

**Prior to CITY COUNCIL MEETING 06.26.2024  
Public Comment 06.25.2024 THRU 06.26.2026  
PDP-23-34 /555 Kelly Avenue**

Cathy Baird\_06.25.2024  
Christian Arana\_06.25.2024  
Chad Hooker\_06.22.2024  
Sandy Vella\_06.20.2024  
Ed Vargas\_06.26.2024  
Ellen Koland\_06.21.2024  
Jane Lewis\_06.24.2024  
Jennifer Moore\_06.26.2024  
HAA & DBL Letter\_06.26.2024  
Shauna Picket Gordon\_06.26.2024  
Jennifer Moore\_06.26.2024  
Margaret Gossett\_06.26.2024  
Alex Ontiveros\_06.26.2024  
Nathan Parks\_06.26.2024

**City Council Meeting 06.26.2024  
555 Kelly - Public Comments  
05.25.2024 thru 06.26.2024  
PDP-23-034**

From: Cathy Baird  
To: 555 Kelly - Mercy/ALAS/City

Council members:

I am writing as a member of Peninsula for Everyone. When we say "everyone", that includes the farmworkers who are already part of the community and deserve decent housing.

I have read the points of the appeals and the staff comments about them. Please listen to your staff and deny the appeals and let the housing go ahead. It's in as much of a transit-rich area as we are likely to find on the coast, and the environmental concerns have been met. Please don't waste any more time, and let this project get started.

Cathy Baird

**City Council Meeting 06.26.2024**  
**555 Kelly - Public Comments**  
**05.25.2024 thru 06.26.2024**  
**PDP-23-034**

**From:** Christian Arana  
**Date:** June 25, 2024 at 9:19:05 PM PDT  
**To:** Jessica Blair  
**Subject:** **Note of Support from the Latino Community Foundation**

Dear Ms. Blair:

On behalf of the Latino Community Foundation, I write to reiterate our support for the affordable housing development project at 555 Kelly Avenue in Half Moon Bay, California.

Members of the Half Moon Bay City Council have a unique opportunity at the Special Meeting of the city council to advance this project forward. Our organization has long stood with the farmworker community of the city, and we respectfully ask that there be no further delays.

It is moments like these that can change the trajectory of a nation and how we dignify our farmworker communities. I urge the City Council to step into history and become a model city for the country in how we support our farmworkers.

Thank you,

Christian

**Chad Hooker**  
**423 San Benito Street**  
**Half Moon Bay, CA 94019**

June 22, 2024

555 Kelly approval

City Council Members All:

Supporting farmworker housing has been shown through recent meetings to be essentially “the will of the people”. Additionally, this has been a stated objective of the Council for several years and the State will lean heavily and expensively on our small town if this project is denied or unreasonably delayed. Its approval is apparently eminent.

That said, you are all aware of several concerns, the most powerful of which is the lack of parking. I urge the Council to take this impending problem seriously and do what you can to proactively solve it. I personally have suggestions for parking improvements in that area which I have tried to pass on to the City through staff and one of the PC members but this has gone nowhere. Helpful opportunities do exist but, like most things, they are fleeting.

I am asking Council, as part of your rejection of these appeals, to direct staff to investigate as much as feasible, any and all available resources to help solve the parking problem that we can ALL see coming (whether or not we think it is reason enough to deny the project).

Aside: The last PC meeting included discussion about asking the project architect to “work with staff” to improve the exterior appearance of the building i.e., make it fit better with our townscape. That appears not to have been included in the PC’s final statements and conclusions, but I think it was more by oversight than intention. I briefly discussed the process with City Manager Matthew C and was encouraged. I hope this idea for improving the look of the project gets some traction.

Thank you for your attention to this in advance of the meeting, which I will be unable to attend.

Sincerely,

Chad Hooker  
650-888-1613

**City Council Meeting 06.26.2024**  
**555 Kelly - Public Comments**  
**05.25.2024 thru 06.26.2024**  
**PDP-23-034**

**From:** Sandy Vella

**Sent:** Thursday, June 20, 2024 3:48 PM

**To:** Catherine Engberg SMW Law **Cc:** Jessica Blair

**Subject:** 555 Kelly Project - 20-June-2024 Special Council meeting with Mercy

Good Afternoon City Council and City Attorney,

I see there is a special Council meeting today at 5pm to discuss the land lease agreement with Mercy Housing relating to the 555 Kelly project. I am puzzled that this meeting is taking place before the Appeal hearings next week? Does this mean the City Council is moving forward with the project and has made a final decision? Wondering if the Appeals are just considered formality, although I am hoping otherwise?

I'm also hopeful that today's may just be a preliminary meeting, as I suspect there will be new learnings and actions in the Appeal hearings. I'd respectfully ask that any negotiations as it relates to 555 Kelly property be tabled until after the hearings.

Thank you and regards,

Sandy Vella

Half Moon Bay, CA 94019

From: Edward Vargas  
To: Bridget Jett; Jessica Blair

Hello Bridget and Jessica,

I attended the 4-30-24 and 5-14-24 Planning Commission meetings and spoke at the April 30 meeting to provide support for the 555 Kelly Ave. affordable housing project.

Over 90% of the comments made in person and from calls to the 4-30 meeting were in support of 555 Kelly Ave.

I also sent email documenting my role as one of three initial community leaders, (e.g., Belinda Hernandez-Arriaga, ALAS, Victoria Sanchez De Alba and I), that first presented the idea to use the 555 Kelly Ave., City-owned, 6-year dormant property to Half Moon Bay City Leaders, e.g., Matt Chidester, Jill Ekas and SMC Supervisor Don Horsley in 1921.

My key points at the beginning of our proposal for 555 Kelly in 2021 referenced:

1. California State requires all counties to file a report every 8 years on their plans to provide affordable housing in their respective counties.
  - The last report for San Mateo County prior to 2021 confirmed the shortage of affordable housing but no plan to address this gap.
2. The revenue from agriculture in San Mateo and California is dependent on the farmworkers' labor to plant and harvest the crops. Farmworkers on the average earn \$25K a year. They do not have health care or retirement benefits when they get paid by the hour or piece work. If there is no affordable housing for this workforce there will be no workforce for the farmers.
3. The back of the 555 Kelly Ave. property is adjacent to the large parking space for the Ted Adcock Community Center. Parking for 555 Kelly could include extending the space from the parking lot at the Ted Adcock Community Center.



## Executive Summary Key Conclusions

### Housing Availability

- The future of San Mateo County agricultural production will be dependent on labor availability, and producers are adjusting their operations in response to labor constraints. ***Based on the surveys and focus group comments, producers would hire more workers now and/or in the future if the workforce was available; however, producer survey responses and comments from focus group participants, including producers and workers, indicate that a key reason for the County's shrinking farm labor pool is the lack of available housing.***
- During focus group sessions, producers indicated that housing availability is a key concern for producers in recruiting and retaining employees. At the same time, agricultural workers who participated in focus group sessions indicated that housing availability severely constrained their job mobility, and that workers living in on-farm housing would be reluctant to leave an unsatisfactory employment situation, because of the lack of other viable housing choices if they lost their employer-provided housing.
- ***A primary factor contributing to this situation is the high cost and unavailability of affordable housing throughout the greater Bay Area, where housing development is lagging behind job growth.***

Please share this email with the City Council members, Mayor Joaquin Jimenez, Matt Chidester, City Manager and the Planning Commissioners.

**I urge the City Council to reject the three appeals against the 555 Kelly affordable housing project at the June 26 meeting.**

**The City Council should continue to support the priority for new forms of affordable housing for extremely low and very low income households. E.g., approve the Architectural Review of the 555 Kelly Avenue Affordable Housing Development Project and the Coastal Development Permit.**

- **555 Kelly is the number one Affordable Housing Development Project listed on the 2023-25 City Council Priorities Work Plan Attachment for Public Properties. 880 Stone Pine Road is second then the CUSD School District Site.**

**Esteemed leaders from the Sobrato Philanthropies group voiced their support with their \$500K grant to ALAS for the Farmworker Resource Center on the first floor.**

**The shooting tragedy last year and the media brought to light the deplorable conditions at existing City of HMB farms with workers living in wooden crates on the dirt and mud from the rain.**

**City leaders cannot pretend those conditions did not exist as long as the media is not covering a murder story with those deplorable living conditions. City Council members need to step up and fix this!**

**Key issues below:**

The City of HMB website provided links to each of the 555 Kelly three appeals. There is a 120 page pdf of the responses to these appeals with the documentation of 555 Kelly to date.

I downloaded and reviewed these appeals.

- High level, the first appeal from Jennifer Moore asserts there are geological problems.

That first appeal ignores the Rockridge GeoTechnical firm's geological study submitted to Mercy Housing, on Jan. 2024 stating there are no geological dangers

- The second appeal from Mike Ferreira claims there are procedural problems in the approvals. The documentation of the City Council and Planning Commission with respective responses show all procedures are in order.

- The third appeal from Paul Nagengast claims "parking-traffic problems." That appeal ignores the traffic study the City provided that shows no problems.

"WHEREAS, the City Council, following submittal of a joint response to a City issued Request for Qualifications (RFQ) by Mercy Housing and ALAS, authorized the allocation of \$1 million in City Affordable Housing Funds for predevelopment costs associated with the Project; and WHEREAS, the City Council also authorized the allocation of \$1.5 million in County ARPA funds for predevelopment costs associated with the Project; and

WHEREAS, time is of the essence as the deadline for filing for State of California Joe Serna Farmworker Housing Grant Program is expected to be mid-July 2024.

## **Community Development Director Report PDP-23-034 May 14, 2024**

Following the meeting, the Planning Commission received a letter of support and technical assistance from HCD dated May 10, 2024 (Attachment 6).

- *Information on who the City has authorized to park at the TACC. At present, parking at the TACC is open to the public. No authorization is needed to utilize the parking at this City facility. However, the City could impose restrictions (i.e., limit parking to TACC use). 3. Information on how someone requests authorization from the City to park at TACC parking now and in the future. No authorization is needed to utilize the parking at this City facility now. The City could impose restrictions in the future.*

**COASTAL DEVELOPMENT PERMIT AND ARCHITECTURAL REVIEW TO ALLOW THE CONSTRUCTION OF A NEW FIVE-STORY BUILDING WITH FORTY (40) RESIDENTIAL UNITS FOR SENIOR FARMWORKERS AFFORDABLE TO EXTREMELY LOW AND VERY LOW INCOME HOUSEHOLDS, A 2,658 SQUARE FOOT FARMWORKER RESOURCE CENTER (FRC), AND AN 18-SPACING GROUND FLOOR PARKING GARAGE. PERMIT APPROVAL ALSO INCLUDES A LOT LINE ADJUSTMENT TO INCREASE THE PROJECT PARCEL SIZE AND RECONFIGURE THE DRIVEWAY AT KELLY AVENUE IN THE COMMERCIAL DOWNTOWN (C-D) AND PUBLIC-SERVICES (P-S) ZONING DISTRICT AND THE PUBLIC INSTITUTIONS GENERAL LAND USE DESIGNATION.**

In a collaborative spirit,

Ed Vargas, B.S.C., J.D.

President, Vargas & Associates, LLC

Social Impact Consulting: Strategic Marketing, Leadership, Mentor, Ethical Tech for Social Good

President, [DIVINA WORLD FOUNDATION, 501c3](#)

President, [HLX+ NW Region, 501c6](#)

LinkedIn: <https://www.linkedin.com/in/edward-a-vargas/>

Founding Member, Miller Center Unconscious Bias Working Group ([millersocent.org](#))

Check out my interview with podcast host, Prosper Taruvinga, The Online Prosperity Show, Melbourne AU

[Former AT&T Executive Reveals Secret to Harnessing Tech for Social Good!](#)

June 26, 2004

To the Half Moon Bay City Council,

I am writing to state my opposition to the 555 Kelly Ave senior farmworker housing project as proposed.

The crux of the issue and the main reason for opposition to this project is its size. Many of us who oppose this project recognize the glaring need for affordable farmworker housing but oppose this project because of its size and inadequate parking. The bottom line is that it is too large for 555 Kelly Avenue even with the TTAC parking spaces annexed to the site.

While opponents of this project have been stereotyped as NIMBYs, this project has brought to the forefront two competing community values: the need for affordable housing and adherence to community standards that limit building height and provide adequate parking. A smaller project that addresses the need for low income farmworker housing while honoring the longstanding community standards would be far more acceptable to many in the community.

I can't imagine that the City Council envisioned a project of this scale when the RFP was initially issued. How did it morph to this grand scale? Mercy Housing has drawn a line in the sand re: 40 as the minimum number of units. I urge the City Council to question Mercy Housing's underlying assumption that any project with fewer than 40 units isn't financially feasible. Has there been an independent review of this underlying assumption or did city staff simply accept this as fact?

If there is an industry standard that documents 40 units as the minimum size, I urge the city council to find a larger site to accommodate it. The senior center on Main Street is a perfect example of a Mercy housing project that includes 40 units and senior services in a THREE story building. Why not integrate this project into the 50 acres recently purchased by the county for affordable housing? This would eliminate the "need" for 5 stories.

The need is for housing. One way to reduce the scale of this project is to eliminate the resource center. The applicant has identified this as a center to serve farmworkers on the coast and proposes a wide range of classes

and community events. The service area for the resource center will necessitate the use of cars to get to the center which will dramatically increase traffic to this site (though this traffic was never addressed in the application or review). The proposed resource center consumes one floor of the 5 story building of the building. Elimination of the resource center would reduce the number of floors in the project and the number of cars coming to the site for classes and events.

I sincerely hope the City Council will ignore the holier than thou attitude that permeates disagreements about this project and take a leadership position to find solutions that address two legitimate but competing community priorities for affordable housing AND long standing community standards for height and parking.

Sincerely,

Ellen Koland

Author: Jane Lewis – June 24, 2024  
RE: 555 Kelly Avenue building project

# You don't always get what you want. Mick Jagger

No one doubts the value of providing low-income housing. This proposal is controversial because it's in the wrong location, it depends on overruling common-sense codes, and it results in tremendous long-term cost to the community.

The Coastal Development Plan hearing process has been permeated by a sense of grievance and demands for a quick approval. Everyone who wanted to speak was given time. Public Comment continued until late and the hearing was continued to the following meeting. No quick decision was possible, the commissioners needed more time to discuss the proposal, but discussion outside the commission meeting is not allowed.

At the second hearing, ALAS organized a protest, waving signs in front of the Planning Commissioners, causing distraction and disruption. There was more emotional testimony laced with hyperbole and shouting. When the meeting was finally ended, the commissioners walked each other to their cars for safety.

Then a letter from the Governor was sent to the Chronicle blaming our Planning Commission for not acting more quickly and threatening Half Moon Bay with litigation.

There are so many unanswered questions, it's difficult to narrow them down for discussion. California Land Use regulations require local agencies to balance the effects of ordinances and actions. (DIVISION 2. SUBDIVISIONS [66410 - 66499.41) Achieving balance requires the Council to give equal importance to:

- the housing needs of the region
- the public service needs of residents (such as fire protection)
- the available fiscal resources
- the environmental impacts

The city manager has presented the plan as inevitable, but we want to know the details and that is exactly the reason to slow down and talk it over. What is our commitment and participation? This proposal should be brought to the voters because it will have long-term effects.

We have a right to choose whether to extend a 99-year lease at \$1 per year to ALAS. That's a give-away at the very time we are facing a projected annual deficit of \$4 million dollars. Shall we indebt future generations to absorb this cost?

Then there are the waivers. Under AB 1287, projects that include at least 16% of the units for very-low-income households may be granted up to four waivers or concessions to the Code. For projects that set aside 100% of the units for low-income households, the developer may request up to 5 concessions. Some folks think of it as reducing requirements by a percentage. If 20% of the building is designed for non-residential activities, it doesn't qualify for the 100% bonus. It's difficult to quantify but no matter how you count the concessions, this project requires too many.

<https://www.hansonbridgett.com/publication/231207-4021-ab1287-maximizes-housing-production>

In addition to the list below, the property doesn't fit the criteria for infill housing, the site is too small for such a large building, and the potential for liquefaction requires exceptional site preparation. Both Chad Hooker and Juliet Kulda suggested alternative sites where there is more space for a large building.

#### WAIVERS NEEDED

- |  |  |
|--|--|
| <ol style="list-style-type: none"> <li>1. <b>High Density</b> – 40 units is the minimum number of units to make the project pencil financially for Mercy Housing.</li> <li>2. <b>Height</b> – 5 stories will be the tallest building in Half Moon Bay</li> <li>3. <b>Change of lot line</b> to add 3000 SF</li> <li>4. <b>Reduce Set-back</b> by 12' blocking the line of sight for drivers</li> <li>5. <b>No Open Space, no EIR</b></li> <li>6. <b>Inadequate Parking</b> – 18 spaces (44 is the standard minimum)</li> </ol> | <ol style="list-style-type: none"> <li>7. <b>No recreational space</b> for children living in the two-bedroom apartments</li> <li>8. <b>No major-transit-stop</b> operating 8 times per day, within a quarter mile</li> <li>9. <b>Lack of 30' of Defensible space</b> = lack of adequate fire protection</li> <li>10. <b>Habitat destruction</b> - removing 17 mature trees will disrupt nesting</li> <li>11. <b>Interfering with a significant Historical and Architectural building</b></li> </ol> |
|--|--|

Yes, these cost-cutting waivers will save money, but they will exact a high price in the quality of life.

#### ENVIRONMENTAL IMPACTS

Interfering with historically significant buildings is a legitimate reason to deny a permit. A five-story building next to Cunha Intermediate School will dwarf the historically significant building. In 1990, the American Institute of Architects identified the school as a key historical example of Art Deco construction, not just for the Coastside, but for San Mateo County. If tourism is desirable, it's important to preserve historic places without crowding.

Negative impacts on the physical environment include the removal of seventeen large trees. Nine are scheduled to be replaced with small trees but they won't support nesting birds for 30 years. 18 public parking spaces will be lost.

#### SAFETY

Concerns about community health and safety are legitimate reasons to require a change of location. The Shoreline Station driveway will be narrowed, and the massive building will block drivers' view of west-bound traffic as they exit to Kelly Avenue. Kelly Avenue is congested on Saturday mornings when ALAS is giving out food. Cars line up in the east-bound lane all the way down to Highway 1.

The city's traffic consultant reported that her survey of the traffic on Kelly Avenue showed that a large business, the *Farmworker Resource Center*, plus 40 additional housing units would have no impact on traffic. She overlooked the twice daily parent trips to bring children to school, the Boys and Girls Club daily activities for children and day camps during school breaks. The gymnasium hosts basketball, volleyball, and wrestling matches Monday through Thursday and sometimes on Friday and Saturday.

#### PARKING

The idea that the residents will not have vehicles is preposterous. Eighteen parking spaces are not adequate for 40 residents, much less for the folks coming to access services. The standard parking requirement for these 40 residential units is a minimum of 44. To create this private lot, 18 public spaces will be taken away from the Adcock Center and assigned by lottery to residents of the new building. Re-striping the parking lot will replace only three spaces for the Adcock Center. Building a parking garage at this location would make more sense, and over time, a nominal parking fee would mitigate the cost of construction and maintenance.

#### THE DENSITY BONUS LAW DOESN'T PROVIDE WAIVERS FOR OFFICE SPACE

The 555 Kelly proposal has expanded to five stories to provide 2658 square feet of office space for ALAS on the ground floor. A large gathering space with a full kitchen is planned. If this project is allowed to go forward, nearby businesses will be disadvantaged. Even with a high vacancy rate, there is too little parking for Shoreline Station and the Farmers Market. Adding a meeting hall without adding parking space will exacerbate the problem.

#### BE A FORCE FOR GOOD: SUPPORT LOCAL BUSINESS

Shoreline Station has been struggling for years. 6476 SF of space is currently available for lease, and with 40 full-time staff, surely ALAS can pay market-rate rent. If ALAS leases space at Shoreline Station, they will be able to legally park there. This doesn't solve the parking problem but it can reduce the height of the building significantly. Mercy Housing as the sole applicant is entitled to have a small on-

site office to manage the multi-family building. The *Farmerworker Resource Center* can be housed across the parking lot in Shoreline Station.

HISTORIC RESOURCES PRESERVATION: see Municipal Code: Chapter 14.39

Half Moon Bay Union High School (now Cunha Intermediate School) was built in 1939 with funding by two New Deal agencies, Public Works Funding and Public Works Administration (PWA). Located at 600 Church St. the school is a historically and architecturally significant building.

<https://livingnewdeal.org/sites/old-half-moon-bay-union-high-school-half-moon-bay-ca/>

#### IMPORTANCE OF HISTORICAL PRESERVATION

The preservation of historical resources returns a variety of benefits to a community. Historical preservation is also community conservation. The school is important to community culture, having educated our youth continuously for 85 years. Identified as a significant example of Art Deco architecture in San Mateo County, we should offer educational and interpretive programs pertaining to this historic resource and include it as a stop on a historic tour for visitors. Protected historical sites acquire prestige and distinction, resulting in higher neighborhood property values and increased tax revenues.



Preserving the historic site for use as a school requires upholding The California Education Code standards for school sites.

Specifically:

- Population density and traffic
- Maximizing Safety
- Accessibility for pedestrians
- Accessibility for Bussing
- Accessibility for Waste Disposal

- Accessibility for Emergency services

UNINTENDED CONSEQUENCES OF CONSTRUCTION

School children deserve a quiet environment to learn. Construction Noise and Vibration during school hours will cause anxiety and impact Instruction. Young students lost nearly 2 years of instruction during the COVID pandemic. Six years later, the same children will again experience a negative instructional environment and lose another year of learning.

SUMMARY OF PROJECT-GENERATED NOISE AND VIBRATION (provided by Mercy Housing)

This report summarizes the analysis of the construction noise and vibration impacts related to the project at 555 Kelly Avenue. The project consists of a new multi-family residential development located along Kelly Avenue between Shoreline Plaza and the Our Lady of the Pillar church. We quantified the existing ambient noise environment and analyzed future project noise and vibration sources. This includes noise and vibration from construction equipment, mechanical equipment, and traffic increases.

The City of Half Moon Bay does not have specific construction noise criteria. Per Chapter 14.40.010 of the Municipal Code, construction hours are limited to 7 am to 6 pm Monday through Friday; 8 am to 6 pm Saturdays; and 10 am to 6 pm Sundays and holidays.

The primary noise-generating work is expected to last 15 months. All of the work will be done during weekday business hours. Equipment noise levels are calculated to be significantly higher than the existing ambient noise levels.

Equipment Noise:

August to December

- Jack Hammer - Hoe Ram
- Large Excavator
- Lime Treatment
- Small Excavator
- Concrete Pump
- Forklift
- Gradall

January to May

- Crane
- Air Compressor
- Forklift
- Gradall
- Generator
- Truck Deliveries

June to October

- Generator
- Truck Deliveries

The primary vibration-generating work is expected to last 10 months. The project would most likely use the following vibration-generating equipment:

- Jackhammers
- Hoe ram
- Excavators
- Gradall/Loaders



**From:** Jennifer Moore  
**Subject:** Please consider  
**Date:** 26 June 2024 at 9:47:22 AM GMT-7  
**To:** DPenrose

Councilmember Penrose,

I'd like to ask for your leadership in diving deeper into ALAS' planned usage of the 555 Kelly housing project. At the last Planning Commission meeting, Belinda Hernandez-Arriaga told the Commission that she had an overall dream and a vision about the future function of her non-profit services. What would be very useful at this point is specific details on how and who will be using the Farmworker Resource Center/Conference Center. In that way, the City can understand the anticipated parking requirements. Also, wondering if the Farmworker Resource Center/Conference Center will be opened up and loaned to organizations within the City of Half Moon Bay? Also will events and training held at the Center be opened up for all of Half Moon Bay citizens or is targeted for Farmworker exclusive use?

Is it possible for you lead this discussion with your fellow Council members to ensure the City understands the Farmworker Resource Center intended use and requirements? If the City can in turn provide public transparency, that would be incredible.

Thanks for your service to the City of Half Moon Bay and the Community!

Thank you,

Jennifer Moore



Jun 26, 2024

Half Moon Bay City Council  
501 Main St.  
Half Moon Bay, CA 94019

Re: Proposed Farmworker Housing at 555 Kelly Avenue

By email: [jjimenez](#), [HRarback](#),  
[RBrownstone](#), [DPenrose@hmbcity.com](#); [DRuddock](#)

CC: [MChidester](#), [engberg](#), [JBlair](#),  
[mnoce](#), [Cddirecto](#), [BJett](#)

Dear Half Moon Bay City Council,

The California Housing Defense Fund (“CalHDF”) submits this letter to remind the Council of its obligation to abide by all relevant state housing laws when evaluating the proposed 40-unit, 100% affordable farmworker housing project project at 555 Kelly Avenue. The Housing Accountability Act (Gov. Code, § 65589.5; the “HAA”) requires approval of zoning and general plan compliant housing development projects unless findings can be made regarding specific, objective, written health and safety hazards. (*Id.* at subd. (d)(2).) The HAA also bars cities from imposing conditions on the approval of such projects that would reduce the project’s density unless, again, such written findings are made. (*Id.* at subd. (j).)

As outlined in the staff report, the proposed development complies with local land use rules, including the City’s zoning code and General Plan. The HAA’s protections therefore apply, and the City must not reject the project, except based on health and safety standards, as outlined above. Furthermore, the Council also may not deny the project due to subjective development review standards, such as aesthetics, as the HAA only permits consideration of objective standards. (*Ibid.*) For instance, such issues as whether the design “describes and informs our character as a community” or whether the design expresses “a gateway to a small town,” which media reports [indicate](#) the Planning Commission had used as criteria for evaluating the project, are not valid criteria for denial of the project.

If the Council imposes design changes that have a substantial adverse impact on the viability of the project, and such design changes are the subject of litigation, then the burden of proof will be on the city to show that the design changes were necessary for the protection of public health and safety. (*Id.* at subd. (i).)

CalHDF also writes to emphasize that the Density Bonus Law (Gov. Code, § 65915; the “DBL”) offers the proposed development certain protections. The Council must respect these protections. In addition to granting the increase in residential units allowed by the DBL, the Council must not deny the project the proposed waivers and concessions with respect to height and parking unless it makes written findings as required by Gov. Code, § 65915, subd. (e)(1) that the waivers would have a specific, adverse impact upon health or safety, and that there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. Increased density, concessions, and waivers that a project is entitled to under the DBL do not render the project noncompliant with the zoning code or general plan, for purposes of the HAA. (Gov. Code, § 65589.5, subd. (j)(3).) Of note, the DBL specifically allows for a reduction in required accessory parking in addition to the allowable waivers and concessions. (Gov. Code, § 65915, subd. (p).)

Regarding the height of the project, the Council may not deny the increased height requested pursuant to the DBL without making the aforementioned findings, which the Council may not do, as the preponderance of evidence in the record does not support such a finding. Regarding the coastal development permit, city staff have [exhaustively demonstrated](#) the project’s consistency with coastal policies.

In terms of height and character, it is worth noting that the Ritz-Carlton Hotel is of equivalent height as the proposed project. Rooms in the hotel typically cost close to \$1,000 a night, and a round of golf at the accessory golf courses costs approximately \$200.

Regarding the Planning Commission’s condition of approval that the project endeavor to change six two-bedroom units to one-bedroom units, it is worth noting that two bedroom (and larger) units are vital for families. This condition of approval is in contravention of policies and programs in the City’s draft Housing Element (emphasis added):

Policy 3A. Encourage development of housing types and programs for senior citizens, the disabled, **large families**, and other groups identified as having special housing needs such as female-headed households, farmworkers, and unhoused individuals.

Program 3-5: Large and Multi-Generational Households

- Density Bonus Incentives: Provide incentives for **larger units with at least 2 bedrooms**, and greater incentives for larger units with at least 3 bedrooms.

#### Program 6-4: Removal of Constraints

- The City will continue to assess and update the Zoning Ordinance, Subdivision Ordinance, Municipal Code, and City procedures to remove constraints and address changes in State law, particularly regarding housing for special needs groups, including seniors, the disabled (consistent with requirements of SB 520), **large families, farmworkers**, and the homeless.

State law obligates the City's Housing Element to affirmatively further fair housing, with protected categories including familial status, as mandated by Gov. Code, 65583, subd. (c)(5) (emphasis added):

Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, **familial status**, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law.

Given that the ink isn't even dry on the City's draft Housing Element, which has not yet been approved by HCD, the City should not be taking action that contravenes its programs and policies and fails to affirmatively further fair housing.

Additionally, the project is exempt from environmental review under § 15332 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines as the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations; the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; the project site has no value as habitat for endangered, rare or threatened species; approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. And recent caselaw from the California Court of Appeal has affirmed that local governments err, and may be sued, when they improperly refuse to grant a project a CEQA exemption or streamlined CEQA review to which it is entitled. (*Hilltop Group, Inc. v. County of San Diego* (2024) 99 Cal.App.5th 890, 911.)

As you are well aware, California remains in the throes of a statewide crisis-level housing shortage. New housing such as this is a public benefit; it will provide good-quality housing to a vulnerable group currently living in [deplorable](#) living conditions, it will bring new customers to local businesses, and it will reduce displacement of existing residents into homelessness. While no one project will solve the statewide housing crisis, the proposed

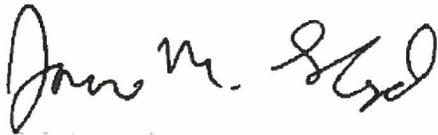
development is a step in the right direction. CalHDF urges the Council to approve it, consistent with its obligations under state law.

CalHDF is a 501(c)3 non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at [www.calhdf.org](http://www.calhdf.org).

Sincerely,



Dylan Casey  
CalHDF Executive Director



James M. Lloyd  
CalHDF Director of Planning and Investigations

**City Council Meeting 06.26.2024**  
**555 Kelly - Public Comments**  
**05.25.2024 thru 06.26.2024**  
**PDP-23-034**

From: Shauna Pickett-Gordon

Subject: Public comment for 555 Kelly appeals meeting 6/27/24

Date: 26 June 2024 at 9:21:22 AM GMT-7

To: "JJimenez " "HRarback "DPenrose " "rbrownstone<RBrownstone"DRuddock<DRud

Cc: Matthew Chidester Shauna Pickett-Gordon

Dear Mayor Jimenez, Vice-Mayor Rarback, and Councilmembers Brownstone, Penrose, and Ruddock,

Within this country's first year of Covid, Half Moon Bay set an excellent example for small California cities by starting Coast House, a place for people experiencing homelessness to be safe, get help with their major issues and obstacles, regain their footing, and reclaim their lives. There's no single solution to make homelessness disappear; living on the street without life's necessities takes its toll, no matter what a person's life was like when they lost their home. But Coast House's 24-7 protection and presence, and the variety of learning opportunities there, has resulted in a miraculous turnaround for the majority of its clients. Clients have transitioned into permanent housing, have found work, have escaped a downward spiral through health care, programs, and simple reliable nutrition.

This project had a good design to start with, and through its management and the City's oversight, it has had an excellent running record. The opposition to Coast House was huge in the beginning; horror stories abounded on Nextdoor. However, none of those stories became reality. In fact, because no significant issues have arisen for the past several years, the community advisory committee has dwindled from 11 to 3, one whom characterizes the Coast House reports as "boring, just the way they should be."

I'm still on that committee because there's a connection between on-the-street homelessness, living in one's vehicle, and what our essential full-time workers – especially our generations of immigrant farmworkers – have been experiencing.

Everybody deserves a safe, secure, dignified home. Those who have built up their resources from nothing – with no inheritance or privilege whatever, no university degree, no connections, just hard work for 40+ hours a week – and in spite of a language barrier – those people deserve a decent home. People who work up to 12 hard hours a day to grow fresh food for the privileged of the community to enjoy – they deserve a solid, livable home.

But the housing market has spiraled up beyond essential workers' ability to stay decently housed. The spiral benefits property owners and property dealers more each year, while those at the other end of the seesaw lose more and suffer more.

Second Harvest Food Bank continues to report that, since Covid, they are feeding 1 in 6 people in San Mateo County. Many Coastside families are using that service to stay housed,

even if it means cramming into a two-bedroom apartment (one bathroom, one kitchen) with two other families. And they go to work every day.

Not only is housing too expensive for essential workers by a factor of three, but there simply isn't enough housing. A study several years ago showed that more than 1000 housing units were needed on the Coastside just for the agricultural workers and their families. The state housing element mandate, along with state and federal money, has been trying to address this shortfall for several years.

We may not be able to build our way out of this crisis – multiple solutions are called for – but certainly we must start building. The projects at 880 Stone Pine Road and 555 Kelly Avenue are good starts.

The intense opposition to 555 Kelly tells me that the privileged – especially those involved in real estate deals and development – see cosmetic changes and their own minor inconvenience as more important than the need of our most vulnerable, hard-working poor to have basic, decent housing. Over and over, I hear arguments that boil down to either "Not in my backyard" or "Don't give them so much."

You'll be hearing Coastside Faith In Action speak to (and write to) many of the concerns that have been raised by the opposition. I can't attend tonight's meeting, but I'd like to address these two concerns:

- **Where the ALAS Resource Center should be located, and why.**

Some people don't want the ALAS Resource Center to be on the first floor, instead of apartments; and they think there should be more parking spaces for motor vehicles. However, Coastside Faith In Action supports ALAS in the current design of the 555 Kelly project, for the following reasons:

- Mercy Housing took a poll that showed most senior farmworkers who are candidates for this apartment building have bicycles, not cars. They said they needed bike racks more than car parking.
- Senior farmworkers with no injuries or illnesses can bike around town. However, when they need resources – for example, when they aren't feeling well, need a medical appointment, want a counselor who understands their experience and culture, need legal advice, or need translation for an important conversation with a bank or other business – it's unkind and impractical to make them walk or bike to a place several blocks from their residence.

- Mercy Housing can't be that resource center; Mercy's job is managing the apartments. The ALAS Resource Center is there to "bridge" tenants to culturally appropriate care and help, and to translate.
- As a security policy in all of Mercy Housing's projects, no apartments are on the ground floor. Vulnerable residents are at less risk of being burgled or harassed if they have a secured-access elevator between the ground floor and their apartment's floor.
- ALAS doesn't merely line up clients for services and send them. Often, someone who is experienced at interfacing with those services is needed to accompany the client, so that the necessary information goes two ways between the client and the service provider.  
If you have lived most of your life on an isolated farm with no services nearby, and you don't speak English, how are you supposed to know what questions to ask an English-speaking provider?  
What ALAS does can ensure that the client is helped, that they actually get the service they need.  
If you yourself have an elderly parent whom you accompany to important appointments, that's what the ALAS resource coordinators do.
- **Housing senior farmworkers in town vs. away from town.**

Some have asked why these senior farmworkers can't be housed in a place far from town, off the highway, where there are no services except buses once an hour. Where, if they need help, whether to book a medical appointment or with translation, it's miles away. Where they can't walk to town, find the resources they need, even shop for groceries -- and bicycling to town on the highway isn't safe. Where they have no chance of interacting with, and becoming part of, the diverse community that is Half Moon Bay.

If we're looking with compassion at human lives, that question will answer itself.

There will never be a public housing project that has 100% support from the community's securely housed, well-to-do residents. There will always be opposition from those who would rather not see the working poor. But we the privileged will not find living on the Coastside so lovely if our essential workers have to move away. Please approve the project at 555 Kelly.

Sincerely,  
Shauna Pickett-Gordon  
Montara

**City Council Meeting 06.26.2024**  
**555 Kelly - Public Comments**  
**05.25.2024 thru 06.26.2024**  
**PDP-23-034**

**From:** Jennifer Moore  
**Sent:** Wednesday, June 26, 2024 9:49 AM  
**To:** Harvey Rarback  
**Subject:** Leadership

Vice Mayor Rarback,

I'm writing to you to ask for your leadership in pursuing affordable housing for all special housing needs groups. 555 Kelly is targeted to house Senior Farmworkers, which is definitely a great start but wondering if this is the right category to prioritize first? Should 555 Kelly should really include a mix of groups? I support the Senior Farmworkers, but I'd like to ensure we are prioritizing in the area we can help the most. I'd like your help in leading a City Council discussion to gain insight and provide public visibility into the following:

- groups in Half Moon Bay that need assistance
- numbers of people within those groups
- type of assistance that would help these groups
- the priority of providing assistance or housing to these groups

In other words, I'd ask before start a build that there is awareness and transparency on the overall population housing requirements in advance. I'd also want to be sure the understand specifically how many Senior Farmworkers we have in Half Moon Bay and how many we estimate will be eligible to be housed at 555 Kelly. I'd hate for 555 Kelly to be built, and then have the Senior Farmworkers find out after the fact that most slots will used to house those outside of Half Moon Bay. It would be helpful to know how many numbers of eligible Senior Farmworkers in advance, to allocate properly and to understand the exposure.

For ease of reference: Government Code Section 65583(a)(7)) requires “An analysis of any special housing needs, such as those of the elderly, persons with disabilities, including a developmental disability, as defined in Section 4512 of the Welfare and Institutions Code; large families, farmworkers, families with female heads of households, and families and persons in need of emergency shelter...” .

I appreciate your help, service, and support of Half Moon Bay.

Thank you,

Jennifer Moore

**From:** Margaret Gossett  
**Sent:** Wednesday, June 26, 2024 12:12 PM  
**To:** Robert Brownstone  
**Cc:** Jessica Blair  
**Subject:** Firefighting Apparatus in HMB

Dear City Council Member,

Although I am a planning commissioner, I am writing to you as a member of the public.

I attended the Coastside Fire Protection District Open House in Half Moon Bay this weekend. During my visit, I inquired about the apparatus that would be used to protect a 5 story building from fire. I learned that one of the apparatus's needed is called quint and one is assigned to the El Granada firehouse. Can you verify if this adequately addresses the potential needs for 555 Kelly (a five story building) or do we need an additional quint at the Half Moon Bay firehouse?

Respectfully submitted,  
Margaret Gossett

From: Alex Ontiveros  
Date: June 26, 2024 at 2:30:43 PM PDT  
To: Jessica Blair  
Cc: Belinda Arriaga Lilli Rey EdVargas  
Subject: Letter of Support for 555 Kelly Project

Dear City of Half Moon Bay Council Members,

My name is Alex Ontiveros, I am an award-winning community leader and activist, an award-winning filmmaker, and the producer of the award-winning documentary "CAMPEÑINOS: America's Unsung Heroes. This documentary tells the story of the contributions of countless Latino California farmworkers. I am proud to share that our documentary won 9 awards in the 2022 film festival circuit. It then was requested for private screenings at several tech, corporate, nonprofits, education and government institutions, through these screenings we have been able to establish fruitful relationships, allyships and support to ALAS and the Latino farmworker community of Half Moon Bay. Specifically, some of these private screenings have been held at Nvidia, BILL, LinkedIn, Adobe, Santa Clara University, The Mexican Heritage Plaza, County of Santa Clara and the latest request has come in from Apple. Additionally, at the invitation of local legislators we presented it to state legislators at the Sacramento Capitol on August 23, 2023, and on October 23, 2023, it was presented to congressional members at the Capitol in Washington D.C. at the invitation of California congressional representatives. We are pleased to have engaged both state and national legislators in dialogue to work towards implementing legislation that will improve the lives of our farmworkers. Stay tuned for upcoming updates.

I have the privilege of wearing many hats in our ecosystem, one of those is as founder and CEO of a social impact venture that goes by the name of Silicon Valley Latino (SVL). SVL is a multifaceted venture that acts as a media company, a community of progressive and action-oriented Latino professionals from tech, corporate, education and government agencies.

I am writing in support of the visionary affordable housing project, 555 Kelly. I am also proud to have been part of the team that has helped move this project along to this stage. As you are all aware, the need for affordable housing in the Bay Area but especially in Half Moon Bay has reached

dire levels. I am shocked by the level of opposition that 555 Kelly is receiving by commissioners especially after the 2023 mass shooting revealed deplorable housing conditions for our local farmworkers. It's an understatement to say that these homes are seriously needed by our farmworkers who go unappreciated and unrecognized. Our community feels that our farmworkers need dignified and suitable housing so they may continue labor at our local farms.

I, along with my team at SVL and The SVL Agency (award-winning full-services creative agency) will continue to film and document the journey of California farmworkers, especially those in Half Moon Bay and their pursuit of dignified housing.

Our plan is to film two more episodes as we aim to produce a feature length documentary that will be distributed through one of the main platforms. I believe that it is important how we show up for our communities as we travel through this journey called life. I am absolutely certain how I will show up and that I am fully committed to supporting this project to the fullest extent of my capabilities, resources and network.

I am optimistic that the planning commission realizes the significant impact that this project will have for some of our unsung heroes.

In community spirit,

*Alex Ontiveros*

From: Nathan Park  
Date: June 26, 2024 at 2:53:28 PM PDT  
To: Jessica Blair  
Subject: Letter of Support in Favor of the 555 Kelly Development

Dear Planning Commissioners, City Councilmembers, and Mayor Jimenez,

I am writing to express my strong support for the approval of the affordable housing project for farmworkers in Half Moon Bay, developed in collaboration with Mercy Housing. This critical initiative, which has been in the works for the past three years, aims to provide much-needed housing and resources for our senior farmworkers through a 5-story, 40-unit complex with an integrated resource center. As a Silicon Valley resident and someone who partakes of all of the beauty and assets available in HMB, I believe it is imperative to support our farmworking community that feed and operate your city.

The project has already secured significant funding, including \$5.2 million from state and local sources and an additional \$1.88 million secured through the efforts of Congresswoman Anna Eshoo for the farmworker resource center. Despite the extensive planning and the urgent need underscored by tragic events at HMB farms last year, the project is facing unnecessary delays threatening the eligibility for essential state tax credits this year.

Further postponements will only worsen the already dire living conditions of senior farmworkers. I urge you to approve this project without further delays to ensure farmworkers receive the housing and resources they desperately need.

Your approval will significantly impact the lives of farmworkers and contribute to the well-being and sustainability of our community.

Thank you for your attention and support.

Best,

Nathan Park, Concerned Citizen