

reserves, open space areas, trails, parks and/or recreation areas and facilities, within unincorporated San Mateo County. The Parks and Recreation Commission shall adopt, and forward to the Board of Supervisors, recommendations regarding fees to be charged for the use of these areas. The Commission shall advise the Board of Supervisors regarding fish, game and wildlife policies and programs, and shall make recommendations to the Board regarding the expenditure of fish and game propagation funds.

(b) The Parks and Recreation Commission shall by resolution establish a meeting schedule and procedural rules for conducting the business of the Commission.

## **Chapter 2.64 MID-COAST PARK AND RECREATION DEVELOPMENT FEES.**

### **2.64.010 FINDINGS AND PURPOSE**

The Board of Supervisors has determined that:

(a) New development in the unincorporated Mid-Coast area, consisting of the communities of Montara, Moss Beach, El Granada, Miramar, and Princeton, adds incrementally to the need for park and recreation facilities to serve the population of the unincorporated Mid-Coast area.

(b) There is a need to acquire and develop land to provide park and recreation facilities to serve the unincorporated Mid-Coast area.

(c) A fee adopted in accordance with the State Mitigation Fee Act, and placed on new residential development, is an appropriate method of obtaining funding to pay the proportionate share of the cost of acquisition and development of park and recreation facilities to serve the anticipated growth in population resulting from such new residential development.

### **2.64.020 APPLICABILITY TO MID-COAST AREA**

The provisions of this chapter shall be applicable only in (1) the entire geographical area located on the urban side of the Urban/Rural Boundary as shown on the San Mateo County General Plan Map for the Mid-Coast area, and (2) those lands designated Residential on the rural side of the Urban/Rural Boundary as shown on the San Mateo County General Plan Map for the Mid-Coast area.

### **2.64.030 AMOUNT AND STANDARDS FOR FEES**

Except as otherwise provided herein, a fee shall be imposed on all building permits for new residential development in the amount of \$1.17 per square foot of assessable space. This fee represents the

portion of the approximate cost of providing park facilities to accommodate and which is attributable to the demand generated by the proposed development.

**2.64.040 FEE CHARGED FOR RECONSTRUCTION OR REMODELING**

A fee in the amount specified in Section 2.64.030 of this chapter shall also be charged for building permits for any reconstruction or remodeling of existing residential structures. The fee will be charged only on any increase in assessable space resulting from the reconstruction or remodeling from that existing prior to the reconstruction or remodeling.

**2.64.050 ESTABLISHMENT OF MID-COAST PARKS DEVELOPMENT FUND**

There is hereby established in the office of the County Auditor/Controller and the County Treasurer a special interest-bearing fund entitled "San Mateo County Mid-Coast Parks Development Fund." All fees collected for parks acquisition and development under this chapter shall be deposited in this fund.

**2.64.060 LIMITATIONS ON THE USE OF FEE**

(a) Fees collected from development in the Mid-Coast area may only be used to acquire or develop parks to be located in and primarily used by Mid-Coast residents, the proportionate demand for which is created by the new development from which the fees were collected.

(b) Fees may be used only for acquisition and development of parks and not for routine or periodic maintenance.

**2.64.070 ADJUSTMENT OF FEE**

(a) On January 1 of each year, the development fees imposed by this chapter shall be adjusted by a percentage amount equivalent to the percentage change in the Engineering News Record Construction Cost Index for the preceding twelve month period.

(b) The amount of fee applicable to any permit shall be computed based on the fee in effect as of the date of approval of the building permit. The Board of Supervisors shall review the adequacy of the development fees established herein at least once every five (5) years or, if it deems appropriate, more often than every five (5) years.

(c) The Planning and Building Department shall provide an annual report to the Board of Supervisors which specifies any change in the fee due to automatic annual adjustments, the status of trust funds established to fund the cost of acquiring and development park

facilities associated with new development, and the status of any improvement projects financed in full or in part by these funds.

**2.64.080 IMPROVEMENTS IN LIEU OF FEE**

Applicants for building permits required to pay fees under this chapter may, as an alternative to paying the required fee, offer to dedicate land or construct park improvements determined by the Board of Supervisors to be appropriate for the type of development being proposed. In making such determination, the Board shall take into consideration the extent to which the park land or facilities would meet the goals and objectives of the County for parks in the Mid-Coast area, including with reference to any plans or needs assessments for the area. In exchange for such dedication or construction, the applicant shall receive a partial or full offset of the fee that would otherwise be required by this chapter.

**2.64.090 DEFINITION OF "NEW RESIDENTIAL DEVELOPMENT"**

For purposes of this chapter, "new residential development" shall mean a new single or multifamily residential structure.

**2.64.100 DEFINITION OF "ASSESSABLE SPACE"**

For purposes of this chapter, "assessable space" shall mean all of the square footage within the perimeter of the residential structure, not including any carport, walkway, garage, overhang, patio, enclosed patio, detached accessory structure, or similar area.

**2.64.110 EXEMPTIONS**

(a) An applicant for a building permit or permits for a farm labor housing project, as defined in Policy 3.35 of the San Mateo County Local Coastal Program, shall be exempt from payment of fees provided by this chapter.

(b) An applicant for a building permit or permits for a housing development for lower income housing as defined in subdivision (b) of Section 65915 of the Government Code or successor statute, shall be exempt from the payment of fees provided by this chapter, provided that the applicant agrees to the requirements for continued affordability set forth in subdivision (c) of Section 65915 of the Government Code or successor statute. Such exemption shall apply only to those units in any development project which meet the definition of lower income housing.

**2.64.120 CREDIT FOR PARTICIPATION IN ALTERNATIVE FUNDING MECHANISM**

If property which could otherwise be subject to payment of a fee under this chapter has, at any time in the past, been made subject to