



City of Huntington Beach

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Southern California Association of Governments

900 Wilshire Blvd., Ste. 1700

Los Angeles, CA 90017

Submitted via email to: housing@scag.ca.gov

RE: CITY OF HUNTINGTON BEACH DRAFT RHNA APPEALS PROCEDURES COMMENT LETTER

To whom it may concern,

Thank you for the opportunity to submit comments on the Draft RHNA Appeals Procedures. The City of Huntington Beach requests that the draft appeals procedures be amended to address the following questions and comments.

Section IB. Form of Appeal

- Does this section apply to appeals filed by HCD? If not, what is the process for HCD?

Section IC. Bases for Appeal

- Does this section apply to appeals filed by HCD? If not, what is the process for HCD?

Section IE. Comments on Appeals

- When will jurisdictions be notified if an appeal (not filed by their own jurisdiction) is filed against their RHNA?
- The City of Huntington Beach requests that jurisdictions that are the subject of an appeal not filed by their own jurisdiction receive a copy of the appeal within one business day of SCAG's receipt of the appeal. At a minimum, notification that an appeal has been filed against their RHNA should be provided to the jurisdiction within one business day.

Section IF. Hearing Body

- Is SCAG going to allow ex-officio RHNA subcommittee members to participate in the appeal discussion, hearing, and deliberations?

Section IG. Appeal Hearing

- Section G states: "Notice shall be provided to the appealing jurisdictions, commenting jurisdictions, and HCD at least 21 days in advance of the hearing." Will notice also be provided to the jurisdictions for which an appeal was filed against their RHNA by another jurisdiction and HCD? The City of Huntington Beach requests that this notice also include the jurisdiction whose RHNA is being appealed.
- Section G states: "The hearing(s) shall be conducted to provide the appealing jurisdiction (or HCD) with the opportunity to make its case regarding a change in its draft regional housing need allocation or another jurisdiction's allocation..." Will there be a time limit? How much time will be provided to each appealing jurisdiction to present its case?
- Will all appeals be heard back to back and then the public hearing opened for one set of public comments on all appeals? Or, will the public hearing be opened after each appeal to receive all testimony related to that appeal? How much time will be provided for public testimony?
- How far in advance of the public hearing will the SCAG staff report and recommendation be made available to the public?

Section IH. Determination of Appeal

- How long after the public hearing will the Appeals Board issue the final written determination?

Section II Post Appeal Reallocation of Regional Housing Need

- Will jurisdictions with successful appeals be excluded from receiving reallocation of those units (i.e. – getting their own units reallocated back to them)?

General Comments

- If comments/questions on the draft appeals procedures result in substantial changes to the procedures, SCAG should allow for additional time to review the changes.

Sincerely,



Nicolle Aube, AICP
Associate Planner

Cc: Ursula Luna-Reynosa, Director of Community Development
Jennifer Villasenor, Deputy Director of Community Development
Jane James, Planning Manager