

ORDINANCE NO. _____

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,
STATE OF CALIFORNIA**

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**AN ORDINANCE APPROVING A FOURTH AMENDMENT OF THE DEVELOPMENT
AGREEMENT REGARDING CONSTRUCTION OF THE BIG WAVE NORTH PARCEL
ALTERNATIVE (NPA) PROJECT**

The Board of Supervisors of the County of San Mateo, State of California,
ORDAINS as follows:

SECTION 1. That certain Fourth Amendment to the Development Agreement by and between the County of San Mateo and Big Wave, LLC originally approved and executed by Board of Supervisors on May 19, 2015 pursuant to Ordinance Number 04738 (“Development Agreement”), as previously amended on June 27, 2017 (Ordinance Number 4479), on August 6, 2019 (Ordinance Number 4816), and on July 13, 2021 (Ordinance Number 4848), submitted to this Board for consideration at its meetings of January 30, 2024 and February 13, 2024 (“Fourth Amendment”), the full text of which is incorporated herein by reference as set forth in the Amended and Restated Development Agreement accompanying this Ordinance, is hereby approved, and the President of the Board is hereby authorized and directed to execute the Fourth Amendment to the Development Agreement on behalf of the Board of Supervisors.

SECTION 2. FINDINGS. The Board of Supervisors hereby finds:

- (a) That the Fourth Amendment to the Development Agreement, as with the Development Agreement, is consistent with the objectives, policies, and programs specified in the General Plan, Local Coastal Program and the

Specific Plan for the project area. For the reasons set forth in the staff reports presented to the Board of Supervisors on May 19, 2015, June 6, 2017, July 23, 2019, June 29, 2021, and/or January 30, 2024, the project, as further amended, is consistent with the General Plan, Local Coastal Program, and the Montara-Moss Beach-El Granada Community Plan. The Fourth Amendment to the Development Agreement incorporates by reference all conditions of project approval.

- (b) That the Fourth Amendment to the Development Agreement, as with the Development Agreement, is compatible with the uses authorized in, and the regulations prescribed for, the zoning districts in which the Big Wave project is located. As discussed in the staff reports presented to the Board of Supervisors on May 19, 2015, June 6, 2017, July 23, 2019, June 29, 2021, and/or January 30, 2024, the proposed uses of the Wellness Center and Office Park components of the Big Wave North Parcel Alternative Project are permitted by the Zoning Regulations, and the Fourth Amendment to the Development Agreement, as with the Development Agreement, incorporates all conditions of project approval, including restricting land use at the subject properties to the approved land uses.
- (c) That the Fourth Amendment to the Development Agreement, as with the Development Agreement, is consistent with the development approvals issued for the project on May 19, 2015 (as revised in the Revised Project Findings and Conditions of Approval, dated January 30, 2024, included as Exhibit B of the Development Agreement). The Development Agreement, as amended, will

secure rights for the implementation of the development as approved with conditions.

- (d) That the Fourth Amendment to the Development Agreement, as with the Development Agreement, will not be detrimental to the health, safety, and general welfare of the general public. The project to which the Development Agreement, as amended, relates is in compliance with all applicable land use regulations and the project's ongoing compliance with such regulations ensures that the Development Agreement, as amended, will not be detrimental to the health, safety and general welfare of the general public.
- (e) That the Fourth Amendment to the Development Agreement, as with the Development Agreement, will promote the orderly development of property or the preservation of property values in accordance with good land use practices. The project to which the Development Agreement, as amended, applies promotes orderly development of property and preserves property values by, among other things, providing needed housing for developmentally disabled citizens, and it requires the orderly development of the subject properties by establishing an order and a schedule for project construction that minimizes project impacts to the area.

SECTION 3. This Ordinance shall take effect thirty (30) days from the passage date thereof.

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