

CHAPTER SIXTEEN
PUBLIC SERVICE PROVISIONS

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CHAPTER SIXTEEN: PUBLIC SERVICE PROVISIONS

16.1 BACKGROUND

This chapter describes the public service provisions for the community of Mountain House. As used in this chapter, “public services” refers to public services and public facilities, and to the establishment, operation and maintenance of the services and facilities.

San Joaquin County will have authority over land use planning, the administration of justice, the provision of human services, integrated waste management, and other powers.

The Mountain House Community Services District (MHCS D) will be created with authority to provide various public services. The MHCS D sphere of influence boundaries will have the same boundaries as the Master Plan. The MHCS D will be formed with the County Board of Supervisors serving as its initial Board of Directors. It is contemplated that, in time, the MHCS D will become an independent district, with its own elected Board of Directors. There is state legislation pending on the expansion of powers that the MHCS D may provide. It is possible that Mountain House may someday become an incorporated city.

The Mountain House site is located within the current service area of the Tracy Rural Fire Protection District. The service provided is rural in nature and does not meet the urban service standards that will be required for Mountain House. The County proposes that the MHCS D be designated by LAFCO to provide fire protection service. The objective is to ensure that a full revenue return is committed to the long-term maintenance of urban service for Mountain House. Initially, the MHCS D will contract with the Tracy Rural Fire Protection District for an urban level of fire protection. In time, as fire facilities, equipment and personnel are provided on-site, the MHCS D will assume day-to-day responsibility for operations.

Educational services are to be provided by the Lammersville Unified School District.

Two other districts will provide service to the Mountain House site: the San Joaquin County Mosquito and Vector Control District and the San Joaquin County Resource Conservation District. The Mosquito and Vector Control District will continue to provide abatement services. The Resource Conservation District (RCD) oversees soil surveys conducted by the U.S. Soil Conservation Service, but the RCD will not be providing any urban public services to Mountain House.

16.2 ASSUMPTIONS

- a) A MHCS D Services District will be formed for the purpose of providing public services to Mountain House.
- b) The Tracy Rural Fire Protection District will perform initial fire protection duties under contract to the MHCS D Services District.
- c) As Mountain House develops, more servicing responsibilities may be provided directly by the MHCS D Services District.

- d) The boundaries of the MHCSO Services District will not be expanded beyond the Mountain House community, as shown on the map of the County General Plan.

16.3 OBJECTIVE

To establish a framework for public services that will provide Mountain House residents with urban services and facilities in a cost-efficient manner that does not have adverse fiscal impacts on the County.

16.4 POLICIES

- a) A MHCSO Services District shall be formed with the County Board of Supervisors initially serving as the District's Board of Directors.
- b) The boundaries of the MHCSO Services District Sphere of Influence should be identical to the boundaries of the Mountain House Master Plan.
- c) The initial MHCSO boundaries shall include sufficient land and a balance of land uses adequate to insure a viable community.
- d) Annexation into the MHCSO shall 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 MHCSO, at the MHCSO's discretion.
- e) An adequate urban level of public services shall be provided for the residents of Mountain House.
- f) The County shall retain public service responsibilities until such time as the County deems it appropriate to transfer specific responsibilities to the MHCSO Services District.
- g) The civic and public administration buildings should be located in the Town Center.
- h) Public services shall be provided in a manner that is cost-effective and consistent with the Public Financing Plan and the Master Plan.
- i) The County shall ensure that the actions of the MHCSO Services District are consistent with County plans, policies, standards, ordinances and programs relative to Mountain House.
- j) Agreements regarding public services for Mountain House shall be consistent with the applicable Master and Specific Plan provisions.

16.5 IMPLEMENTATION

- a) Formation of a MHCSD Services District. The formation of a MHCSD shall be approved by LAFCO not later than the submittal of the first development application for the community. The initial MHCSD shall be formed with the County Board of Supervisors acting as the MHCSD Board of Directors.
- b) Will-Serve Letters and MHCSD Annexation. The submittal of any Development Permit, with the exceptions of Preliminary Maps and permits on lands zoned Agriculture-Urban Reserve, shall include a Will Serve Letter for the project area from the MHCSD indicating that the MHCSD can and will provide the services required under the Master Plan and appropriate Specific Plan. For a development permit on land zoned Agriculture-Urban Reserve, the MHCSD shall be asked to determine the feasibility of services and the need for annexation to the district. 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.
- c) MHCSD Boundaries. The initial MHCSD boundaries shall be as defined in the first Specific Plan. The ultimate boundaries of the MHCSD shall be the same as the MHCSD Sphere of Influence which shall coincide with the boundaries of the community as defined in this Master Plan.
- d) Extension of Services. The MHCSD shall not extend services beyond its boundaries without the agreement of the County. The extension of services shall not have an adverse financial or fiscal impact on the community or the County.
- e) Exemptions to MHCSD Annexations. Those lands improved with existing structures as generally cited in Section 3.2.4: Pre-Existing Land Uses Within Mountain House, of this 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 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 MHCSD, at the County's discretion.
- f) Location of Public Facilities. Each Specific Plan shall identify the location of any public facilities. Provisions for public facilities shall be provided in accordance with the related chapters of the Master Plan.
- g) Public Services Allocations. A Public Services Allocation Agreement between the County and the MHCSD shall allocate and/or assign service provider responsibility among the parties. The agreement shall also identify the financial responsibility of each designated service provider. The agreement shall be signed prior to the submittal of the first Development Permit.
- h) Financing of Public Services. The Public Financing Plan, subsequent Development Agreements and other agreements shall incorporate provisions which ensure that public service operations do not adversely affect the fiscal condition of the County, and shall ensure that adequate financing is available to provide public services for the development of Mountain House.

- i) Agreements Between the MHCS D Services District and the School Districts. Prior to the submittal of the first Development Permit application, the MHCS D Services District shall enter into an agreement with the school districts respecting matters of building construction, operation, and maintenance, public uses of school facilities, and student transportation.
- j) Police Protection. The MHCS D shall contract with the County for the Sheriff's Department to provide an urban level of police protection. An urban level of police service consistent with standards for comparable communities within San Joaquin County as identified in the Police Protection Plan and consistent with the San Joaquin County General Plan, will be provided in the community at an urban level of development. As necessary to meet the needs of the community, the MHCS D may supplement the police services.
- k) Fire Protection. The MHCS D shall contract with the Tracy Rural Fire District for fire protection service. At an urban level of development, urban level of fire protection consistent with the Fire Protection Plan and the General Plan will be provided by the Tracy Rural Fire Protection District under contract with the MHCS D.

16.6 SPECIFIC PLAN REQUIREMENTS

The following list is a compilation of all Specific Plan requirements contained in this chapter.

- a) MHCS D Boundaries. The initial MHCS D boundaries shall be as defined in the first Specific Plan. The ultimate boundaries of the MHCS D shall be the same as the MHCS D Sphere of Influence which shall coincide with the boundaries of the community as defined in this Master Plan.
- b) Location of Public Facilities. Each Specific Plan shall identify the location of any public facilities. Provisions for public facilities shall be provided in accordance with the related chapters of the Master Plan.