

ORDINANCE NO. _____

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

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**AN ORDINANCE FURTHER AMENDING THE DEVELOPMENT AGREEMENT
BETWEEN THE COUNTY OF SAN MATEO AND BIG WAVE, LLC, PURSUANT TO
CHAPTER 24.5 (SECTIONS 6510, ET SEQ.), PART ONE, DIVISION VI (PLANNING)
OF THE SAN MATEO COUNTY ORDINANCE CODE**

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

SECTION 1. That certain Third Amendment to the Development Agreement, by and between the County of San Mateo and Big Wave, LLC, as approved and executed by Board of Supervisors pursuant to Ordinance Number 04738 at its meeting of May 19, 2015 (“Development Agreement”), amended on June 27, 2017 (first amendment) pursuant to Ordinance Number 4479, amended on August 6, 2019 (second amendment) pursuant to Ordinance Number 4816, and amended in the form submitted to this Board for consideration at its meetings of June 29, 2021 and July 13, 2021 (third amendment), the full text of which is incorporated herein by reference, is hereby approved, and the President of the Board is hereby authorized and directed to execute the Third Amendment to the Development Agreement (“Second Amendment”) on behalf of the Board of Supervisors.

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

- (a) That the Third 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 report to the Board of Supervisors that accompanied the Second Amendment to the Development Agreement, the project, as further amended, is consistent with the General Plan, Local Coastal Program, and the Montara-Moss Beach-El Granada Community Plan. The Third Amendment to the Development Agreement incorporates by reference all conditions of project approval.
- (b) That the Third 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 May 19, 2015, June 6, 2017, July 23, 2019, and June 29, 2021 staff reports to the Board of Supervisors, the proposed uses of the Wellness Center and Office Park are permitted by the Zoning Regulations, and the Third 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 Third 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 June 29, 2021, included as Exhibit J 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 Third 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 Third 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 be effective thirty (30) days from the passage date thereof.

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