

CALIFORNIA COASTAL COMMISSION

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W6c

Prepared May 7, 2024 for May 8, 2024 Legislative Report

TO: Coastal Commission and Interested Persons

FROM: Kate Huckelbridge, Executive Director
Sarah Christie, Legislative Director
Sean Drake, Legislative Manager

SUBJECT: Additional hearing materials for W6c, Legislative Report

This package includes additional correspondence received in the time since the staff report was distributed.

From: [Christopher Pederson](#)
To: [Drake, Sean@Coastal](#)
Subject: Re: Public Comment on May 2024 Agenda Item Wednesday 6c - Legislative Report
Date: Tuesday, May 7, 2024 1:21:08 PM
Attachments: [HMB Affordable Housing Supplemental Staff Report.pdf](#)
[SJM article re HMB affordable housing.pdf](#)
[SFC article re HMB affordable housing.pdf](#)

Hi Sean, Can you check to be sure my email is posted as correspondence regarding the leg report? Thanks.
Chris

Sent from my iPhone

On May 5, 2024, at 9:56 AM, Christopher Pederson <cpedersonlaw@gmail.com> wrote:

Dear Chair Hart and Commissioners:

A 100 percent affordable housing project currently undergoing review by the Half Moon Bay Planning Commission illustrates why current law regarding density bonuses in the coastal zone is dysfunctional. The Coastal Commission should change its opposition to AB 2560 (Alvarez) and work with the bill's author to simplify the permitting process for density bonus projects, especially for those that do not raise substantial Coastal Act concerns.

The project in Half Moon Bay project would create 40 apartments for extremely low-income and very low-income senior farmworkers and would include a farmworker resource center. The desperate and urgent need for such housing became tragically clear last year when the mass murder of seven farmworkers in Half Moon Bay exposed the horrific living conditions of those workers.

The project is located in downtown Half Moon Bay inland of Highway 1 and more than half a mile from the shoreline and will not be appealable to the Coastal Commission. The project is in an area that the LCP identifies as appropriate for higher density housing, does not have sensitive resources, does not affect coastal views, and is not in a designated scenic area. It is within easy walking distance of public transit, stores, and other services located in downtown Half Moon Bay. Project opponents, who appear to have sympathetic ears on the Half Moon Bay Planning Commission, have nonetheless raised the typical concerns of opponents of multifamily housing everywhere: building height, community character, parking, and traffic. Because the project is located in the coastal zone, however, they are characterizing those concerns as implicating coastal resources protected by the Coastal Act and the LCP. The Planning Commission has held multiple lengthy hearings on the project without taking action and members have expressed interest in imposing conditions that threaten further delays that would imperil funding for the project or render it entirely infeasible. For further detail, please see the attached city staff report (https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/2586817/555_Kelly_Supplemental_Staff_Report.pdf), San Jose Mercury News story (<https://www.mercurynews.com/2024/05/04/after-last-years-deadly-shootings-half-moon-bay-said-it-would-build-more-farmworker-housing-nimbys-are-blocking-it/>), and San Francisco Chronicle story (<https://www.sfchronicle.com/bayarea/article/half-moon-bay-housing-19435597.php>).

The kinds of Coastal Act concerns that the project opponents are raising regarding the Half Moon Bay project could be raised about almost any density bonus housing project in the coastal zone. Although the Coastal Commission has recently approved multiple density bonus projects (sometimes in a timely manner, sometimes not), that does not mean that all local authorities in the coastal zone are similarly supportive. And many times local government actions on coastal zone affordable housing projects are entirely outside the scope of the Commission's original or appellate review. The Commission's own direct experience with density bonus projects is therefore not indicative of the experience of non-appealable affordable housing projects in the coastal zone.

In light of the Half Moon Bay situation and what it illustrates about how density bonus projects play out at the local level in the coastal zone, I urge the Commission to revisit its blanket opposition to AB 2560 and to instead work with Assemblymember Alvarez to facilitate density bonus projects that do

not raise significant Coastal Act concerns.

Thank you for your consideration of my comments.

Sincerely,

Christopher Pederson

**BUSINESS OF THE PLANNING COMMISSION
OF THE CITY OF HALF MOON BAY
SUPPLEMENTAL AGENDA REPORT**

For meeting of: **April 30, 2024**

TO: Honorable Chair and Planning Commissioners

FROM: Steve McHarris, Interim Community Development Director
Mike Noce, Housing Programs Manager
Kristi Bascom, Contract Project Planner

TITLE: **Supplemental Information about 555 Kelly Avenue - Coastal Development Permit and Architectural Review for 40-unit affordable multifamily residential project with 2,653 square foot Farmworker Resource Center, File No. PDP-23-034**

On April 23, 2024, the Planning Commission held a hearing on the proposed project at 555 Kelly, a 40-unit affordable, multifamily residential development for senior farmworkers and a 2,653 square foot Farmworker Resource Center. After receiving the staff and applicant presentations and public comment, the Planning Commission continued the hearing to April 30, 2024, and asked staff to provide additional information about the project and LCLUP provisions. This supplemental report responds to the Commission's requests.

Applicable Standards under the Coastal Act and Local Coastal Program Land Use Plan

As noted in the prior staff report, this project, which proposes 100% of the units as affordable to extremely low- and very low-income households, qualifies as a "super density bonus" project under State Density Bonus Law. As a result, the City must allow the project to include unlimited density and up to three stories of additional height. The City may not impose any parking requirements and must grant the applicant up to four "concessions", which are waivers from other development standards that provide identifiable project development cost reductions. The applicant has requested two (of four allowable) concessions that waive the City's open space and building set-back requirements. State Density Bonus Law specifically provides that no local coastal plan amendment, zoning change, or other discretionary approval (e.g., variance) is required to grant a density bonus or related concessions/incentives/waivers. Building set-backs are solely zoning-based; the proposed setbacks meet California building and fire code standards.

State Density Bonus Law does not "supersede" the Coastal Act. As a result, the City is still required to evaluate the project to determine consistency with the Local Coastal Land Use Plan (LCLUP) and make related findings, and may deny the project if it conflicts with any provisions of the Coastal Act or LCLUP, other than the specific density, height, parking, open space, and setback requirements cited above. The Planning Commission asked for more information about other LCLUP policies and how the project complies with them.

The Coastal Act and LCLUP contain hundreds of policies. Most are irrelevant to this project, which is a mixed-use project on a developed site with no habitat value, approximately one mile inland from the coast. In response to the Planning Commission's request, staff identified those policies that appear relevant to the concerns raised by Commission members at the hearing, i.e., the project's potential impacts on views, neighborhood characteristics, and coastal access. Many of these policies were cited in the original staff report and proposed resolution with findings in support. Some additional policies were identified by Commissioners. The attached spreadsheet (Attachment A) includes the relevant policies as well as staff's analysis of the project's consistency with them.

In addition, questions were raised at the hearing about the applicability of the Downtown Specific Plan, which was adopted by the City in 1995. It is unclear from the available records whether this Downtown Specific Plan is part of the LCLUP, i.e., whether it was ever certified by the Coastal Commission as part of the LCLUP implementation plan (notably in 1995 upon adoption). See LCLUP Policy 2-9 (requiring certification of all specific plans by the Coastal Commission). The 2020 LCLUP includes the following information about the Downtown Specific Plan, which indicates that at least some provisions of the Plan are inconsistent with the current LCLUP and that subsequent revision/readoption and ultimately certification by the Coastal Commission would be needed:

Heritage Downtown. Heritage Downtown centers on Main Street between the Main Street Bridge and Correas Street. It contains the highest concentration of the City's designated historic resources and presents a traditional small-town street grid with commercial buildings fronting directly onto sidewalks, contributing to a pedestrian-oriented neighborhood. Heritage Downtown is treasured by the local community and also critical for Half Moon Bay's tourist economy. It provides a concentration of visitor-serving commercial uses including retail, restaurants and accommodations. Much of Heritage Downtown is included in an adopted Downtown Specific Plan, which will require replacement or updating to implement the LUP. An intention of the Land Use Plan update is to facilitate a mix of land uses that support a vibrant downtown and protect the historical setting and scenic hillside views. Flexibility in change of use has been identified as key to ensuring that underutilized lots and vacant tenant spaces can be more readily developed and/or occupied with permitted uses. (LCLUP page 2-16 – emphasis added).

Recent staff reports for several projects in the downtown have cited the Downtown Specific Plan and analyzed consistency at a high level. See, e.g., Staff Report for Main and Kelly (March 8, 2022) pages 7-8; Staff Report for Parklet Program (April 26, 2022); Staff Report for College of San Mateo (August 8, 2023). Neither the staff report nor the resolution approving the CDP for the Boys and Girls Club—which is across the street from the project site and similarly within the Downtown Specific Plan area but outside of Heritage Downtown—mentioned the Downtown Specific Plan or imposed any requirements for “gateway” enhancements.

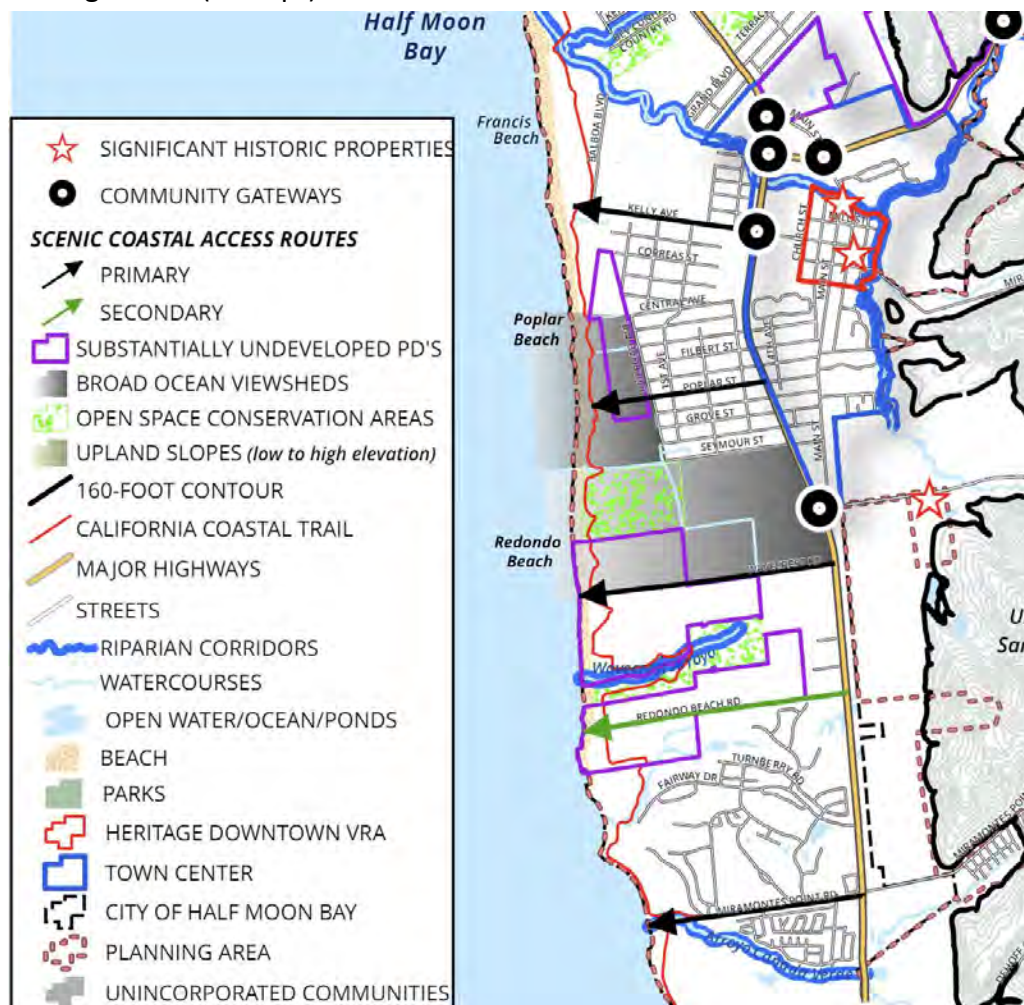
Given that the Downtown Specific Plan is referenced in the current LCP, the project's consistency with relevant Downtown Specific Plan policies is analyzed in the attached spreadsheet (Attachment A). To the extent any policies in the Downtown Specific Plan appear inconsistent with policies in the current LCP, these are noted as well.

Most of the policies in the Coastal Act, LCLUP, and Downtown Specific Plan include subjective criteria,

e.g., “provide maximum coastal assess and recreational opportunities for all people consistent with public safety needs and the need to protect public rights, rights of property owners, and natural resource areas from overuse.” (See LCP Policy 5-1.) Reasonable minds can disagree about whether a project complies with such subjective criteria. Staff’s assessment, included in Attachment A, is that the project is consistent with all of these policies. However, the Commission may disagree, in which case the Commission may deny the project. (See LCP Policy 1-3.)

In assessing which policies apply to this project, it is important to note that the project is not in the Heritage Downtown area (although it is in the area covered by the Downtown Specific Plan), the tsunami inundation zone, an area identified by the LCLUP as a scenic and visual resource area, or between the coast and the nearest public roadway to the shoreline. It is not on a site with known or likely buried archaeological, paleontological, or cultural resources. Nor is it on the portion of Kelly Avenue designated as a primary scenic coastal access route. It is within the broadly designated Town Center which was created to encourage infill development and increased density for housing.

LCP Figure 9-1 (excerpt)



CEQA Determination

Staff recommends that the City apply CEQA’s categorical exemption for infill projects to this project. That exemption applies to projects meeting the following conditions:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations;
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
- (c) The project site has no value as habitat for endangered, rare or threatened species;
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- (e) The site can be adequately served by all required utilities and public services.

Courts have interpreted condition (a) to mean that a project must be consistent with general plan policies and zoning designations except to the extent those policies and regulations are waived under the State Density Bonus Law. As a result, this project satisfies condition (a).

Questions were raised at the hearing as to whether the project would have significant effects related to traffic (condition (d)). Under CEQA, traffic impacts must be assessed in the context of “vehicle miles traveled (VMT).” See CEQA Guidelines 15064.2. With limited exceptions not applicable here, “a project’s effect on automobile delay shall not constitute a significant environmental effect.” See CEQA Guidelines 15064.2. “Vehicle miles traveled” refers to the amount and distance of automobile travel attributable to a project. So, if a project would locate residences far from jobs and services (or vice versa), the “vehicle miles traveled” or “VMT” would likely be high. If existing models or methods are not available to estimate VMT for a particular project, a lead agency (here, the City) may analyze VMT qualitatively, by evaluating factors such as the availability of transit, proximity to other destinations, etc. See CEQA Guidelines 15064.2.

The City does not have an adopted VMT threshold of significance.¹ However, there are several qualitative reasons to conclude that the VMT generated by the project does not reach a level of significance. The first primary reason being that the site itself is located near the City’s commercial core, where the destinations (shopping, support services, health care, places of worship, library, etc.) that would otherwise be driven to by residents of the 40 units of housing can be accessed via foot, bike, or transit. This is a hallmark characteristic of low VMT-generating uses. Placing housing near transit (multiple SamTrans lines run down Main Street), near services (grocery, places of worship, medical facilities, community amenities), and closer to job-generating uses reduces VMT and is again a basis for the creation of the Town Center area with its focus on infill development and higher density development. Downtown Half Moon Bay is connected to Pacifica via Sam Trans Route 117 and to San Mateo and the Hillsdale CalTrain station via Route 294. The project site is 0.3 miles from the bus stop that serves both of these bus lines. Second, the project is 100% affordable to extremely low- and very low-income households. The State Office of Planning and Research (OPR) published technical guidance on evaluating transportation impacts using VMT. The OPR guidance suggests that affordable housing projects in infill locations generally improves the jobs-housing match, in turn shortening commutes and reducing VMT. OPR guidance states that “[E]vidence supports a presumption of less than significant impact for a 100 percent affordable residential development (or the residential component of a mixed-use development) in infill locations.”

¹ On April 25, 2023, staff gave the Planning Commission an informational update on this topic, which noted the City did not have an adopted VMT threshold of significance but was planning to develop one.

The categorical exemption for infill development projects is subject to several exceptions. For example, it is inapplicable if “the cumulative impact of successive projects of the same type in the same place over time is significant.” Additionally, the exemption is inapplicable if “there is a reasonable possibility that the [project] will have a significant effect on the environment due to unusual circumstances.” CEQA Guidelines 15300.2 (b) and (c).

At the hearing, Commissioners asked whether the project would have significant cumulative impacts in light of potential development plans by the Cabrillo Unified School District at Hatch Elementary and other potential development nearby. With respect to the School District development, at this time there is no formal application for such project filed with the City. CUSD has indicated that there is no current funding available for the project and CUSD has not requested Measure D allocations. It is unclear if the project will move forward and how many units it would include. Similarly, while the LCLUP allows a Workforce Housing Overlay of up to 40 units at the 515 Kelly Avenue Catholic Church, no application has been submitted nor is there any indication of whether such a project will be proposed or, if it is, how many units it would include. The only approved residential project in the immediate vicinity of this project is Creekside Court (one 4-plex and 11 single family homes).

Any residential development projects downtown would not have cumulatively significant traffic impacts because infill development close to jobs, transit, and services, tends to decrease VMT, not increase it. Taken together these projects would also not have significant cumulative aesthetic impacts due to their distinct locations, their distance from the coast, and their locations outside of Heritage Downtown. The proposed 40 unit project is well within the buildout projections assumed in the LCLUP and certified by the Coastal Commission. LCLUP at 2-10 (Workforce Housing Overlay could enable development of approximately 300 housing units); LCLUP Appendix B at B-2 (2040 buildout projections, which include vacant sites, infill opportunities, and density bonus considerations, estimate maximum development of 886 new dwelling units in the Town Center, 2,221 units throughout the City as a whole).

Nor would the project have a significant effect on the environment due to “unusual circumstances.” The proposed project locates a mixed-use project in the downtown area. While the project is slightly taller than the surrounding buildings, it is just 9 feet taller than what is allowed under the current P-S zoning district, which covers the TACC portion of the site currently, and which is what the whole site will be zoned following the re-zoning implementation of the LCLUP. This increased height does not require a finding of “unusual circumstances.” In addition, the increased height would not lead to any significant impacts, e.g., the project would not have a substantial adverse effect on a scenic vista.

Traffic congestion, parking analysis, and pedestrian safety

As staff noted at the April 23 hearing, no traffic congestion or parking analysis is required to support or rely on the CEQA exemption for infill development projects, and the City cannot require the project to provide any parking under the State Density Bonus Law. Nonetheless, the City recognized the likely concerns within the community and hired DKS to prepare an analysis of these issues to address the concerns of the Commission and community.

The parking analysis concluded that project occupants, as well as workers and visitors at the FRC, would have sufficient parking between the 18 on-site parking spaces and the 25 existing and new parking spaces at the TACC that would be available during non-peak hours. Furthermore, the City and the

County of San Mateo are negotiating a Memorandum of Understanding to formalize a shared parking agreement for after-hours use of parking spaces at the Coastside Clinic. The applicant also agreed to a Condition of Approval requiring Mercy/ALAS to seek a parking agreement with the adjacent Our Lady of Pillar Catholic Church. The City is also initiating conversations with CUSD and the Boys and Girls Club of the Coastside to discuss coordinated use of on-site and on-street parking for drop-off and pick-up related to the Events Center. As noted in the April 23 staff report, the TACC and private parking areas of Shoreline Station were not identified as parking areas for the Boys and Girls Club/Event Center.

The parking analysis assumed that low-income, senior farmworker residents would have less than one car per household and only two FRC workers would park on-site at any given time. These assumptions were based on information from ALAS that the staff serving the FRC would be able to walk to the FRC from other ALAS facilities in the vicinity of the project. These assumptions are also consistent with comments by speakers at the April 23 meeting, who indicated that they hoped to live in the proposed housing and did not have a vehicle.

The traffic analysis included traffic counts taken on Thursday November 2, Saturday November 4, and Sunday November 5, 2023. Commissioners asked what activities were happening on those days. According to one website, the local farmers' market operates every Saturday through November, and thus likely was happening on November 4. Our Lady of Pillar held normal services during the week and a local community church held services on Sunday morning/early afternoon. The following events were taking place at other facilities:

- Thursday, November 2, 2023: TACC had an all-day Red Cross Blood Drive and a two-hour commercial kitchen rental. The Train Depot had an exercise class, a rental by ALAS, and an evening worship activity.
- Saturday, November 4, 2023: In addition to the Farmer's Market in the parking lot, the Train Depot had a community organization meeting and exercise class rental in morning and a private rental throughout the afternoon/evening.
- Sunday, November 5, 2023: Church rental and services offered through early afternoon at the TACC. The Train Depot had a community organization meeting in the early morning and a private rental from midday through the evening. The Event Center had drop in basketball and pickleball from midday through the afternoon.

The focused parking impact study indicated that the on-site parking garage and future parking supply in the shared-access parking area will be able to accommodate the expected parking demand during the weekday evening and weekday midday peak periods. The study recommended that special events at the FRC should not overlap with the farmers' market held on Saturdays or events at the TACC. The applicant has agreed to include conditions of approval implementing these recommendations.

Lastly, as a reminder, the City prepared a downtown street parking survey in 2019. See Attachment B. This survey inventoried available street parking (pre-pandemic) over several summer days including a Saturday and a special event day. Overall, the survey determined that there was available street parking within several blocks of downtown destinations even at the busiest times. Day-to-day observations by staff indicate that there remains more than adequate on- and off-street parking to serve the Town Center area.

Pedestrian Safety

Several commenters noted that the TACC parking lots, County Clinic and Shoreline Station parking are used for drop-off and pick-up of children participating in activities at the Boys and Girls Club located across Kelly from the project. As indicated above, current practices are wholly informal and use of the TACC parking lot is not authorized by the City. In fact, these current practices create potential pedestrian safety issues as children often cross Kelly at night (to and from events) unaccompanied by adults parked at TACC and Shoreline. Many of the Boys and Girls Club activities occur in the evening (fall, winter and early spring when daylight is limited). Nonetheless, to the extent the project could impact pedestrian safety related to the use of the Boys and Girls Club and other activities in the area, the City intends to coordinate with the Boys and Girls Club to develop safer, alternative pick-up and drop-off patterns.

PUBLIC COMMENT

Several public comments were received after the April 23, 2024 Planning Commission hearing. They are included as Attachment C.

RECOMMENDATION

That the Planning Commission, by Resolution:

1. Determine that the project is categorically exempt from CEQA under Class 32 (Infill Development Projects) in accordance with CEQA Guidelines Section 15332; and
2. Approve PDP-23-034, an application for a Coastal Development Permit and Architectural Review for a new five-story building with forty (40) residential units for senior farmworkers that are affordable to extremely low and very low income households and associated lot line adjustment to reconfigure the driveway at Kelly Avenue, based upon the Findings and Evidence contained in Exhibit A and subject to the Conditions of Approval in Exhibit B. The building will contain on-site property management offices for Mercy Housing, developer and manager of the affordable units, a 2,658 square foot Farmworker Resource Center operated by Ayudando Latinos A Soñar (ALAS) to serve the building residents and farmworker community, and an 18-space ground-floor parking garage.

Attachments:

- A. Coastal Policies Consistency Analysis
- B. Parking Study (2019)
- C. Public comments received after April 23, 2024 Planning Commission meeting

NEWS > HOUSING • News

After last year's deadly shootings, Half Moon Bay said it would build more farmworker housing. NIMBYs are blocking it

Proposal for farmworker apartments in downtown runs into anti-development sentiment



Trailers are seen from this drone view at California Terra Gardens in Half Moon Bay,





By **KATE TALERICO** | ktalerico@bayareanewsgroup.com | Bay Area News

Group

May 4, 2024 at 4:56 p.m.

HALF MOON BAY — After a mass shooting last year killed seven farmworkers and exposed derelict living conditions for farmworkers, city officials and residents here agree that there's an urgent need for better housing for some of San Mateo County's poorest residents.

But plans to build exactly that in downtown Half Moon Bay are being met with a common refrain: please, just not here.

Citing concerns about design, height and limited parking capacity, Half Moon Bay's planning commission is slow-walking plans for a five-story, 40-unit affordable housing project for senior farmworkers at 555 Kelly Ave. At a meeting on Tuesday, commissioners voted — for the second time in two weeks— to push back their decision to approve the project, creating potential delays that the developer said could keep them from applying for the funding needed to start construction.

"You're going to see this building, and it's not a small building," said Planning Commissioner Rick Hernandez. "How does that inform the character of Half Moon Bay?"

Commissioners said that while they support the idea of more farmworker housing, they needed more time to consider whether the project fit within the city's coastal land use plan, which regulates development across California's coastline

“The primary objective ... is to protect coastal resources — full stop. A second-tier consideration is to provide affordable housing,” said Hernandez, who works as an executive at a logistics company. “The downtown character, the access to the beach and coastal access for the purposes of recreation as a visitor-serving town — these are resources we have to protect.”

AD



Nonprofit developer Mercy Housing is applying to build a 40-unit, 100% affordable housing development at 555 Kelly Avenue to house Half Moon Bay farmworkers, but it's facing anti-development sentiment from neighbors in the coastal city.

The project's supporters — who out-numbered its detractors Tuesday — were quick to point out the contradiction between the initial enthusiasm for improving farmworker living conditions and the current pushback.

"We see the injustice, we are appalled by the living conditions, and we're all kumbaya," Half Moon Bay resident RJ Jennings said before the commissioners on Tuesday. "But when it comes to making the change, it's people in your position that decide that something like parking can stop growth."

"You have been presented with the best opportunity you have to make a change for farmworkers," said Rita Mancera, executive director of Puente de la Costa Sur, a nonprofit supporting farmworkers in nearby Pescadero. "They deserve better housing ... don't let this opportunity go."

The January 2023 shooting [exposed the uninhabitable conditions](#) farmworkers lived in, bringing a sense of urgency to an issue that activists have long tried to call attention to. The housing at the two farms where the shooting took place — Concord Farms and California Terra Garden — have been condemned, and [workers relocated](#) to temporary housing. One of the workers who lived on one of the farms, 67-year-old Chunli Zhao, is accused of killing his fellow farmworkers and is now [facing seven counts of murder and one count of attempted murder](#).

Plans for the senior housing, however, predate the mass shooting. In 2022, nonprofit developer Mercy Housing and ALAS, a nonprofit that supports Latinos in Half Moon Bay, presented the initial plans for 40 studio apartments and ground-floor parking within a four-story building. But after more meetings with city leaders and farmworker community groups, Mercy opted to include a mix of studios and one and two-bedroom apartments, bringing the project's height to five stories.

Commissioners asked whether the developer could move parking underground, rather than taking up part of the ground floor, but Mercy responded that it would be too costly. The developer also said it could not move some of the office space on the first floor, as some of the public funding it is receiving to build the project requires that property management and certain support services offered to residents be provided on-site.

Mercy currently has the majority of funding lined up for the \$43 million project — which includes sources from San Mateo County and a land donation from the city of Half Moon Bay. They are also relying on federal low-income tax credits to complete the project, but must get the city's sign-off to be eligible for those funds. The project would be delayed a year if the [July 2 application](#) deadline is missed.

“Latinos do the work that other people don’t want to do ... and we do it with pleasure,” she said through an interpreter. “It’s time that we have housing in Half Moon Bay, for the people who really have worked for it.”




555 Kelly Avenue

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BAY AREA

A Half Moon Bay tragedy exposed 'deplorable' living conditions. A plan to help is being stonewalled

By **J.K. Dineen**

May 4, 2024



Gift Article





RVs and trailers, where farmworkers were presumed to reside, sit inside the fenced area at California Terra Garden as police investigated the scene near Spanish Town shops off Highway 92 in Half Moon Bay, after four people were shot and killed in January 2023.

Jessica Christian/The Chronicle

For many Bay Area residents, last year's mass shooting of eight farmworkers in Half Moon Bay served as a wake-up call to the terrible housing conditions that many coastal agriculture workers live under.

After meeting with farmworker families after the shooting, Gov. Gavin Newsom told reporters, "You should see where these folks are living, the conditions they're in. Living in shipping containers." On social media, San Mateo County Supervisor Ray Mueller posted photos of worker housing, describing the conditions as "deplorable" and "heartbreaking." San Mateo District Attorney Stephe Wagstaffe said workers were "living in very poor conditions," with some residing in "shacks without running water or electricity."

But, just 16 months after the killing of workers at two coastal San Mateo mushroom farms, the first post-shooting proposal to build a senior farmworkers apartment complex in downtown Half Moon Bay seems to be running into the same wall of antidevelopment sentiment that has long fueled land-use battles in coastal San Mateo County.

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Twice in the last two weeks, the Half Moon Bay Planning Commission has held marathon public hearings about a proposed five-story, 40-unit complex at 555 Kelly Ave. for senior farmworkers. Both times the public comment was overwhelmingly in support of the project being proposed by Mercy Housing and the nonprofit

Ayudando Latinos a Soñar, or ALAS, with agriculture workers and housing advocates outlining the desperate need for housing options.

Yet, at both meetings, on April 23, and 30, the commissioners declined to take a position on the project, instead punting the question to a later date.

At the April 30, meeting, commissioners criticized the five-story building as too tall. They complained about its potential impact on traffic and parking. They said the design was out of character in downtown Half Moon Bay.



A rendering of the proposed housing project for farmworkers at 555 Kelly Ave. in Half Moon Bay.
Van Meter Williams Pollack LLP

Several of the commissioners suggested that a floor could be shaved off the design if they got rid of the “office space,” a 841-square-foot management office for the building and a 2,794-square-foot farmworkers resource center, where residents will be able to socialize, take classes and be connected with a wide range of health care services.

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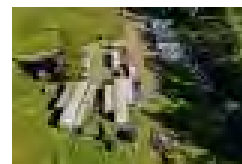
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Commissioner Rick Hernandez repeatedly questioned the project architect about how the building design “describes and informs our character as a community.”

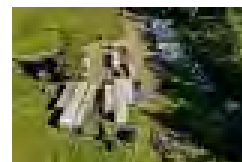
“This design doesn’t say this is a gateway to a small town — help me understand how this is a gateway to a small town,” Hernandez said. “How does the building inform the character of Half Moon Bay? That is the fundamental issue the community is objecting to.”

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Hernandez also questioned whether the development was consistent with Half Moon Bay’s Local Coastal Program and Land Use Plan, which was updated in 2020.

Commission Chair Margaret Gossett questioned whether the height of the building could be reduced “by eliminating the parking and the resource center.”

Vice Chair Hazel Joanes said she needed answers to a litany of questions: “Without having the staff respond to my question in writing, I am having a difficult time nodding my head and saying, ‘Oh, yeah, this is it.’ ”



A cluster of mobile homes at the California Terra Garden, formerly Mountain Mushroom Farm in Half Moon Bay, in January 2023. The deadliest mass shooting in San Mateo County history, in which a gunman killed seven people and injured another, quickly drew attention to poor living conditions and low pay for farmworkers in the region.

Santiago Mejia/The Chronicle

Officials with ALAS and Mercy Housing said the commission's unwillingness to take a vote on the project — and suggestions that the developers should explore redesigning the project, reducing the height or eliminating aspects of the programming — was concerning.

After two years of community meetings and collaboration with staff, the project has already received \$5.2 million in state and local financing, including \$1.5 million from the American Rescue Plan Act and \$2.7 million from the state Department of Housing and Community Development.

But the delays in the planning commission vote could have big ramifications, according to Mercy Housing. Applications for the vast majority of the money that will finance the project, affordable housing tax credits, are due in July. But the developers cannot apply for that funding until the project has won local approval. If the developer misses the July tax credit deadline, it could delay the project by a year.

At the conclusion of the four-hour hearing, Mercy Housing Real Estate Director Ramie Dare implored the planning commission to take a vote so that the project could either win approval or the “no” vote could be appealed to the Half Moon Bay City Council.

“We are in a place where we are trying to position ourselves to be eligible for funding rounds, and we need these approvals to be able to do so,” Dare said. “If the ask is for us to do more studies, I guarantee that will eat up 6-9 months at least, and we will lose a year while trying to get funding for this development. I know you don’t want that to happen — I’m pretty sure you don’t.”

Belinda Hernandez-Arriaga, the founder and executive director of ALAS, a nonprofit that helps Latino families in coastal communities, said she has been surprised by the commission’s deliberations, given the amount of attention that was given to farmworker housing following the mushroom farm shootings.



Opponents of the planned housing for farmworkers at 555 Kelly Ave. in Half Moon Bay suggest the building could be shorter. Van Meter Williams Pollack LLP

“This is the first project to come forward since the mass shooting — to have it be received with so much pushback feels really complicated and painful,” she said. “We are trying to bring farmworkers out of hiding, out of isolated spaces and hidden ranches, to be visible, to live the remainder of their lives out in a thriving environment. They will be able to walk to stores, walk to church, walk with their grandchildren.”

ALAS Program Director Sandra Sencion said the reaction has been “very confusing.”

“It’s frustrating. They keep going back and forth about height and parking,” she said. “But the studies have been done. It’s not a new project, it’s been in the works for two years, and now they are questioning the design of the project? I don’t know why they are nitpicking.”

The debate comes at a time when a whole host of state laws have taken control away from local jurisdictions. In the case of 555 Kelly Ave., state density bonus laws mean that Mercy and ALAS could actually go as high as seven stories.

Jordan Grimes, a regional lead for the pro-housing group Peninsula for Everyone, said the 555 Kelly debate is “emblematic of why the state is curtailing local control.”

“A year ago everyone was aghast at the conditions farmworkers (were) living in. Now that things are being tested with an actual project, we are seeing where people really stand,” Grimes said. “We are talking about a five-story apartment building for senior farmworkers. It’s hard to think of a group that would be more sympathetic. Yet you still have the complaints you see with every other project: height and parking.”

He also objected to the fact that all the project opponents say they are in favor of farmworker housing but have objections with specific aspects of this project’s design.

“If you are unwilling to support the project that the farmworkers have brought to you, you don’t support farmworker housing,” he said. “You don’t get to condition your support. This is an instance where your support can’t be theoretical or hypothetical. It has to be real.”

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