

## Regional Housing

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**From:** Gail Shiomoto-Lohr [REDACTED]  
**Sent:** Monday, February 10, 2020 2:59 PM  
**To:** Regional Housing  
**Cc:** Bucknum, Wendy; Wendy Bucknum; Wilberg, Dennis; Lister, Elaine; Larry Longenecker  
**Subject:** SCAG Draft 6th Cycle Appeals Procedures: City of Mission Viejo Comments

Thank you for the opportunity to review and provide comments on the draft SCAG 6th Cycle RHNA Appeals Procedures that were released and overviewed at Monday's 2/03/2020 workshop.

The City of Mission Viejo comments are as follows:

### **Section G: Appeal Hearing:**

1) The draft appeals procedures state that one public hearing to consider all appeals filed, and comments received, must be conducted by August 8, 2020, and that the public hearing may be continued (over several days, if necessary), until all appeals are held.

If the appeals public hearing is continued over several days, please clarify if the last day of the continued public hearings must also comply with the August 8, 2020 deadline (i.e., is the appeals process to be conducted *and completed* by August 8, 2020?). Also, August 8, 2020 is a Saturday.

### **Section II: Post-Appeal Reallocation of Regional Housing Need:**

1) The draft appeals procedures state that "If the *adjustments* total seven percent (7%) or less of the regional housing need, SCAG shall distribute the adjustments proportionally, to all local jurisdictions....".

The use of the term "adjustments" is confusing. In earlier *Section H: Determination of Appeal*, the first use of the term "adjustments" to a local jurisdiction's allocation, was applied to jurisdictions not the subject of an appeal, but which could receive additional RHNA as a result of a successful appeal from other jurisdictions. It further states that "these specific adjustments will be excluded from the cumulative total adjustments required to be reallocated....".

Does the use of the term "adjustments" in *Section II: Post-Appeal Reallocation of Regional Housing Need*, apply to a separate category of adjustments? Is it synonymous to the total number of successfully appealed units?

2) The appeals procedures further states that the "adjustments" shall be distributed proportionally to all local jurisdictions, based on the share of regional need after the appeals are determined, and prior to the required redistribution. Some clarifying questions:

a) To determine the proportional share, is the regional need number constant, but the draft local allocation to the jurisdiction with the successful appeal, reduced by the amount of the successful appeal? And it is this reduced, local jurisdiction allocation that is used to calculate the proportional share, for a jurisdiction that had a successful appeal? And if so based, then a jurisdiction with a successful appeal, could receive back some of the units it successfully appealed, based upon the proportional distribution method?

b) For the adjustments that are greater than 7% of the regional housing need, the draft appeals process states that the successfully appealed units above the 7% threshold would be redistributed to each county based on their

proportion of total successful appeals. Where does the "equal" 7% fall? Is it part of the regional redistribution or the county redistribution?

The City of Mission Viejo also supports the review comments of the City of Irvine and the Orange County Council of Governments.

With appreciation,

Gail Shiomoto-Lohr, on behalf of the City of Mission Viejo

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## Regional Housing

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**From:** Gail Shiomoto-Lohr [REDACTED]  
**Sent:** Monday, February 10, 2020 3:07 PM  
**To:** Regional Housing  
**Cc:** Bucknum, Wendy; Wendy Bucknum; Wilberg, Dennis; Lister, Elaine; Larry Longenecker; Marnie O'Brien Primmer; Nate Farnsworth; Marika Modugno Poynter; Kim, Susan; Jaime Murillo; ddiep@fullerton.edu  
**Subject:** Re: SCAG Draft 6th Cycle Appeals Procedures: City of Mission Viejo Comments

Please ignore Comment 2B below. The reference is included in the draft appeals process as being part of the regional reallocation.

Thank you,

Gail Shiomoto-Lohr, on behalf of the City of Mission Viejo  
[REDACTED]

On Mon, Feb 10, 2020 at 2:58 PM Gail Shiomoto-Lohr <[REDACTED]> wrote:

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With appreciation,

Gail Shiomoto-Lohr, on behalf of the City of Mission Viejo

A black rectangular redaction box covering the signature of Gail Shiomoto-Lohr.