

This appendix summarizes and compares key findings contained in the 2015 AI document in order to evaluate the progress toward addressing impediments to fair housing choice.

## D.1 Regional Impediments from Previous AI

### Education and Outreach

**Impediment: Educational and outreach literature regarding fair housing issues, rights, and services on websites or at public counters is limited.**

#### Recommendations:

1. The cities of Carlsbad, Imperial Beach, and Solana Beach do not have links to fair housing resources on city websites, and Coronado does not have the most up to date information on its website.
2. Ensure ease of access to information about fair housing on websites with links between jurisdictions and contracted service providers
3. Prominently display information on public counters and other points of public contact such as libraries and community centers
4. Increase knowledge of the process of reporting complaints and access/referral to government entities: California Department of Fair Employment and Housing (DFEH); U.S. Department of Housing and Urban Development (HUD); U.S. Department of Justice (DOJ)
5. Continue to utilize the SDRAFFH to coordinate and promote outreach and education activities in the region.

#### Efforts:

- **Encinitas:** The City continues to update its website as new information becomes available. The City maintains various links and resources on the website, including the Fair Housing provider and regional San Diego Alliance for Fair Housing links. Also, the City provides Fair Housing information to the public through the City's social media presence and also the weekly City Manager update. Additionally, brochures for Fair Housing Services are provided in both English and Spanish at the City's public counters. Fair Housing Posters are also posted at City Hall in both English and Spanish. The City of Encinitas continues participation in the San Diego Regional Alliance for Fair Housing (SDRAFFH). During Fair Housing Month, a number of activities were held throughout the County, including a Fair Housing Conference.
- **Escondido:** The City continues to maintain and update its website as new information becomes available. The City maintains links and resources on the website, including the Fair Housing provider. Brochures for Fair Housing Services are provided in both English and Spanish at the City's public counters. The City of Escondido continues participation in the

San Diego Regional Alliance for Fair Housing (SDRAFFH). The City annually hosts trainings/educational workshops for residents, non-profit organizations, and program staff.

- **San Diego City:** In FY 2018 the City of San Diego maintained the City's Fair Housing webpage. The City also distributed 5,150 multilingual brochures to various audiences and displayed brochures in public libraries and the Economic Development Department, distributed three new editions of the "Practice Fair Housing" citywide newsletter, and provided two trainings to nonprofit agencies and CDBG program staff, provided thirty-one (31) educational workshops and trainings to Citizens of San Diego including one (1) specific training for Landlords. SDRAFFH in partnership with the San Diego Housing Federation hosted the 4th Annual Fair Housing Conference: Charting the Course: Celebrating the 50th Anniversary of the Fair Housing Act. The day long conference keynote speaker was Richard Rothstein, Economic Policy Institute. In FY 2017 the City distributed 5,376 multilingual brochures to various audiences and displayed brochures in the Economic Department, distributed three new editions of the "Practice Fair Housing" citywide newsletter, provided two trainings to nonprofit agencies and CDBG program staff, and provided six (6) educational workshops and trainings to Citizens of San Diego including one (1) specific training for Landlords. SDRAFFH in partnership with the San Diego Housing Federation, and the University of San Diego hosted the 2nd Annual Fair Housing Conference: Knocking Down Walls: Fight to Reduce Homelessness and Open Doors to People with Criminal Histories. The daylong conference keynote speaker was Dr. Antwi Akom, Associate professor of Environmental Sociology at San Francisco State University. In FY 2016 the City distributed 6,650 multilingual brochures to various audiences and displayed brochures in the Economic Development Department lobby, distributed two new editions of the "Practice Fair Housing" citywide newsletter, and provided five trainings to nonprofit agencies and CDBG program staff, including one to mental health providers. SDRAFFH held their annual meeting and hosted Professor Roy Brooks, University of San Diego School of Law, who spoke on the topic of racial justice in the United States.
- **San Marcos:** The City contracts with the Legal Aid Society of San Diego (LASSD) for fair housing services, testing and outreach. LASSD has developed a comprehensive fair housing website that provides current fair housing laws and information, with a link to the City of San Marcos website. LASSD continues to provide fair housing brochures to libraries, community centers, within the City of San Marcos, as well as distributed brochures to community based organizations in San Marcos. LASSD, through our fair housing training sessions, has increased the knowledge of the community in understanding fair housing rights. In addition, LASSD has successfully resolved actions with HUD and DFEH, which helped increased publicity about the referral process. LASSD's senior council Branden Butler serves as the Chairman of San Diego Regional Alliance for Fair Housing (SDRAFFH) and the City of San Marcos is a participating member. The SDRAFFH maintains a fair housing website that provides links to fair housing information listing participating jurisdictions and regional service providers. The SDRAFFH in partnership with the San Diego Housing Federation and the Local Initiatives Support Corporation (LISC).
- **Santee:** The City provides links to fair housing and other housing resources on the City's Website ([www.cityofsanteca.gov](http://www.cityofsanteca.gov)). Additionally, there are fair housing service provider brochures in English and Spanish at the City's public counters located in the Development Services, City Clerk and Community Services Departments.
- **Imperial Beach:** The City provides an affordable housing link on its city webpage.

- **Oceanside:** The City continues to update its website as new information becomes available. The City maintains various links and resources on the website, including the Fair Housing provider and regional San Diego Alliance for Fair Housing links. Also, the City provides Fair Housing information to the public through the City's Housing Authority and three Community Resource Centers located in Neighborhood Revitalization Areas. Brochures for Fair Housing Services are provided in both English and Spanish at all the identified locations. Fair Housing Posters are also posted at City Hall, Resource Centers and Park & Recreation facilities in both English and Spanish. The City continues participation in the San Diego Regional Alliance for Fair Housing (SDRAFFH). During Fair Housing Month, a number of activities are held throughout the County, including a Proclamation by the Oceanside City Council.

## Lending and Credit Counseling

**Impediment: Hispanics and Blacks continue to be under-represented in the homebuyer market and experienced large disparities in loan approval rates.**

### **Recommendation:**

1. All jurisdictions should collaborate with the San Diego Reinvestment Task Force to implement the recommendations contained in the Three Year Plan.
2. All jurisdictions that offer homebuyers programs also consider stepping up outreach efforts in minority communities in order to improve loan origination/approval rates and increase awareness of and education about homeownership opportunities.

### **Efforts:**

- **Countywide Efforts:** In FY 2018 conducted three homebuyer education events focused on raising awareness and understanding of the home purchase loan process and homebuyer assistance programs available from local governments. Provided homebuyer assistance program information on flyers and postcards sent to 10,000+ Section 8 participants and residents of affordable housing developments. Provided financial and logistical support to expand the countywide Earned Income Tax Credit/Free Tax Preparation program and increase the number of individuals and families receiving free tax preparation services and the Earned Income Tax Credit. Held five public meetings with speakers, presentations and discussion on topics including the San Diego Community Land Trust, accessory dwelling units as a source of affordable housing and LMI owner income, fair housing issues and enforcement, and other topics. Convened workgroup and created collective action project on use, expansion, and home loan credit for accessory dwelling units in LMI neighborhoods. Surveyed the largest banks in the county on their lending for LMI single-family mortgages, multifamily affordable housing, and small business loans, and presented the study results at a public RTF meeting
- **Chula Vista:** The City offers gap financing for first-time low-income homebuyers to purchase eligible properties through its First-Time Homebuyer Program.
- **El Cajon:** The City offers two unique programs designed to assist first-time homebuyers with purchasing a new or existing single-family or condominium home: the American Dream and California Dream First-Time Homebuyer programs. The City is currently reviewing

opportunities to improve outreach efforts to minorities for these programs. HUD-approved Homebuyer Counseling is a required component of the City's homebuyer programs. El Cajon continues to work with the San Diego Regional Alliance for Fair Housing (SDRAFFH) to explore the possibility of giving a presentation on the findings of the AI to the CRI.

- **Escondido:** The City administers the Homebuyer Entry Loan Program (HELP). Brochures for this first-time homebuyer program are available on the City's website in both English and Spanish. The City continues to review opportunities to improve outreach efforts to minorities for this program. However, participation is low overall (not only among minorities) due to HUD requirements like maximum purchase price, and market influences, like buyers with all cash offers. HUD approved Homebuyer Counseling is a required component of the City's HELP.
- **National City:** The City offers gap financing and down payment assistance for first-time low-income homebuyers to purchase eligible properties through its First-Time Homebuyer Program.
- **Oceanside:** The City provides homebuyer assistance through its CalHome First-Time Homebuyer Program. The City established a computer lab at its Libby Lake Resource Center and coordinated with the Leichtag Foundation to provide assistance services via private web-conferencing.
- **San Diego City:** The City has been actively supporting the activities of the San Diego Regional Alliance for Fair Housing regarding collaborations with the San Diego City/County Reinvestment Task Force. The City continued to support the activities of SDRAFFH with regard to collaboration with the San Diego City/County Reinvestment Task Force. In addition, the San Diego Housing Commission (SDHC) offers deferred loans, homeownership grants, and mortgage credit certificates to first-time homebuyers through its First-Time Homebuyer Program. In FY 2017 the City provided five (5) educational workshops for home seekers, homebuyers, and residents on Fair Housing rights. In FY 2016 the City provided two educational workshops for home seekers, homebuyers, and residents on Fair Housing rights.
- **San Diego County:** The County offers low-interest deferred payment loans for low-income first-time homebuyers through its Downpayment and Closing Cost Program. This program is available to first-time homebuyers looking to purchase homes in the unincorporated area of San Diego County or in the cities of Carlsbad, Coronado, Del Mar, Encinitas, Imperial Beach, La Mesa, Lemon Grove, Poway, San Marcos, Santee, Solana Beach or Vista.
- **San Marcos:** The City has increased referrals and access to HUD-Approved Housing Counseling Agencies. Additionally, the City ensured that this information was part of New First Time Homebuyer education curricula. Efforts to continue to hold HOME Clinics in collaboration with the Housing Opportunities Collaborative and the San Diego County Libraries are underway.
- **Vista:** The City allocates CDBG funds annually to support programs that incorporate financial literacy.

## Housing Discrimination

**Impediment: Housing discrimination persists throughout the County, which is supported by general literature, statistical data, and testing conducted in the region.**

**Recommendations:**

1. Conduct comprehensive and countywide random testing on a regular basis to identify issues, trends, and problem properties. Expand testing to cover other protected classes, especially those with emerging trends of suspected discriminatory practices.
2. Support stronger and more persistent enforcement activity by fair housing service providers.
3. Expand education and outreach efforts, with specific efforts outreaching to small rental properties where the owners/managers may not be members of the Apartments Association.

**Efforts:**

- **San Diego Regional Alliance for Fair Housing:** SDRAFFH recently appointed a Steering Committee to develop a Strategic Plan that is expected to include a coordinated approach to region-wide testing.
- **Carlsbad:** The City tested for discrimination on the basis of sexual orientation in 2017. Of the eight sites tested, one showed unequal treatment to the potential renter.
- **El Cajon:** El Cajon expects to conduct random testing every 2 years, as funding allows, identifying issues and problem areas. In FY 2019 five sites were tested, three for disability and two for familial status. All units tested for disability showed a chance of discrimination, while the familial status did not.
- **Encinitas:** The City randomly tested for discrimination on the basis of disability in 2016, 2017 and 2018. There were five sites tested and none showed discrimination.
- **Escondido:** The City performed test based on disability in 2016, 2017 and 2018. There were 29 sites tested and five showed unequal treatment. There was also testing done in 2017 on the basis of sexual orientation at 11 sites. Three showed unequal treatment.
- **National City:** The City randomly tested for discrimination on the basis of national origin in 2018. Of the six sites tested, four showed unequal treatment to the potential renter.
- **Oceanside:** The City randomly tested for discrimination on the basis of race, disability, familial status and sexual orientation. In 2017 disability was tested at eight sites and three were reported to show unequal treatment.
- **San Diego City:** In 2016, 2017 and 2018, the City of San Diego conducted 114 random audit tests. 13 of the tests done showed unequal treatment. Discrimination based on disability accounted for 11 of the random tests.
- **San Marcos:** The City conducted random housing testing on the basis of discrimination for familial status, disability, sexual orientation and race. Of the total 28 sites tested, two sites were reported to show unequal treatment.

## Housing Options

**Impediment: Housing choices for special needs groups, especially persons with disabilities, are limited.**

### **Recommendation:**

1. All jurisdictions should continue their efforts to expand the variety of available housing types and sizes. In addition to persons with disabilities, senior households, families with children, farmworkers, and the homeless, among others, can also benefit from a wider range of housing options.

### **Efforts:**

- **Region-wide:** Most of the region's 19 jurisdictions, including Carlsbad, Chula Vista, Coronado, Encinitas, Escondido, La Mesa, National City, Oceanside, Poway, Santee, San Diego (City), San Diego (County), San Marcos, Solana Beach, and Vista have explicit recognition of their obligation to reasonably accommodate the housing needs of residents in the Municipal Code.
- **Chula Vista:** The City's Community Housing Improvement Program allows for improvements that enhance accessibility.
- **Encinitas:** The City's Rehabilitation Program specifically allows for improvements that enhance accessibility. The City's Reasonable Accommodation Ordinance was approved by Coastal Commission in March 2020.
- **Escondido:** The City of Escondido is working collaboratively with different city departments, community based organizations, including Interfaith, the Alliance for Regional Solutions, and the Regional Task for the Homeless to provide housing options for special needs populations. Additionally, the City will continue to work with the SDRAFFH to identify more housing choices.
- **National City:** The National City Housing Authority maintains an affordable housing resource sheet that includes regional resources, emergency shelters, and low income rental-housing list, and housing available for seniors.
- **Oceanside:** The Housing Authority launched a Landlord Incentive Program in Spring 2017 to encourage rental owners to lease to homeless veterans using VASH vouchers
- **San Diego City:** The San Diego Housing Commission maintains an Affordable Housing Resource Guide that includes regional resources as well as an affordable rental-housing list specifying housing for disabled people within the City. The City of San Diego, in conjunction with the San Diego Housing Commission, has continued the "Housing Our Heroes" Campaign. The program follows the Housing First model by providing housing quickly, with supportive services added, to homeless Veterans, including those with disabilities. As part of the program, landlord outreach and education is being provided on Housing Choice Vouchers.
- **San Diego County:** The County also provides a database of affordable rental housing and services throughout the County that is accessible to persons with disabilities.

- **Santee:** The City’s Municipal Code (Chapter 17.10) provides for a wide range of housing (residential care facilities, congregate care facilities, single-room occupancy dwellings, limited and general group care facilities & transitional and support care facilities). Additionally, the Municipal Code (Chapter 17.06.055) provides for reasonable accommodation/residential accessibility. The City’s rehabilitation program also specifically allow for improvements that enhance accessibility.
- **Vista:** The City’s Rehabilitation Program specifically allows for improvements that enhance accessibility.

## D.2 Jurisdiction-Specific Impediments from Previous AI

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Jurisdictions in San Diego County have established various land use policies, zoning provisions, and development regulations that may impede the range of housing choices available. The following section outlines the recommendations made to each specific jurisdiction in the 2015 Regional AI in order to address their respective impediments.

### Carlsbad

**Recommendations:**

1. Amend the Zoning Ordinance density bonus provisions to be in compliance with State law.

**Efforts:** The City of Carlsbad last updated the Density Bonus Zoning Ordinance in 2018.

### Chula Vista

**Recommendation:**

1. Amend the Zoning Ordinance to include provisions for supportive housing, SRO housing, employee and farmworker housing, emergency shelters and large residential care facilities and density bonus pursuant to State law.
2. Amend the Zoning Ordinance density bonus provisions to be in compliance with State law.

**Efforts:** The City of Chula Vista amended various sections of Title 19 “Planning and Zoning” of the City of Chula Vista Municipal Code to address compliance with State laws governing supportive residential land uses (e.g. emergency shelters, single room occupancy residences, transitional and supportive housing, residential facilities, and qualified employee housing) was passed on October 16, 2018. The City last updated its density bonus in 2013 (Ordinance 3250).

### Coronado

**Recommendation:**

1. Amend the Zoning Ordinance density bonus provisions to be in compliance with State law.
2. Amend the Zoning Ordinance to include provisions for employee housing.

**Efforts:** The City of Coronado has no ordinance to comply with the Employee Housing Act at this time.

## **Del Mar**

**Recommendation:**

1. Amend the Zoning Ordinance density bonus provisions to be in compliance with State law.
2. Amend the Zoning Ordinance to include provisions for SROs pursuant to State law.
3. Amend the Zoning Ordinance to include provisions for employee housing.

**Efforts:** The City of Del Mar as of February 2020 has not updated its Zoning Ordinance for SROs or employee housing pursuant to State law.

## **El Cajon**

**Recommendation:**

1. Amend the Zoning Ordinance to include provisions for supportive housing and SROs pursuant to State Law.
2. Amend the Zoning Ordinance density bonus provisions to be in compliance with State law.
3. Amend the Zoning Ordinance to include provisions for farmworker and employee housing.

**Efforts:** The City amended its Zoning Code in 2018, adopting provisions for density bonus and accommodating for SROs to comply with 2019 changes in state law. The City of El Cajon permits farmworker and employee housing in the Zoning Ordinance in compliance with the Employee Housing Act.

## **Encinitas**

**Recommendation:**

1. Make an effort to ensure that its current Housing Element is in compliance with State law.
2. Amend the Zoning Ordinance density bonus provisions to be in compliance with State law.
3. Amend the Zoning Ordinance to permit emergency shelters by right in at least one zone to comply with State law.
4. Amend the Zoning Ordinance to include provisions for supportive housing and SROs pursuant to State law.
5. Amend the Zoning Ordinance to include provisions for employee housing.

**Efforts:** The City of Encinitas has an adopted Housing Element that is in compliance with State Law. The City Council adopted changes to the zoning ordinance for emergency shelters in November 2019



and then it was approved in February 2020 with modifications at the Coastal Commission. The City approved by-right in 2019 per SB 139 requirements. Provisions for employee and farmworker housing, transitional and supportive housing, and SRO housing, were adopted by City Council on November 20, 2019 (Ord 19 – 14). The City also adopted reasonable accommodation provisions (Ord 19-15) and Single room occupancy provisions (Ord 19-16), adopted by Coastal Commission in March 2020.

## **Escondido**

### **Recommendation:**

1. Amend the Zoning Ordinance density bonus provisions to be in compliance with State law.
2. Amend the Zoning Ordinance to include provisions for supportive housing and SRO pursuant to State law.
3. Amend the Zoning Ordinance to include provisions for farmworker and employee housing.

**Efforts:** Escondido permits a caretaker’s residence for farmworkers deriving the majority of their income from employment on the premises in most residential zones that allow agriculture, but does not specify that farmworker employee housing is allowed in all zones where commercial agriculture use is permitted. The City of Escondido amended the Zoning Ordinance in 2017 to modify density bonus provisions and to provide provisions for supportive housing to comply with State law.

## **Imperial Beach**

### **Recommendation:**

1. Amend the Zoning Ordinance density bonus provisions to be in compliance with State law.
2. Amend the Zoning Ordinance to include provisions for supportive housing and SRO pursuant to State law.
3. Amend the Zoning Ordinance to include provisions for employee housing.

**Efforts:** As of February 2020, the City of Imperial Beach has an amended zoning ordinance for supportive housing and SROs that complies with State law. The City has no commercial agricultural zoning but have ordinances in place that comply with the Employee Housing Act.

## **La Mesa**

### **Recommendation:**

1. Amend the Zoning Ordinance to permit emergency shelters by right in at least one zone to comply with State law.
2. Amend the Zoning Ordinance to include density bonus provisions that comply with State law.
3. Amend the Zoning Ordinance to include provisions for supportive housing and SRO pursuant to State law.
4. Amend the Zoning Ordinance to include provisions for farmworker and employee housing.

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**Efforts:** The City of La Mesa updated its Zoning Ordinance to allow emergency shelters by right consistent with state law in 2019. The City of La Mesa recognizes that it must update the Zoning Ordinance to address state requirements for supportive housing and SROs, but it has not been completed at this time. The City also recognizes the need to clarify the types of non-commercial agriculture activities allowable in the single-family zones to provide clear provisions for employee housing.

## **Lemon Grove**

**Recommendation:**

1. Amend the Zoning Ordinance to include density bonus provisions that comply with State law.
2. Amend Zoning Ordinance to expressly permit transitional housing.
3. Amend Zoning Ordinance to permit emergency shelters by right in a specified zone.
4. Amend the Zoning Ordinance to include provisions for supportive housing and SRO pursuant to State law.
5. Amend the Zoning Ordinance to include provisions for employee housing.

**Efforts:** The City of Lemon Grove last updated its Density Bonus Ordinance in January 2016. The City also updated its Zoning Ordinance to allow emergency shelters by right consistent with State law in 2019.

## **National City**

**Recommendation:**

1. Amend the Zoning Ordinance to include density bonus provisions to be in compliance with State law.
2. Amend the Zoning Ordinance to include provisions for employee housing.

**Efforts:** National City last updated its Zoning Ordinance in 2009.

## **Oceanside**

**Recommendation:**

1. Amend Zoning Ordinance to include a definition of “family” that does not impede fair housing choice.
2. Amend the Zoning Ordinance density bonus provisions to be in compliance with state law.
3. Amend the Zoning Ordinance to permit transitional housing, supportive housing, and SRO in compliance with State law.
4. Amend the Zoning Ordinance to include provisions for farmworker and employee housing.

**Efforts:** Oceanside amended its density bonus ordinance in June 2019. The City adopted an ordinance in 2018 to regulate farmworker housing. The City removed their definition of family.

## Poway

### Recommendation:

1. Amend Zoning Ordinance to permit emergency shelters by right in a specified zone.
2. Amend Zoning Ordinance density bonus provisions to be in compliance with State law.
3. Amend the Zoning Ordinance to include provisions for supportive housing and SRO pursuant to State law.
4. Amend the Zoning Ordinance to include provisions for farmworker and employee housing.

**Efforts:** The current Housing Element acknowledges the need to update the Zoning Ordinance to allow emergency shelters in compliance with state law.

## City of San Diego

### Recommendations:

1. Amend the Zoning Ordinance to permit emergency shelters by right in at least one zone to comply with State law.
2. Amend Zoning Ordinance density bonus provisions to be in compliance with State law.
3. Amend the Zoning Ordinance to include provisions for farmworker and employee housing.

**Efforts:** The City of San Diego last updated the Zoning Ordinance in 2016 to allow emergency shelters by right consistent with state law. In late fiscal year 2016, the Mayor launched the Housing San Diego Plan that outlines several goals and strategies to be developed over the next year to help increase housing production in the City. The Plan focuses on streamlining processes of certain permits through self-certification program, simplification of fee structures, improving customer service training, and new tools for developing additional housing.

## County of San Diego

### Recommendation:

1. Amend Zoning Ordinance to include provisions for supportive housing pursuant to State law.
2. Amend Zoning Ordinance density bonus provisions to be in compliance with State law.
3. Amend the Zoning Ordinance to provide provisions for employee housing.

**Efforts:** The County of San Diego provides provisions for farmworker and employee housing.

## San Marcos

### Recommendation:

1. Amend density bonus provisions to be in compliance with State law.
2. Amend the Zoning Ordinance to include provisions for farmworker and employee housing.

**Efforts:** The City of San Marcos provides provisions for farmworker and employee housing.

## **Santee**

### **Recommendations:**

1. Amend density bonus provisions to be in compliance with State law.
2. Amend the Zoning Ordinance to include provisions for farmworker and employee housing.

**Efforts:** The City of Santee Housing Element (2013 – 2020) establishes as a program goal changes to the Zoning Ordinance to achieve consistency with State housing law.

## **Solana Beach**

### **Recommendation:**

1. The City should evaluate its definition of family and revise the definition to ensure that it does not constrain the development of housing for persons with disabilities or residential care facilities.
2. Amend density bonus provisions to be in compliance with State law.
3. Amend the Zoning Ordinance to include provisions for farmworker and employee housing.

**Efforts:** The City currently has a definition of family that could be considered an impediment to fair housing choice. The City states that they see no need to specifically provide for farmworker and employee housing within the City.

## **Vista**

### **Recommendation:**

1. Amend density bonus provisions to be in compliance with State law.
2. Amend the Zoning Ordinance to include provisions employee and farmworker housing.

**Efforts:** The City updated its Zoning Ordinance to comply with the Employee housing Act for employee housing and to permit farmworker housing.