

From: Jennifer Denmark [REDACTED]
Sent: Monday, February 10, 2020 7:29 AM
To: Regional Housing
Subject: Comments - Draft RHNA Appeals Procedures

Dear SCAG Staff,

Thank you for the opportunity to provide comments on the Draft RHNA Appeals Procedures. Please consider the following changes to the procedures:

1. Section I.A Deadline to File

The deadline to file an appeal is May 25, 2020. May 25 is Memorial Day; the deadline should be changes to May 26, 2020.

2. Section I.B Form of Appeal

The procedures should specify how to submit appeals electronically. The procedures should also specify how large files may be and whether large files should be submitted through a file hosting service (e.g. Dropbox).

3. Section I.C Bases for Appeal

The procedures should add *Unexamined Conflicting Circumstances* as a Bases of Appeal:

Unexamined Conflicting Circumstances - That there is a conflicting relation* between two or more circumstances in the jurisdiction and that this conflict remains unexamined as of April 30, 2019. The conflicting circumstances undermines the five objectives listed in Government Code Section 65584(d).

*Conflicting relation: one or more jurisdictional circumstances supports the production of housing in the same area (or on the same property) that one or more jurisdictional circumstances opposes the production of housing on said area (or property).

4. Section I.C.3 Bases for Appeal

The procedures should define what "significant and unforeseen" is for the Changed Circumstances basis of appeal.

5. Section I.D.3 Limits on Scope of Appeal

Section I.D.3 conflicts with I.C.2.b(3) & (4), and I.C.2.d. The procedures should specify what voter-approved measures are or are not a limit on the scope of appeals. The procedures should specify what voter-approved measures are or are not a basis for appeals.

6. Section I.E. Comments on Appeal

The deadline for comments should be changed to July 10, 2020 to account for the deadline to appeal ending on May 26, 2020.

Sincerely,

Jennifer