SP III will require a funding mechanism. These areas will require establishment of a maintenance entity or financing mechanism acceptable to the MHCS D to provide funding for maintenance of, and if necessary, replacement at the end of the useful life of improvements. These improvements include, but are not limited to, landscaping, pathways, walls, and all improvements serving or for the special benefit of SP III. The financing mechanism shall be completed and adopted by the Board of Directors prior to the filing of the Final Map.

16.2.2.3 Storm Drains

Storm drainage and flood protection facilities will be constructed at the same time as the streets and other major infrastructure and will be maintained by the MHCS D. A maintenance and operation plan for the detention basin and flood protection facilities shall be prepared and accepted by the MHCS D prior to the approval of the first final map in Neighborhood A/B. Maintenance personnel, vehicles, and equipment may be shared with other facility maintenance crews to achieve staffing efficiency and cost reductions. These maintenance costs have been incorporated in the fiscal analysis presented in the PFP and the MHCS D Fiscal Analysis.

16.2.2.4 Energy and Communications

Electrical power distribution will be installed on an as-needed basis as part of the on-site roadways. The initial service line extensions will require accelerated planning and construction to coincide with the start of residential development.

Natural gas will also be provided on an as-needed basis as part of the on-site roadways. However, the relocation of the existing gas line from Mountain House Parkway to Central Parkway will require detailed planning and phasing. Telecommunications will also be provided on an as-needed basis and will be developed along with on-site roadways.

16.2.2.5 Potable Water

The water treatment plant (WTP) north of Byron Road will be expanded to accommodate the projected demand of development within the planning areas of Specific Plans II and III. The existing WTP has a capacity of 3.0 mgd, and at full build-out will have a capacity of between 17.1 mgd and 20 mgd. One or two more phased expansions will be needed to bring the plant to its planned full build-out capacity. Storage tanks are assumed to be phased in three increments after the first Specific Plan. Water storage tanks for both Zones I and II will be required to be constructed as part of the SP III development. The proposed tank site location alternatives are depicted on Figure 12-1: Specific Plan III Potable Water Facilities.

16.2.2.6 Wastewater

The Waste Water Treatment Plant (WWTP) north of Byron Road will be expanded to accommodate the projected demand of development within the planning areas of Specific Plans II and III. The present WWTP has a treatment capacity of 0.45 MGD and is currently being enlarged to a capacity of 3.0 MGD. In order to accommodate development within Specific Plan II and III, the engineering design process for the second expansion is now beginning. It is planned that by early 2006, the WWTP will have the capacity to treat 5.4 MGD of wastewater, its planned buildout capacity under the Master Plan. See Chapter 13.

16.2.2.7 Streets and Street Frontage Improvements

Street improvements for SP III include widening of existing arterial streets, and construction of new arterial, collector, and local streets and alleys. Phasing of transportation improvements will generally relate to the phasing of residential and non-residential land uses. Construction and widening of arterial streets will be directed by the MHCSD and will generally be the responsibility of the applicant that triggers the need for such improvements. In some cases the applicant will pay the applicable Mountain House Transportation Improvement Fee (MHTIF) where the improvement is not yet needed or has already been constructed in order to reimburse the entity that does construct the improvement. Development of local and collector roads within a subdivision will be the responsibility of the applicant and individual builders (See Figure 16-2: Phasing Plan – Streets and Infrastructure). The traffic monitoring program will result in annual updates to the Roadway Improvement Plan which will initially be prepared after approval of the Master Plan. Improvements will be developed on an as-needed basis to maintain the LOS standards identified in Chapter 9 and the EIRs for the Master Plan and SP III.

The implementation procedures discussed in Sections 9.2: Freeway Improvements, to 9.5: On-Site Roadway Circulation and Design, include anticipated start-up events for construction of freeway and arterial improvements. On-site roadways will be phased consistent with the amount and location of development. Phasing of San Joaquin County roads outside the community will be controlled by the County.

Bus transit and bicycle facilities will be provided incrementally throughout build-out of the community, with transit stops, shelters, bicycle lockers and racks in each neighborhood.

Road maintenance will be provided in a manner consistent with Section 9.6 of this Master Plan, by the MHCS D. Maintenance will conform to applicable MHCS D standards and may be funded by a combination of existing taxes and/or new service charges. Maintenance personnel, vehicles, and equipment may be shared with other maintenance crews to increase efficiency and decrease costs. Costs associated with road maintenance are included in the fiscal analysis in the Public Finance Plan and the MHCS D Fiscal Analysis.

16.3 PLEP and Cost Reimbursement Analysis

In accordance with the County's Mountain House Public Land Equity Program (PLEP) 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, and public facility sites. 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 prepared. Under the PLEP program, applicants are responsible for dedicating public lands identified in the PLEP. There is a compensation mechanism that reimburses landowners that dedicate more than their fair share for such public lands, through fees and/or land transfers by landowners with less than their fair share of public lands.

SP III allows the developers to use the following measures to provide the necessary improvements.

- Direct Participation: Participation directly by the developers via cash payments, land dedications, public financing districts, or payment of impact fees applicable to the community.
- Participation in Programs: Participation in the County's TIF or the COGs Regional Transportation Improvement Fee (RTIF) program to the extent applicable to the community.
- Participation in Improvement District: Participation in conjunction with the County or other jurisdictions in improvement districts.

"Mitigation offsets or exchanges" means that the County would allow the developer to accept responsibility for certain improvements or portions of improvements which under the fair share definition are the responsibility of other jurisdictions in exchange of the relief of responsibility of fair share improvements in the other jurisdictions. The developer shall not be responsible for more than their overall fair share for improvements.

Note: Arterial roads shown only. Collector streets and site specific roadways required within each phase are not shown.

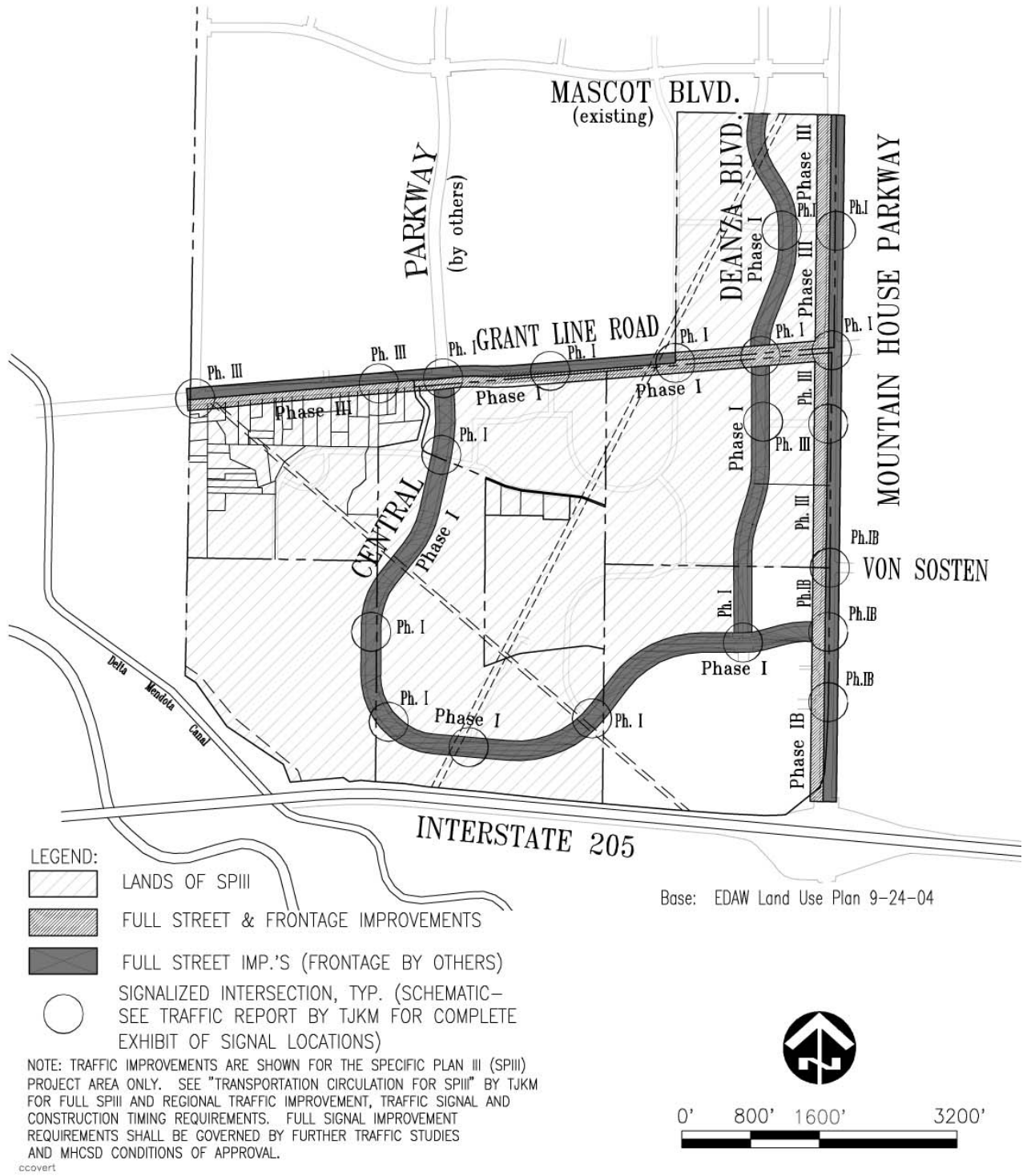


FIGURE 16-2: PHASING PLAN – STREETS AND INFRASTRUCTURE

16.4 Implementation Measures

- a. All implementing projects shall comply with the applicable provisions of the MHCSD Plans, Programs and Ordinances. If the property shown on the Tentative Map is to be developed in phases, then a subdivision agreement and appropriate bonding shall be executed between the MHCSD and the developer for each phase prior to the approval of the first Final Map.
- b. All implementing projects shall comply with the applicable provisions of the MHCSD Annexation Ordinance and other applicable Reimbursement Policies, Programs and Ordinances.
- c. All implementing projects shall comply with the applicable provision of the San Joaquin County Master Specific Plan and SP III Reimbursement Ordinances.
- d. All implementing projects shall comply with the applicable provision of the San Joaquin County Public Land Equity Program and Ordinance.
- e. 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 Plan shall not be obligated to annex to the MHCSD unless they elect to join the MHCSD in order to obtain a higher level of services, in which case, a Will-Serve Letter from the MHCSD shall be required as part of the development applications 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 MHCSD.
- f. All implementing projects shall comply with the applicable requirements of the Public Financing Plan and Technical Report, MHCSD Capital Improvement Program, and applicable development agreements and development fee ordinances.
- g. Prior to the approval of Final Maps, excluding "Preliminary Maps", the area contained within such map areas shall first be annexed for serve to both the MHCSD and BBID.
- h. Before approval of the first final subdivision map in SP III, SP III shall be annexed into the existing Lammersville School District Community Facilities District (CFD) already established for Specific Plans I and II. Alternatively, a new CFD may be formed for SP III that fulfills the same function.