

CHAPTER SEVENTEEN
IMPLEMENTATION

CHAPTER SEVENTEEN: IMPLEMENTATION

17.1	INTRODUCTION	17.1
	17.1.1 Sequence of Approvals	17.1
	17.1.2 Implementation Measures	17.1
	17.1.3 Sequence of Implementation	17.2
	17.1.4 Principles of Implementation	17.2
17.2	TIMING OF IMPLEMENTATION MEASURES	17.3
17.3	COUNTY GENERAL PLAN AND DEVELOPMENT TITLE	17.4
17.4	COMMUNITY-WIDE PLANS	17.4
17.5	SPECIFIC PLANS	17.5
	17.5.1 Purpose of Specific Plans	17.5
	17.5.2 Specific Plan Contents	17.6
	17.5.3 Specific Plan Amendments	17.7
	17.5.4 Specific Plan Minimum Area	17.7
	17.5.5 Specific Plans For Designated Areas	17.8
17.6	SPECIAL PURPOSE PLANS	17.8
17.7	DEVELOPMENT PERMITS	17.9
	17.7.1 Definition of Development Permit	17.9
	17.7.2 Exceptions to First Development Permit	17.9
17.8	PUBLIC PROJECTS	17.10
17.9	LAFCO PROCEEDINGS	17.11
17.10	ENVIRONMENTAL REVIEW	17.11
17.11	DEVELOPMENT AGREEMENTS AND PUBLIC SERVICES ALLOCATION AGREEMENT	17.11
17.12	PHASING	17.12
17.13	MONITORING	17.12
	17.13.1 Community Monitoring	17.13
	17.13.2 Community Data Collection	17.14
	17.13.3 Fiscal and Financial Stability	17.15
	17.13.4 Agricultural Mitigation Fee	17.15

17.14 ADMINISTRATION	17.15
17.15 INTERPRETATIONS, AMENDMENTS AND MINOR ADJUSTMENTS	17.19
17.16 SPECIFIC PLAN REQUIREMENTS	17.20
LIST OF TABLES	
Table 17.1: Generalized Mountain House Approval Process	17.3
Table 17.2: Required Approvals and Actions	17.17

CHAPTER SEVENTEEN: IMPLEMENTATION

17.1 INTRODUCTION

This chapter provides a program for the implementation of measures needed for the development of Mountain House.

17.1.1 Sequence of Approvals

The planning and development process for Mountain House follows the sequence illustrated by Table 17.1: Generalized Mountain House Approval Process.

As the process continues, amendments of the County General Plan, the Development Title, the Mountain House Master Plan or the Public Financing Plan may be necessary. Each subsequent plan or permit must be consistent with the previously adopted plan(s).

17.1.2 Implementation Measures

Individual implementation measures are contained in each chapter of this Master Plan. Implementation measures include:

- A plan or a program;
- A continuing activity;
- A one-time action; and
- Monitoring and reporting activities, and other actions as may be defined in this Master Plan.

The Mitigation Monitoring Program adopted concurrent with this Master Plan includes additional implementation measures.

This chapter does not attempt to identify all of the implementation procedures that will be developed and put into effect during the 20-to-40 year buildout of Mountain House. Nor does this chapter seek to identify all possible times of implementation. Rather, the chapter is intended to ensure that over time implementation will be comprehensive, yet responsive to changing circumstances. The objectives are to minimize the number of implementation points along the way to construction and to avoid the need to revise previously adopted plans. Equally important is providing a process whereby additional information can be incorporated into the process as Mountain House moves forward.

17.1.3 Sequence of Implementation

Four basic processing stages are used for implementation:

- Master Plan and Public Financing Plan
- Specific Plan
- Development Permits
- Use establishment.

“Development Permits” refer to County permits that are either discretionary or ministerial in nature. Legislative Discretionary Permit (e.g. General Plan and Development Title Amendments, Specific Plans and Zone Reclassifications and Special Purpose Plans) are excluded by definition. Examples of Development Permits are use permits, subdivisions, and building permits (see Section 17.7: Development Permits, for definition).

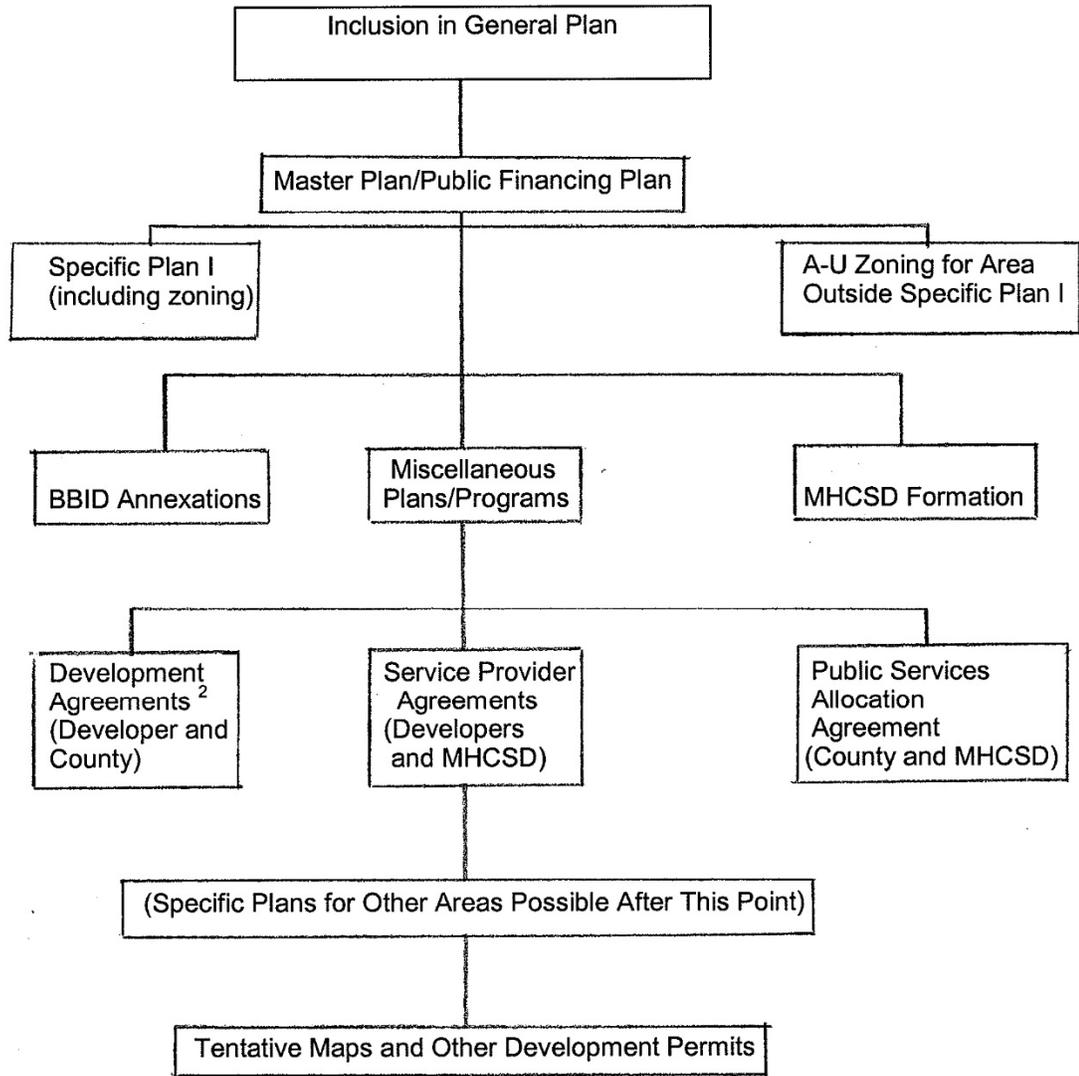
The Master Plan describes the stages at which individual implementation measures are to be identified and put into effect. It is recognized that some measures may need to be identified at one stage but put into effect at a later stage. For example, the community’s plan for roads involves definition of Arterial roads as part of the Master Plan, Collector roads in Specific Plans, and Local roads at the Development Permit stage. Other measures such as detailed plans and programs will be identified at one stage, developed later, and then used in the submittal of the first Development Permit.

17.1.4 Principles of Implementation

The determination of the appropriate implementation stage is based on three principles: 1) services and facilities should be in place as they are needed, 2) the geographic area of responsibility should correspond to the area of benefit, 3) all parties—from the master developer to the homeowner or businessperson—should share responsibility on the basis of benefit received.

Generally, regional or community-wide implementation measures are included in the Master Plan. Implementation measures that are scaled to a residential Neighborhood or to a major commercial, industrial or recreational center should be included in a Specific Plan or Special Purpose Plan for the local area. At the Development Permit stage, implementation is generally more detailed than at the Specific Plan stage.

Table 17.1:
Generalized Mountain House Approval Process ¹



- 1) This description does not include the CEQA Environmental Review process.
- 2) The initial development agreement may occur prior to development plans/programs

17.2 TIMING OF IMPLEMENTATION MEASURES

Various implementation measures in this Master Plan indicate the time by which they must be done. For example, one measure calls for the widening of Mountain House Parkway to four lanes between Byron and I-205 by the buildout of 4,100 dwelling units and another measure calls for the Neighborhood Park in each Neighborhood to begin construction by the time that 50% of the Neighborhood’s residential units are constructed. These triggers

for implementation are approximate. The actual need and/or implementation may occur earlier or somewhat later. For example, if the traffic projections are less than expected, roadway improvements may be deferred. On the other hand, accelerated traffic may require an earlier implementation.

Determination of the actual timing for an implementation measure will occur either in the application review process or in the annual monitoring of the community. Each Development Permit application must be evaluated for consistency with the Master Plan. If the implementation called for in the Master Plan is not being met, the required timing of the implementation with respect to the need for it should be reviewed and considered by the Review Authority in determining if the application is consistent with the Master Plan. Applications that are clearly inconsistent with the intent of the Plan may either be continued until the situation is resolved or must be denied.

An annual monitoring of the development of the community and the status of the Master Plan should also reveal any lack of implementation. If there are serious problems with implementation occurring on schedule, these problems can be considered in action on proposed development applications, or, if warranted, the Master Plan can be amended. In all cases, the impact on the Public Financing Plan must be considered.

17.3 COUNTY GENERAL PLAN AND DEVELOPMENT TITLE

The San Joaquin County General Plan is the County's policy document for development of all Mountain House plans, agreements and permits. The General Plan is implemented by the County Development Title, which contains zoning provisions and ordinances regulating Development Permits.

All Mountain House development approvals must remain consistent with the General Plan and Development Title. As previously noted, it is expected that these documents may need to be amended as more specific planning is done for Mountain House. These amendments may be done concurrently with a Mountain House plan.

17.4 COMMUNITY-WIDE PLANS

The Master Plan and the Public Financing Plan are the first plans adopted to implement the General Plan. Both plans are community-wide in scope. Each document has provisions that are either of a policy or regulatory nature. The Master Plan contains development regulations that are specific to Mountain House. Both the Master Plan and the Public Financing Plan must be consistent with the County General Plan.

Other community-wide plans or programs will be prepared for Mountain House. Examples include the Parks and Open Space Plan, the School Facilities Plan and the Transportation Demand Management Program. These are required by the Master Plan and will need to be consistent with it. Specific implementation will be included in these plans and programs.

Policies:

- a) The Master Plan and the Public Financing Plan, and any amendments thereto, shall be consistent with the General Plan.

- b) The Master Plan and the Public Financing Plan shall be consistent with each other.
- c) The Master Plan and Public Financing Plan each shall be internally consistent.
- d) Implementation of the Public Financing Plan shall not adversely affect the fiscal condition of the County.
- e) The Master Plan and Public Financing Plan shall be implemented by Specific Plans.
- f) Each discretionary Development Permit approval shall require a finding that it is consistent with the Master Plan, Public Financing Plan, and pertinent Specific Plan.
- g) Community-wide County plans or programs developed after approval of the Master Plan shall either require acceptance by the appropriate County department or, such as in the case of the Parks and Open Space Plan, shall require a public hearing and recommendation by the Planning Commission and a public hearing and decision by the Board of Supervisors. Where County ordinance provisions do not require a public hearing process, the Community Development Director shall determine if a public hearing is needed. Those community plans or programs prepared for implementation by the MHCSD shall be reviewed and commented on by the County and approved by the MHCSD.

17.5 SPECIFIC PLANS

17.5.1 Purpose of Specific Plans

Specific Plans are the primary implementation documents for the Master Plan. Each Specific Plan covers a portion of the Mountain House community. Specific Plans are implemented by Development Permits.

Specific Plans are both policy and regulatory documents. They provide detailed information and instruction regarding the types, locations and densities of land use; development phasing; zoning regulations; public infrastructure and services; development standards; and design guidelines.

Specific Plans do not grant an entitlement to develop land, but they are a critical link in the planning-to-development process. Land use entitlements, that is, rights to develop, are granted only by approval of Development Agreements, vested tentative maps and building permits.

Development may occur in several Neighborhoods or areas simultaneously under different Specific Plans. To avoid conflicts, a parcel of land will be included in only one Specific Plan. Some Specific Plan areas may be built out over only a few years, while others may take many years.

The integrity of the community must be preserved as various Specific Plans are processed. Issues such as the compatibility of land use patterns, aesthetics and the continuity of circulation routes are matters of concern at Neighborhood borders and other Specific Plan boundaries.

Where feasible, development of a new Neighborhood should be next to an existing Neighborhood or one under construction. The benefits of contiguous land development are the less costly extension of facilities and services, the ability to have services and facilities that otherwise would not be available, and the sharing of public resources.

Policies:

- a) Specific Plans shall be consistent with the General Plan, the Master Plan and the Public Financing Plan.
- b) Documentation shall be included with each Specific Plan that the Specific Plan is financially feasible and not detrimental to the fiscal condition of the County.
- c) Specific Plans shall implement community-wide programs and plans.
- d) Specific Plans shall be compatible with the approved Specific Plans for adjacent areas.
- e) All property within the Mountain House community shall be included in a Specific Plan. Uses of property included in more than one Specific Plan shall be determined by the more current Specific Plan.
- f) A Specific Plan shall be approved prior to the approval of a first Development Permit in the area.
- g) Specific Plans may be implemented by Development Agreements, and by other agreements, as appropriate.
- h) Future Specific Plans may be sequential and independent of one another, or may be developed concurrently.
- i) The area to be covered by each Specific Plan shall be approved by the Director of the Community Development Department.
- j) The Master Plan shall be adhered to either in the case that a Specific Plan contains provisions inconsistent with the Master Plan, (except for Specific Plan III which fully implements the Master Plan and shall be determined to be an amendment to the Master Plan in the event of conflicts or inconsistencies), or if a Specific Plan does not include provisions that the Master Plan requires to be included.

17.5.2 Specific Plan Contents

State Government Code Section 65451 requires that a Specific Plan include certain contents. Given the Specific Plan requirements of this Master Plan, it is expected that the contents of Specific Plans for Mountain House will exceed the minimum requirements of State law.

This Master Plan identifies numerous items that must be addressed in Specific Plans. These items are identified in the individual subject chapters of this Master Plan.

17.5.3 Specific Plan Amendments

Two types of amendments are expected for Specific Plans: area expansions and plan modifications. The geographic area of a Specific Plan may be expanded based on the Specific Plan policies in this Master Plan.

Policies:

- a) Specific Plan area expansions and substantive changes shall be processed as Specific Plan Amendments using the same process as the initial Specific Plan submittal.
- b) Each Specific Plan shall be internally consistent.
- c) Minor differences in boundaries from those shown in the Specific Plan map may be considered in conformity with the General Plan, unless an undesirable precedent would be set for more extensive and non-conforming changes in adjacent areas.

17.5.4 Specific Plan Minimum Area

Mountain House is divided into 12 residential Neighborhoods, each of which contains a range of housing types and densities as well as schools, parks and commercial uses. Most Neighborhoods also contain some community-scale facilities, services and land uses. Policies regarding the geographic area covered by a Specific Plan are designed to ensure a coordinated development of the community and to facilitate the administration of plans.

Policies:

- a) All of each Neighborhood, as defined in the Master Plan, shall be included in the same Specific Plan, with the exception of Neighborhood D which falls within Specific Plan II and Specific Plan III.
- b) More than one Neighborhood may be contained in a single Specific Plan.
- c) A Specific Plan may include only a portion of a Neighborhood initially if it includes the Neighborhood Center (the K-8 school, the Neighborhood Park and the Neighborhood Commercial Area). The remainder of the Neighborhood shall be covered under a single amendment to the Specific Plan, with the exception of Neighborhood D which is within Specific Plan II and Specific Plan III.
- d) A Specific Plan for land abutting a community or Regional Park shall include applicable portions of the park, as determined by the County.

- e) The County may require the expansion of a proposed Specific Plan area to include land that may be needed or may be impacted by the proposed development.

17.5.5 Specific Plans For Designated Areas

It is contemplated that Specific Plans may be processed for certain uses, including the Town Center and Old River Industrial Park. Although development of each area may occur in phases, it is desirable to have all of each area included in a single Specific Plan.

Using the Town Center as an example, it is expected that development will progress incrementally as the population grows. One Specific Plan will be prepared for the Town Center. Because the Town Center will be developed over a long period, the initial Specific Plan may include only the Central Commercial Center, with additional areas being added by later amendments. In another case only the first half of Old River Industrial Park is included in the first Specific Plan so the Plan will need to be amended before the remaining lands are developed.

Certain public facilities or services may be required before a Specific Plan is prepared for the Neighborhood in which the facilities are to be located. Examples include community-wide facilities such as Arterial roads, water, sewer and drainage infrastructure, and utilities. This infrastructure may pass through lands not yet included in a Specific Plan, but should be discussed in the Specific Plan requiring them. In such cases, future Specific Plan needs should be considered.

Policies:

- a) Old River Industrial Park shall be included in not more than one Specific Plan, but the Specific Plan may be planned and approved in phases via the Specific Plan Amendment process (see Section 17.5.3: Specific Plan Amendments).
- b) When a public facility located in an area without a Specific Plan is made necessary by the development of another area, the facility initially must be included in the Specific Plan being prepared. The water treatment plant, however, may be planned independently and incorporated in a later Specific Plan.

17.6 SPECIAL PURPOSE PLANS

Some areas previously covered by a Specific Plan may require an additional level of design study and review. The Community Commercial areas and the Neighborhood Centers are examples. For such "focus areas," more detailed plans will be required prior to the approval of Development Permits. Special Purpose Plans will be used for this purpose. Special Purpose Plans require the same hearing process as do Specific Plans, but they are more oriented to immediate development. Under provisions of the County Development Title, uses within an area covered by a Special Purpose Plan may be approved with only an improvement plan, and use permits and site approval applications are not required. Special Purpose Plans must be approved prior to approval of the first Development Permit (such as a Tentative Map) for the focus area.

Policies:

- a) Details of certain focus areas may be deferred in the initial Specific Plan for an area. Prior to the approval of a Development Permit for development in these areas, a Special Purpose Plan shall be approved. The focus areas include the following:
 - Central Commercial Area
 - Village Centers
 - Neighborhood Centers
 - Freeway Service portion of Mountain House Business Park.
 - Mixed Use Areas
- b) Special Purpose Plans for Neighborhood Centers shall be provided in conjunction with school planning and before the submittal of the first development permit for the Neighborhood. A Special Purpose Plan may not be necessary if a sufficient level of detail for the Neighborhood Center is included in the Specific Plan, or if the Neighborhood Center is included in a planned development plan for the Neighborhood. Special Purpose Plans for other focus areas shall be approved prior to the approval of Development Permits for that focus area, unless plans for the entire focus area are submitted as part of a Planned Development application.
- c) Special Purpose Plans for focus areas shall address site planning including building locations, parking, circulation, relationship to adjacent areas, landscape design, signage, lighting, site furnishings, and transit facilities.

17.7 DEVELOPMENT PERMITS

17.7.1 Definition of Development Permit

County Development Permits as used in this Master Plan, are either discretionary permits (except for those of a legislative nature) or ministerial permits. Discretionary permits involve some discretion on the part of the Review Authority, and they may be approved, denied, or approved subject to conditions. Ministerial permits allow no discretion by the Review Authority; they must be approved if the application meets specified requirements. While discretionary permits are subject to the environmental review requirements of the California Environmental Quality Act, ministerial permits are not. Examples of discretionary permits are tentative subdivision maps, use permits, and variances. Examples of ministerial permits are final subdivision maps, encroachment permits, grading permits, and building permits.

17.7.2 Exceptions to First Development Permit

Many of the implementation measures in this plan must be completed prior to the submittal of the First Development Permit. Exceptions to the First Development Permit are as follows:

- a) Long Lead Items: Applications and approvals for long lead, public facilities shall be exempt from the definition of First Development Permit. Such

facilities include those related to the wastewater treatment plant, water treatment plant, wastewater reuse, raw water conveyance lines and pump, relocation of agricultural drains and canals, utility lines, and electrical and gas services.

The purpose of this exception is to permit the processing of long lead items without waiting for the approval of plans and programs that are not necessary for their approval. Long lead items may be processed concurrently where appropriate.

- b) Preliminary Maps: Preliminary Maps shall not be considered to be First Development Permits. A Preliminary Map shall mean any lot line adjustment, merger, or tentative subdivision map that is sought only for the purpose of financing, land sale or exchanges, or planning area segregation, after which a more detailed map will be submitted for approval before construction permits could be obtained for the mapped or affected area. These maps or property boundary adjustments shall be consistent with underlying agricultural zoning and with the provisions of the Subdivision Map Act.
- Preliminary Maps for Areas Outside of Specific Plans: Preliminary Maps prepared for areas outside of approved Specific Plans must be consistent with the underlying zoning of AU-20. All areas covered by a Preliminary Map will be subject to the Specific Plan process prior to development, except for the exceptions listed in a) and c) in this section. Preliminary Maps filed pursuant to this section shall not hinder the ability of future Specific Plans to conform to the Neighborhood boundaries defined in this Plan.
 - Preliminary Maps Within Approved Specific Plans: Preliminary Maps proposed within approved Specific Plan areas shall create parcels or lots no smaller than areas generally formed by zoning district boundaries, arterial and collector roadway alignments defined by the Specific Plan land use diagram. Proposed parcels or lots smaller than areas formed by zoning district boundaries or collector roadways may be created within Preliminary Maps provided that, 1) all parcels or lots will have legal access, 2) it can be demonstrated that the smaller parcels or lots will define boundaries between subdivisions and/or changes in proposed residential lot sizes, and 3) that further subdivision must be required prior to application for building permits.
- c) A-U Zones: Development Permits submitted in areas zoned Agriculture, Urban Reserve (A-U) shall be excluded from the provisions relating to First Development Permits in this Plan.

17.8 PUBLIC PROJECTS

Public projects of the County or the Mountain House MHCS D are subject to the same review, permitting and environmental review processes as are private projects. All public projects are subject to County review under State government Code Section 65402 for consistency with the General Plan. Public projects include land acquisition and abandonment, the construction of public facilities such as a sewage treatment plant or road, and the siting of schools.

17.9 LAFCO PROCEEDINGS

The Mountain House Community Services District (MHCS D) will be formed to provide a number of services in Mountain House. Approval by the Local Agency Formation Commission (LAFCO) is required for the MHCS D formation and to authorize specific governmental powers as provided under the State Government Code. Proposed legislation to amend State law to allow additional powers for the MHCS D may be acted on prior to MHCS D formation.

LAFCO approval will be required for expansion of MHCS D authority if the MHCS D powers are amended, as well as for special district changes: annexations, detachments, eliminations or formations. Implementation measures may be refined by the organizational changes effected through the LAFCO process.

17.10 ENVIRONMENTAL REVIEW

Future Specific Plan and any plan amendments will require environmental assessment. If any new significant environmental impacts are identified, an EIR may need to be prepared. The necessity and scope of further environmental review for development projects is expected to be very limited if the project is in conformance with adopted plans.

When an EIR has been prepared for a Specific Plan, Development Permits for residential projects conforming to that Plan generally will not require preparation of either a negative declaration or an EIR, unless the specific criteria are met to require a subsequent EIR. A determination will be made in connection with each new approval, whether and to what extent further environmental review is required under CEQA. The Development Permits must comply with adopted Mitigation Monitoring Programs.

17.11 DEVELOPMENT AGREEMENTS AND PUBLIC SERVICES ALLOCATION AGREEMENT

A Development Agreement is a legal contract between the County and a developer. The purpose of the Development Agreement or other agreement is to contractually set the rights and obligations of the parties involved in a project, such as the implementation of a Specific Plan. The Development Agreement may assign responsibilities for certain parties to carry out the implementation measures contained in this Master Plan and in subsequent Specific Plans.

Although a Development Agreement must be consistent with the plans and regulations in effect at the time of its enactment, it may contain provisions that would allow development occurring under it to be exempt from future changes to the General Plan and Development Title. This provides certainty to the developer that development can occur in a predictable fashion.

The first Development Agreement will be executed after the Master Plan is adopted, but before any Development Permit or other approvals are granted within Mountain House. This timing is necessary to ensure that adequate provision is made for plans and programs that are to be prepared subsequent to adoption of the Master Plan.

A Public Services Allocation Agreement will be entered into between the County and the MHCS D. The Agreement describes the services to be provided and powers to be delegated by the County to the MHCS D. The Agreement includes

authorizations, acknowledgments, commitments, and the acceptance by the parties as to the services to be provided by the County and the MHCSD.

Other agreements, involving service providers, property owners, developers, builders and the County, may be used to implement Mountain House plans.

Policy:

- a) Prior to the submittal of any Development Permit, the County and Master Developer shall enter into a Development Agreement to ensure compliance with Master Plan implementation.

17.12 PHASING

Twelve residential Neighborhoods are defined within this community. Neighborhoods will serve as unit of development through the phased implementation of the community. In addition, infrastructure will be designed and phased in segments consistent with Neighborhood phasing. Each family Neighborhood (not including Neighborhoods I and J) will be served by its own Neighborhood Center (containing a school, park and Neighborhood area) so that development of one Neighborhood will have a limited impact on other Neighborhoods in the community. Contiguous development will provide the most cost-efficient phasing of public facilities and services, which will reduce the total costs borne by the project and provide a more fiscally and financially balanced community.

Policies:

- a) Contiguous growth shall be strongly encouraged throughout development of the community.
- b) Development phasing shall not result in a net fiscal deficit to County or special district funds.

Implementation:

- a) Specific Plan Evaluation. Each Specific Plan shall be evaluated in combination with all prior Specific Plans to determine the feasibility of adding the incremental public infrastructure required to serve land uses within the new Specific Plan and to assess the cumulative burdens on existing and proposed land uses. This test of financial feasibility shall be conducted for each Specific Plan.
- b) Phasing in Specific Plans. Specific Plans shall address phasing for services and facilities and shall develop review procedures which ensure that ongoing County review checkpoints are provided with each stage of community development.

17.13 MONITORING

Monitoring programs are used as tools to ensure that plan assumptions are correct and that policies and implementation measures are effective. Specific monitoring is required in the Master Plan and may be required in Specific Plans and as conditions of Development Permits. Analysis of monitoring results may be a basis for modifications of plans.

An Environmental Impact Report usually results in a Mitigation Monitoring Program. This is a program of specific measures designed to reduce or avoid particular impacts to the environment. The Program identifies the parties responsible for implementation, monitoring and reporting on particular measures, and it specifies performance schedules. Where feasible, Mountain House plans will be revised to include mitigation measures that are developed through environmental review processes.

17.13.1 Community Monitoring

Community monitoring will track aspects of the community as it develops in order to protect the County from potential negative impacts and insure the implementation of Master Plan provisions. Community monitoring programs are separate from the mitigation monitoring requirements identified by the EIR, although some elements of community monitoring are intended to satisfy environmental review requirements.

Analysis of monitoring results may be a basis for modifications in plans for the community.

Policies:

- a) The assumptions, policies, and implementation measures of the Master Plan, the Public Financing Plan and Specific Plans shall be periodically reviewed and revised as necessary, to achieve the goals and objectives of the Master Plan.
- b) Community monitoring programs shall address Jobs/Housing and Affordable Housing Programs, need for and provision of facilities and services, traffic, Transportation Demand Management, and fiscal/financial stability.
- c) Community monitoring shall be administered by the MHCSD.
- d) Monitoring shall continue until such time as it is determined by the MHCSD that it is no longer needed.
- e) Results of community monitoring shall be summarized in an annual Community Report, due by April 1st following the year of analysis.
- f) Community monitoring programs shall address fiscal/financial stability, jobs-housing and affordable housing programs, traffic, Transportation Demand Management (TDM), and the provision of facilities and services.
- g) Community monitoring data shall be provided to the County and School Districts to assist in planning for educational facilities.

Implementation:

- a) Establishment of Monitoring Programs. The County and the MHCS D shall establish a community monitoring program prior to the approval of the first final subdivision map (not including preliminary subdivision maps). The program shall address the date to be collected and the analysis and reporting that must occur, consistent with the requirements of the Master Plan. The program shall also identify County and MHCS D responsibilities and the timing of data collection and reporting.
- b) Community Report. The annual Community Report prepared by the MHCS D shall be due by April following the year end analysis.

17.13.2 Community Data Collection

Community monitoring programs will be based on the collection of data that may include but is not necessarily limited to the following:

- a) Demographic and Land Use Data
 - Number of households
 - Population by sex and age
 - Student population by grade
 - Employment by place of residence and job category
 - Jobs in the community
 - Number of residences in each zone
 - Undeveloped acres in each zone
 - Developed acres in each zone
 - Total built-out acres in all zones
 - Ride sharing
 - TDM programs
 - Sales tax
 - Property tax
- b) Public Services Data
 - Public report distribution
 - Library usage
 - Parks usage
 - Police calls/responses
 - Fire calls/responses
 - Medical resources
 - Permits issued
- c) Public Utilities/Infrastructure Data
 - Roadway/intersection traffic counts
 - Water usage/water quality
 - Wastewater treatment quantities/quality

- Electrical usage
- Natural gas usage

17.13.3 Fiscal and Financial Stability

The data collection and Community Report mentioned above will be used to ensure that Mountain House proceeds only with positive fiscal impacts to the County and that the community is financially stable.

The Mountain House Public Financing Plan includes the basic policies and guidelines for protection against negative fiscal impacts.

Policy:

- a) Depending upon the results of the monitoring, adjustments can be made in service delivery, fees and charges, and/or use of other financing mechanisms.

Implementation:

- a) Fiscal Monitoring During Build-Out. The County shall monitor demand for facilities and services and revenue generation during build-out of the new town to assure that expenditures are offset by new revenue.
- b) Fiscal Status Report and Data. The Mountain House MHCS D shall prepare an annual fiscal status report as part of the ongoing monitoring program, and shall provide any data or analyses the County may need to ensure the ongoing fiscal health of the new community.

17.13.4 Agricultural Mitigation Fee

Development of the Mountain House new community will result in the loss of 3,600 acres of prime agricultural soils. The General Plan contains policies that encourage the County to establish mitigation fees to be paid when lands are converted from agriculture to an urban use. Collected fees could be used for programs such as purchasing development rights or fee title to agricultural lands.

Implementation:

- a) Agricultural Mitigation Fee. If a Countywide agricultural mitigation fee were established, an agricultural mitigation fee, based on each acre converted to an urban use, shall be paid by the developer to the County prior to the recordation of any Final Map.

17.14 ADMINISTRATION

San Joaquin County will have primary administrative authority for the implementation process. “Administrative authority” refers to the power to direct implementation of the Master Plan, Public Financing Plan and Specific Plans and to initiate revisions that are necessary or convenient for the attainment of Plan objectives and the maintenance of consistency with Plan policies.

The MHCSD will have an administrative role which grows as the community matures. This role will be defined in the Public Services Allocation Agreement that is entered into by the County and the MHCSD.

Other districts will have specific administrative authority: Lammersville Unified School District, Tracy Joint Union High School District, Tracy Rural Fire Protection District, and the San Joaquin County Mosquito Abatement and Vector Control District. Approval by the Local Agency Formation Commission may be required for the extension of authority to a district.

In some instances the responsibility for implementation may be shared by two or more agencies. For example, the County may delegate responsibility for providing a service to the MHCSD which, in turn, may contract with another agency to provide the service.

Some implementation measures may require a clearance or permit approval from a state or federal agency or a local district. In such instances, the responsibility for implementation will rest with the party that is the applicant for the underlying County development approval. Table 17.2: Required Approvals and Actions identifies state and federal agencies from whom permits or clearances will be required.

Private parties will share responsibilities for implementation. The “master developer” is the proponent for the Master Plan, the Public Financing Plan and Specific Plan I. Other private property owners, including developers, builders and homeowners, are referred to as “merchant builders.” Other private parties may include a property owners’ association and a homeowners’ association. The assigned agencies and responsibilities should not be considered conclusive as many will change as the community evolves.

MOUNTAIN HOUSE MASTER PLAN

**Table 17.2:
Required Approvals and Actions**

The purpose of the table is to identify approvals and actions that may be required after the Master Plan is approved. The listing includes local, state and federal agencies, special districts, utilities and private companies. The table does not include subsequent approvals that will be required by all San Joaquin County agencies.

Agency	Approval/Action	Timing
FEDERAL AGENCIES: Federal Emergency Management Agency	Letter of map revision to remove flood hazard designation from property near Old River	Prior to recordation of any Final Maps for urban development adjacent to or within the historic flood hazard area.
U.S Army Corps of Engineers	Section 404 Permit (Clean Water Act) for discharge of dredged material into waters of the U.S. Section 10 Permit (Rivers and Harbors Act) for work in navigable waterways Nationwide Permit No. 12 for construction of raw water conveyance pipeline	Development Permit Condition of Approval Prior to initiation of work Use Permit for water treatment plant
U.S Fish and Wildlife Service	Incidental take permit/habitat conservation plan regarding endangered and threatened species	Prior to any grading or building permit
Federal Highway Administration	Improvements to interstate highways, I-205 and I-580	As determined in the County Regional Transportation Plan and the Altamont Strategic Transportation Plan
U.S. Coast Guard	Aids to Navigation (signage) for marina on Old River	Prior to operation of marina
National Park Service	Cooperative Agreement for extension of the De Anza Trail across site	Specific alignment to be included in the Parks and Open Space Plan; construction to occur as defined in Specific Plans

MOUNTAIN HOUSE MASTER PLAN

Table 17.2: Required Approvals and Actions (Continued)		
Agency	Approval/Action	Timing
STATE AGENCIES: Caltrans, Districts 4 and 10	Project Study Reports Encroachment Permits Improvements to State highways and interchanges	As determined in Master Plan Prior to construction or as Development Permit Condition of Approval As determined in County Regional Transportation Plan and Altamont Strategic Plan
Department of Real Estate	Public Reports	Prior to sale of lots
Integrated Waste Management Board	Solid Waste transfer facilities	
Reclamation Board	Encroachment permit for Old River levee work	Prior to construction of levee modifications
RWQCB, Central Valley Region	NPDES permit Remediation for pesticide and other underground contamination Discharge to Old River Water quality certification (Section 404 permit)	Development Permit Condition of Approval Development Permit Condition of Approval Development Permit Condition of Approval Development Permit Condition of Approval
Health Services, Office of Drinking Water	Water System	Use Permit for wastewater treatment plant
Department of Fish & Game, Region 2	Compliance with Endangered Species Act Streambed Alteration of Old River and Mountain House Creek	Mitigation specified each Specific Plan: Compliance prior to Development Permit Development Permit Condition of Approval for land adjacent to Old River and creeks
State Lands Commission	Dredging within State-owned land or beds of navigable rivers Leases to use State-owned lands for purposes other than dredging	Development Permit Condition of Approval for land adjacent to Old River Development Permit Condition of Approval for land adjacent to Old River

Table 17.2: Required Approvals and Actions (Continued)		
Agency	Approval/Action	Timing
PUC/Southern Pacific Transportation Company	Rail crossings	Timing specified each Specific Plan: Compliance prior to Final Map
Department of Toxic Substances Control	Remediation of pesticide and other underground contamination	Prior to approval of Development Permit
Department of Water Resources	Raw water intake pump and transmission pipeline	Use Permit for water treatment plan
Lammersville Unified School Districts	School Specification Plans	Prior to the Neighborhood Center Special Purpose Plans
	School Facilities Master Plan	Prior to the submittal of the First Development Permit
Byron-Bethany Irrigation District	Water service agreement	Master Plan
LAFCO, San Joaquin County	Formation of MHCS D	Master Plan
SJVUAPCD	Authority to Construct	Prior to construction

17.15 INTERPRETATIONS, AMENDMENTS AND MINOR ADJUSTMENTS

This Master Plan and subsequent Specific Plans are legislative acts approved by the Board of Supervisors. Certain elements of these Plans are approved by resolution, other parts by ordinance.

Where interpretations are necessary, the Director of the Community Development Department will have the decision-making authority, with such decisions appealable to the Planning Commission and the Board of Supervisors. No changes to previously adopted resolutions or ordinances are required for interpretations.

Where substantive changes are proposed, an amendment will be required. Amendments require the completion of an environmental assessment and the adoption of new resolutions or ordinances. Amendments follow the same procedures as adoption of the Plans: public hearings before the Planning Commission and Board of Supervisors and approval by the Board of Supervisors.

Minor adjustments may be approved by the Director of the Community Development Department. “Minor adjustments” shall be limited to editorial corrections and clarifications.

Implementation:

- a) Master Plan Amendment. An amendment to the Master Plan shall require analysis to ensure internal consistency within the Master Plan and consistency with other plans relevant to Mountain House. This analysis shall include but not be limited to the following: Any impacts on the Jobs/Housing and Affordable Housing Programs and the adequacy of water, wastewater, and transportation facilities shall be analyzed, along with any financial or fiscal impacts.

17.16 SPECIFIC PLAN REQUIREMENTS

The following list is a compilation of all Specific Plan Requirements contained in this chapter:

- a) Specific Plan Evaluation. Each Specific Plan shall be evaluated in combination with all prior Specific Plans to determine the feasibility of adding the incremental public infrastructure required to serve land uses within the new Specific Plan and to assess the cumulative burdens on existing and proposed land uses. This test of financial feasibility shall be conducted for each Specific Plan.
- b) Phasing in Specific Plans. Specific Plans shall address phasing for services and facilities and shall develop review procedures which ensure that ongoing County review checkpoints are provided with each stage of community development.
- c) De Anza Trail. Specific alignment to be included in the Parks and Open Space Plan; construction to occur as defined in Specific Plans.
- d) Compliance with Endangered Species Act. Mitigation specified in each Specific Plan: Compliance prior to Development Permit.
- e) Rail Crossings. Timing specified in each Specific Plan: Compliance prior to Final Map.

Also See Section 17.5: Specific Plans.