

Updated Responses to August 30, 2023 “Out” Letter

All page numbers are from [the Track Changes version of the Second HCD Draft \(July 2024\)](#). The August 2023 response letter is available [here](#). Updated items are **highlighted** in the table below.

Comment #	Revision Request	Corresponding Recommended Modifications to the Housing Element	Response
1	<p><u>Review and Revision</u>: As part of the evaluation of programs in the past cycle, the element must also provide an explanation or summary of the effectiveness of goals, policies, and related actions in meeting the housing needs of special needs populations (e.g., elderly, persons with disabilities, large households, female headed households, farmworkers and persons experiencing homelessness). Programs should be revised as appropriate to reflect the results of this evaluation.</p>	<p>Technical Report F New subsection “Housing and Services for Special Needs Populations” that describes how needs were met for 6 groups and what changes may be necessary.</p>	<p>New “Special Needs Populations” subsection on page F-3</p>
2	<p><u>Local Data and Knowledge, and Other Relevant Factors</u>: The element must include local data, knowledge, and other relevant factors to discuss and analyze any unique attributes about the City related to fair housing issues. The element should complement federal, state, and regional data with local data and knowledge where appropriate to capture emerging trends and issues, including utilizing knowledge from local and regional advocates and service providers. In addition, the element must include other relevant factors that contribute to fair housing issues in the jurisdiction. For instance, the element can analyze historical land use and investment practices or other information such as demographic trends.</p>	<p>AFFH Assessment New subsection under “Population, Employment, and Household Characteristics” describing historical land use and investment in a couple of paragraphs. This can be at the beginning of the section, describing agricultural nature of town and how that’s unique in San Mateo County, and where investment has gone recently.</p>	<p>New “History of segregation in Half Moon Bay” section/text added on D-4</p>

3	<p><u>Integration and Segregation</u>: he element should incorporate local data and knowledge of the jurisdiction into the Affirmatively Furthering Fair Housing (AFFH) section. To assist in meeting this requirement, the element should provide local data not captured in regional, state, or federal data analysis.</p>	<p>AFFH Assessment New subsection at end of “Integration and Segregation” beginning on page D-21) describing local integration and segregation issues with farmworkers.</p>	New text added on D-21
4	<p><u>Disparities in Access to Opportunity</u>: The element must provide a complete local analysis of patterns and trends for access to educational and economic opportunity within the City. A comprehensive analysis should include the local and regional disparities through local, federal, and/or state data as well as local data and knowledge. Please refer to the AFFH guidebook starting on page 35 (link: https://www.hcd.ca.gov/community-development/affh/docs/AFFH_Document_Final_4-27-2021.pdf) for specific factors that should be considered when analyzing access to opportunities as it pertains to educational, employment, environmental, transportation, and any factors that are unique to Half Moon Bay.</p>	<p>Housing Resources “Disparities in Opportunity” section on page D-21 references additional mapping in Housing Resources chapter.</p> <p>This mapping, in Access to Opportunity (beginning page C-56) includes additional mapping of TCAC Opportunity + Education/Environment/Economy, Jobs Proximity Index, and local knowledge. This include a comparisons to R/ECAP and other mapping.</p>	<p>Noted where in Housing Resources Chapter the additional analysis lies on page D-21</p> <p>In C: Housing Resources, added additional mapping and analysis beginning on page C-56</p>
5	<p><u>Contributing Factors to Fair Housing Issues</u>: Based on the outcomes of a complete analysis, the element should re-assess and prioritize the contributing factors to fair housing issues.</p>	<p>Fair Housing Assessment Identified and prioritized fair housing challenges on page D-6. The Element lists a variety of challenges and identifies two primary ones, disproportionate impact of household incomes, overcrowding, and denial of loans by race, and educational outcomes varying by race.</p>	Added text on D-6
6	<p><u>Extremely Low-Income (ELI)</u>: While the element quantifies existing and projected ELI households, it</p>	<p>Housing Needs Assessment</p>	New text on page A-11

	must also analyze their housing needs, including trends, tenure, overpayment, overcrowding, and other characteristics.	Added additional census data (or MTC Data Packet data) into Extremely Low Income Households section beginning on page A-11.	
7	<u>Overpayment</u> : While the element analyzes cost burden in the City, including lower income overpayment, it must also quantify the total number of lower-income households overpaying for housing, by tenure.	Housing Needs Assessment Added more census data into Overpayment and Overcrowding section beginning on page A-30.	New text on page A-30
8	<u>Special Housing Needs</u> : In addition to quantifying the number of the elderly, persons with disabilities, large families, farmworkers, families with female heads of households, and families, and persons in need of emergency shelter it must also analyze their special housing needs. The analysis should include, but is not limited to, factors such as household income, tenure, housing types, zoning, and available resources. The analysis of available resources should also assess the gaps in resources to address this need. Programs should be modified (as appropriate) to address the gap between existing resources and the needs of this population. Local officials, special needs service providers, or City/County social and health service providers may be able to assist with information to complete the analysis.	Housing Needs Assessment Added more census and/or MTC Data Packet data to each of the subsections under Special Housing Needs beginning on page A-37. Also described available resources and Housing Element programs to support these populations.	New text beginning page A-37
9	<u>Progress in Meeting the Regional Housing Need Allocation (RHNA)</u> : The element indicates that units affordable to very low-income households and low-income households have been built or are under construction or approved; however, the element must demonstrate their availability in the planning period. Availability should address the status, anticipated completion, any barriers to development and other relevant factors such as build out horizons,	Housing Resources In Table C-4, revised “Pipeline Status” column noted anticipated completion year. Also note any barriers to development, dropout rate, phasing, or other issues for sites with VL/L units (A, C, D, G, H, W, AI, AJ).	Revised table beginning on page C-5, followed by bullet list of constraints New text about phasing and dropout rates at bottom of C-11.

	phasing, and dropout rates to demonstrate the availability or likelihood of development in the planning period.		
10	Realistic Capacity: While the element provides assumptions of buildout for sites included in the inventory, it must also provide support for these assumptions. For example, the element should demonstrate what specific trends, factors, and other evidence led to the assumptions. The estimate of the number of units for each site must be adjusted as necessary, based on the land use controls, site improvements, and typical densities of existing or approved residential developments at a similar affordability level in the jurisdiction.	Housing Resources Introduced (page C-16) and assembled Adjustment Factor tables based on other San Mateo County development. Site-by-site development on non-vacant sites is provided for Sites 1, 2, 6, 7, 9 and 11, beginning on page C-26.	Additional historic information is provided beginning on page C-16. Site-by-site development on non-vacant sites is described on a site-by-site basis beginning on page C-26 (Sites 1,2, 6, 7, 9, 11)
11	Environmental Constraints: While the element includes discussion of environmental constraints relative to identified sites, it should also discuss any other known conditions that could preclude development on identified sites in the planning period. Examples include shape, easements, Williamson act contracts, contamination, coastal policies, and property conditions.	Housing Resources Additional constraints discussed on a site-by-site basis in the “Housing Opportunity Sites Summaries” section (beginning page C-26).	Site-by-site discussions begin on page C-26
12	Publicly-Owned Sites: The element must include discussion on each of the publicly-owned sites identified to accommodate the RHNA, including school sites. Specifically, the analysis should address general plan designations, allowable densities, support for residential capacity assumptions, existing uses, and any known conditions that preclude or could promote development in the planning period, current status, and potential schedule for development. Based on this analysis, the element should add or modify programs as needed. Programs should include a schedule of actions to facilitate	Housing Resources Expanded discussions are provided for publicly-owned Sites 1 (page C-27) and 2 (page C-29). Added text to Program 4-8 (page H-24).	Added new discussion on pages C-27 (Site 1) and C-29 (Site 2) Revised Program 4-8 (page H-24)

	development in the planning period in stride with assumptions in the inventory such as numerical objectives, compliance with the Surplus Land Act, outreach with developers or property owners, removing barriers to development, issuing requests for proposals, incentives, fee waivers, priority processing and financial assistance.		
13	<u>Electronic Sites Inventory</u> : For your information, pursuant to Government Code section 65583.3, the City must submit an electronic sites inventory with its adopted housing element The City must utilize standards, forms, and definitions adopted by HCD. Please see HCD’s housing element webpage at https://www.hcd.ca.gov/planning-and-community-development/housing-elements for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance.	Updated with slight modifications (updated addresses and information)	
14	<u>Employee Housing</u> : The element must demonstrate zoning is consistent with the Employee Housing Act (Health and Safety Code, § 17000 et seq.), specifically, sections 17021.5, 17021.6 and 17021.8. For example, section 17021.5 requires employee housing for six or fewer employees to be treated as a single-family structure and permitted in the same manner as other dwellings of the same type in the same zone. Section 17021.6 requires employee housing consisting of no more than 12 units or 36 beds to be permitted in the same manner as other agricultural uses in the same zone. Based on the outcomes of this analysis, the element should add or modify programs, as appropriate.	<p>Constraints Noted on page B-30 that a new program will be developed to allow revise local code to:</p> <ol style="list-style-type: none"> 1) Treat employee housing for six or fewer employees as a single-family structure and permitted in the same manner as other dwellings of the same type in the same zone 2) Permit employee housing consisting of no more than 12 units or 36 beds in the same manner as other agricultural uses in the same zone <p>Added new bullets to Program 3-4</p>	<p>Updated Table B-4 to include Employee Housing, new text “Employee Housing” beginning on page B-30</p> <p>Program 3-4 (page H-17) also modified</p>
15	<u>Emergency Shelters</u> : The element should describe the development standards for zones that allows emergency shelters by-right. The housing element	<p>Constraints New subsection on page B-36 for Emergency Shelters that describe constraints in P-S zone</p>	Updated text and included new

	must demonstrate the permit processing, development, and management standards for emergency shelters are objective and encourage and facilitate the development of, or conversion to, emergency shelters.		subsections on page B-36
16	<u>Permanent Supportive Housing:</u> Permanent supportive housing shall be a use by-right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses pursuant to Government Code section 65651. The element must demonstrate compliance with this requirement and add or modify programs as appropriate.	Constraints Noted on page B-33 that Program 3-7 will allow supportive housing in every district permitting multifamily uses.	Updated Table B-4, new text in “Supportive Housing” on page B-37
17	<u>Accessory Dwelling Unit (ADU):</u> Following a cursory review of the City’s ADU ordinance, HCD discovered several areas which are not consistent with State ADU Law. HCD will provide a complete listing of ADU noncompliance issues under a separate cover. As a result, while the element includes a program to update the City’s ADU ordinance to comply with state law, the program should specify timing (e.g., within six months of HCD’s review).	Constraints Resolving per City’s revised Program 6-8 (see Comment 36). Process described on page B-47.	Updated page B-47. Updated Program 6-8 (page H-33)
18	<u>Fees:</u> The element indicates that fees for multifamily projects are a potential constraint to development. Excessive fees for multifamily projects have significant impacts on housing affordability and production. The element should include an evaluation of these fees (e.g., park facilities fee) and add programs to address the constraint as appropriate. In addition, the analysis should identify the total amount of fees and their proportion to the development costs for both single family and multifamily housing.	Constraints Discussion begins on page B-65 Added more analysis of fees and Table B-10 (on page B-65). Clarified in writing that fees are in line with County-wide fees.	Page B-65

	For additional information and a sample analysis and tables, see the Building Blocks at https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/fees-and-exactions .		
19	<u>Design Review</u> : The element must demonstrate this process is not a constraint or it must include a program to address this permitting requirement, as appropriate. In particular, the element describes the Design Review findings of approval; however, the element should analyze these standards for impacts on timing, cost, supply and approval certainty and include programs to address identified constraints and allow for objectivity and certainty.	Constraints Discussion begins on page B-57. Analyzed impacts of design review on timing, cost, certainty. Program 1-2 directs the replacement of subjective standards with objective standards by mid-2025.	Added new language about how findings are not objective currently and will require new program, on page B-58 Program 1-2 (page H-5)
20	<u>SB 35 Streamlined Ministerial Approval Process</u> : The element must clarify whether there are written procedures for the SB 35 (Chapter 366, Statutes of 2017) Streamlined Ministerial Approval Process and add a program to address these requirements.	Constraints Insert new subsection – page B-61 New Program H-11 responding to AB 423 (2023) - extends SB 35 and incorporates coastal zone. Will likely need new program	New subsection beginning on page B-61 New Program 1-11 (page H-10)
21	<u>On/Off-Site Improvements</u> : The element must identify subdivision level improvement requirements and analyze their impact as potential constraints on housing supply and affordability. For additional information and a sample analysis, see the Building Blocks at https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/codes-and-enforcement-and-onsite-offsite-improvement-standards .	Constraints Discussion begins on page B-52, included more analysis and concentrated on why City is not promoting subdivision development as part of its housing strategy.	Added new text beginning on page B-52
22	<u>Inclusionary Zoning</u> : The element must analyze the City’s inclusionary housing requirements, including its impacts as potential constraints on the development of housing for all income levels. The analysis must	Constraints Discussion begins on page B-35 Added more describing current execution of City’s BMR Ordinance, added that City is considering participation in	Added new text beginning on page B-40

	evaluate the broader policy’s implementation framework, including the percentage of new residential construction dedicated to affordable housing; the types of options and incentives offered, alternatives for compliance (or lack thereof), relationships with State Density Bonus Law, and any other factors that may impact housing costs.	21 Elements’ countywide nexus studies (commercial and residential). Also added a note about considering inclusion in County-wide nexus studies (B-42) Clarified on page B-40 and in Program 1-3 that this is in addition to State Density Bonus Law	Added a note about nexus studies on page B-41 Add mention of nexus studies, SDBL clarification to Program 1-3 (page H-6)
23	<u>Growth Control:</u> While the element discusses the City’s growth control, including the ability to accommodate the RHNA; it should also evaluate the process for impacts on housing cost, supply, timing, and approval certainty. In addition, the element should discuss incompliance with the Housing Crisis Act (Gov. Code, § 66300 et seq) and ADU law (Gov. Code, § 65852.2 et seq) and add or modify programs, if necessary.	Constraints Discussion begins on page B-37. Text was revised to describe new commitments, on page B-47. Programs 6-4 (page H-31) and 6-8 (page H-33) describe changes the City will pursue to the ordinance.	Revised text to describe new ballot measure under “Residential Growth Limitations Ordinance” on page B-47 Modified the second bullet in Program 6-4 (Page H-31) re ADUs; revised Program 6-8 (Page H-33)
24	<u>Zoning, Development Standards, and Fees Transparency:</u> While the element mentions the City’s website posts fees, it should also clarify compliance with new transparency requirements for posting all zoning and development standards on the City’s website and add a program to address these requirements, if necessary.	Constraints Clarified that City will comply with all new transparency requirements in new subsection at end of page B-68. Added bullet about fees transparency to Program 6-4 (page H-32)	New subsection on page B-68 New bullet under Program 6-4 (page H-31)
25	<u>Water and Sewer Priority:</u> Water and sewer service providers must establish specific procedures to grant priority water and sewer service to developments with units affordable to lower-income households. (Gov. Code, § 65589.7.) Local governments are	Constraints New subsection on Water and Sewer Priority right before “Permit Processing Procedures...” on page B-53	New section on page B-53

	<p>required to immediately deliver the housing element to water and sewer service providers. The element should discuss compliance with these requirements and if necessary, add or modify programs to establish a written procedure by a date early in the planning period.</p> <p>For additional information and sample cover memo, see the Building Blocks at https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/priority-water-and-sewer.</p>		
26	<p>Approval Time and Requests Lesser Densities: The element must include analysis of requests to develop housing at densities below those identified and the length of time between receiving approval for a housing development and submittal of an application for building permits. The element must address any hinderance on the development of housing and include programs as appropriate.</p>	<p>Constraints Included new section on Developed Densities and Permit Times using recent example, beginning on the bottom of page B-72.</p>	<p>New text beginning on page B-72</p>
	<p>To have a beneficial impact in the planning period and achieve the goals and objectives of the housing element, programs to be revised, as follows:</p>		
27	<p>Program 6-6 (Work with Non-Profits and Regional Partners): The element must provide discrete timing for the Program (e.g., at least annually, by 2025) to account for how often the action will occur as well as to eemnsure a beneficial impact throughout the planning period and quantify objectives where feasible.</p>	<p>Housing Plan Page H-29 Revised timeline to “Ongoing, and as opportunities for funding and applications arise throughout the planning period.”</p>	<p>Page H-32</p>
28	<p>Program 6-8 (Annual Review of Residential Dwelling Unit Allocation System): While the Program commits to monitor permitted ADUs and affordability with discrete timing, it should also commit to additional appropriate action such as adjusting assumptions and</p>	<p>Housing Plan Page H-30 Modify to describe how long it will take to “amend its provisions within the Subdivision and Zoning Ordinance” I believe.</p>	<p>Page H-33</p>

	rezoning within a specified time (e.g., six months), as necessary.	Added discrete timing (mid-cycle check-in for code amendment, to be completed by July 2027) if it is needed	
	<i>...the element does not include a complete site analysis; therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis; the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, the element should be revised as follows:</i>		
29	Publicly-Owned Sites: The element identified City-Owned sites to accommodate a portion of the RHNA. The element should include a program with numerical objectives that ensures compliance with the Surplus Land Act, provides incentives, and actions along with a schedule to facilitate development of City-Owned sites. Actions should include outreach with developers, issuing requests for proposals, incentives, fee waivers, priority processing, and financial assistance.	Housing Plan Program 4-8 on Page H-24 Revised to include numeric objectives and more, per Item 12.	Page H-24
30	Sites Identified in Prior Planning Periods: If necessary, the element must include a program for vacant sites identified in two of more consecutive planning periods' housing elements or nonvacant sites identified in a prior housing element, that are currently identified to accommodate housing for lower-income households. The program must be implemented within the first three years of the planning period and commit to zoning that will meet the density requirements for housing for lower-income households and allow by-right approval for housing developments that include 20 percent or	Housing Plan New program 1-10 (page H-10) Note Sites 8, 9, 10, 11, 12 must meet by-right requirements.	Page H-10

	more of its units affordable to lower-income households (Gov. Code, § 65583.2, subd. (c).).		
31	<p>Extremely Low Income (ELI): The element must include a program(s) with specific actions and timelines to assist in the development of housing for extremely low-income households. The program(s) could commit the City to adopting priority processing, granting fee waivers or deferrals, modifying development standards, granting concessions and incentives for housing developments that include units affordable to extremely low-income households; assisting, supporting or pursuing funding applications; and outreach and coordination with affordable housing developers.</p> <p>For additional information, see the Building Blocks at https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/assist-development-housing.</p>	<p>Housing Plan</p> <p>Added a section to Program 4-9 (page H-26)</p>	<p>New text in Program 4-9 on page H-26</p>
32	<p>Farmworkers and Homelessness: The element must include programs to assist in the development of housing for lower- and moderate-income households, including special needs households. Specifically, programs should be added or modified to address the needs of farmworkers and persons experiencing homelessness. For example, for farmworkers, the element could commit to proactive actions to coordinate with non-profit developers, employers, and other related organizations, to explore funding and incentives and to identify specific development opportunities.</p>	<p>Housing Plan</p> <p>Farmworkers: Expanded on program 3-4 (page H-16) with sixth bullet, which includes discussions of rehabilitation and preservation. Funding updated to include federal funding sources, such as Dept. Of Labor’s National Farmworker Jobs Program Housing Services grant.</p> <p>Homelessness: New program 3-10 (H-20). This program includes a description of the City’s Community Services Financial Assistance grant program and its ongoing coordination with Coastside Hope, LifeMoves, and Abundant Grace. It also includes descriptions of collaboration with County programs.</p>	<p>Program 3-4: page H-16</p> <p>Program 3-10: H-20</p>
<p><i>...the element requires a complete analysis of potential governmental and nongovernmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints. In addition, the element should be revised as follows:</i></p>			

33	Program 1-2 (Missing Middle Housing Development Standards): The Program should be revised to remove the garage parking requirement with discrete timing.	Housing Plan Program has timeline of “Mid-2025.”	Page H-5
34	<u>Growth Control:</u> As noted in Finding B4, the element should contain a complete analysis of the City’s growth control and add or modify programs as appropriate to address constraints, including compliance with the Housing Crisis Act and ADU law.	Housing Plan See Item 23. New analysis has been provided beginning on page B-47 and Program 6-8 has been revised	Page B-47 Program 6-8 (Page H-33)
35	As noted in Finding A1, the element requires a complete AFFH analysis. Depending upon the results of that analysis, the City may need to revise or add programs. Goals and actions must specifically respond to the analysis and to the identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have specific commitment, metrics, and milestones as appropriate and must address housing mobility enhancement, new housing choices and affordability in higher opportunity areas, place-based strategies for community preservation and revitalization and displacement protection.	FYI	
<i>Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent... (Gov. Code, § 65583, subd. (c)(7).)</i>			
36	Program 6-8 (Annual Review of Residential Dwelling Unit Allocation System): The program must be expanded to include incentives to promote the creation and affordability of ADUs. Examples include exploring and pursuing funding, modifying development standards, and reducing fees beyond state law, increasing awareness, pre-approved plans and homeowner/applicant assistance tools.	Housing Plan HCD’s comment concerns ADUs, which are described in Program 1-5. Program 6-8 is about Half Moon Bay’s Measure D ballot initiative. The relationship between Measure D and ADUs is described in Program 6-4 (Page H-31).	Program 1-5 on page H-7; Program 6-4 on page H-31