



CITY OF LAGUNA HILLS

February 10, 2020

Delivered Electronically

The Honorable Peggy Huang, RHNA Subcommittee Chair
C/O Southern California Association of Governments
900 Wilshire Blvd., Ste. 1700
Los Angeles, CA 90017

Re: Proposed RHNA Appeal Procedure Guidelines

Dear Chair Huang:

The City of Laguna Hills appreciates the opportunity to provide comments concerning the draft 6th RHNA Cycle Appeals Procedures. Considering the unprecedented challenge currently facing cities and counties in the SCAG region to accommodate HCD's RHNA determination of 1.3 million housing units, the City of Laguna Hills urges the RHNA subcommittee to adopt appeal procedures that enable every local agency to review challenges to an agency's proposed RHNA allocation as early as possible.

Accordingly, the City of Laguna Hills offers the following comments with respect to the appeals process:

1. Comments on Appeals – Specific Dates Needed

SCAG needs to be more precise as to when the actions described in Section I.E will take place. Based on the beginning and ending dates from the commencement of the RHNA appeal process on April 10, 2020 to the last date to comment on appeals filed on July 9, 2020, it appears it is SCAG's intention to avoid any delays in notifying jurisdictions of pending appeals filed against their draft RHNA, or in making appeals materials available. To ensure this is SCAG's goal, SCAG should identify the specific dates of these actions accordingly in Section I.E. SCAG should also be specific as to when the 45-day comment period for comments to be received on any appeals will commence. With respect to the timeframe SCAG intends to make materials submitted in support of each appeal available, SCAG should consider making all information available on any appeal filed within 24-48 hours of receipt. Jurisdictions should not need to wait to be notified of an appeal until May 25 for an appeal conceivably filed 45-days earlier. The City notes that public agencies are typically required to respond to public records requests within 10-days of the receipt of the request. Therefore a wait period of up to 45 days seems unreasonable.

2. Appeal Hearing

Prior to the commencement of Appeal Hearings, the City suggests that SCAG organize and publish a schedule of any appeals filed to minimize the amount of staff downtime to the extent possible.

3. Potential Conflict with Connect SoCal and the RHNA Appeal Process

As the subcommittee is aware, a portion of a jurisdiction's regional housing need is based on proximity to a High Quality Transit Areas (HQTA). Connect SoCal's proposal to designate Interstate 5 in south Orange County has met with great skepticism from the Orange County Council of Governments (OCCOG) as well as the Orange County Transit Authority (OCTA) since the I-5 corridor in south Orange County does not include transit service, or major transit stops associated with an HQTA between the cities of Irvine and Laguna Niguel – a distance of nearly seven miles. Concerns raised by OCCOG and OCTA regarding the designation of the I-5 as an HQTA raise the potential for Connect SoCal to be modified to eliminate the I-5 as an HQTA in south Orange County. Since the RHNA of Laguna Hills and several other cities is dependent in part on the designation of the I-5 as an HQTA in south Orange County, it reasons that the RHNA appeals process should not commence until after Connect SoCal has been approved, giving jurisdictions a better understanding on how changes to the region's transportation network might affect on-going build out their land use patterns. Should the adoption of Connect SoCal be delayed for any reason, SCAG should be prepared to postpone the RHNA appeal process until such time as the Connect SoCal process is concluded.

Respectfully,



David Chantarangsu
Community Development Director

Cc: Don White, City manager