

Chollas Valley Community Planning Group is appealing the Emerald Hills Subdivision. **Chollas Valley** is an area of San Diego encompassing eight historic neighborhoods on Kumeyaay land, historically known as Encanto. Beside what will be a traffic nightmare, residents in Chollas Valley continue to experience chronic deficiencies in critical infrastructure, including inadequate fire stations, non-compliant pedestrian walkways, poor street illumination, no crosswalks, axle breaking semi-paved roads, the absence of grocery stores, urgent care or dialysis centers. The thicket of brush in our high fire severity zone canyons could be problematic for a one way ingress/egress for the 123 homes during a fire. (to be clear, there is another exit, but I believe it will be locked by the fire department)

The encroachment of new developments in our area has led to the destruction of vital habitats, upon sensitive canyons and riparian corridors. The structural neglect in our neighborhoods has directly caused storm drains to fail and flooding to happen in Chollas Valley, (Jan 23, 2024) and this subdivision is in a very high fire severity zone.

You can't make more land. This is one of the last opportunities for a meaningful community park in Southeastern San Diego and for the city of San Diego. Between state and local infill density housing laws, urban planners must understand people need places to play that are in their communities. This is an opportunity to heal decades of trauma imposed on our neighborhoods due to historical NEGLECT and DECEIT.

The Emerald Hills Subdivision rests its densification laurels on the heel of Footnote 7.

“The adoption of Footnote 7, which imposed selective zoning changes in the Encanto and Southeastern San Diego Neighborhoods, was a betrayal of our community and a clear violation of due process, equal protection, environment law and fair housing obligations. It was a policy enacted without meaningful input, bypassing procedural safeguard, environmental reviews and our communities right to equitable development...the city has failed to demonstrate that footnote 7 serves a public good that justifies the disparate impact it imposes.....the city attorney’s dedication to defending the indefensible acts the administration sets a new bar for behavior that is merely under the color of law.....if developer and city officials are allowed to benefit from ordinances later deemed unlawful, it creates a perverse incentive for passing and relying on unlawful legislation...allowing such reliance would discourage accountability, erode confidence in the City’s planning processes and disproportionately harm marginalized communities”.

Andrea Hetheru, past chair of CVCPG.

“Equity is a central value of the city’s Park Master Plan. Park planning and investment should address long standing inequities” OR “Prioritize citywide investment in park deficient communities” **Sandiego.gov**

The issue is simple: **In the spirit of the law, in an Environmental Justice Neighborhood, housing cannot override a planned park**, because doing so violates the requirements of

SB1000, the General Plan and the City's own Environmental Justice commitments. The communities of Chollas Valley have been promised a park at Radio Towers since 1978. What the planning commission has approved is an illegal densified increase of housing stock for a national billionaire developer and a worldwide billionaire marketplace for short and long term home stays in the name of a housing shortage.

Emerald Hills Subdivision is an egregious land grab by the City of San Diego Department of Developmental Services to ignore state laws AFFH/SB1000/AB686, perpetuating modern day redlining by blatantly refusing to listen to the community that is protesting this development. Chollas Valley residents took on a proportionate amount of housing in the Encanto Community Plan of 2015. **WE WANT AND DESERVE OUR PARK AT RADIO TOWERS.**

In the spirit of the law, SB1000 requires cities to reduce burdens in disadvantaged communities, not increase them. **Our neighborhood is identified as a disadvantaged EJ community under state law: We must reduce pollution exposure, improve community health and expand access to public facilities and avoid disproportionate impacts.** A planned park directly fulfills all of these mandates. Replacing a park with private housing does the opposite. It increases traffic, heat, noise and environmental stressors in a neighborhood that already carries more than its fair share. Under SB 1000 the City **cannot legally trade a park for housing.**

**Parks are an Environmental Justice necessity**-- housing is not a substitute for lost open space. You cannot make more land. This is one of the last opportunities for a meaningful community park in Southeastern San Diego and for the City of San Diego. Between state and local infill density housing laws, urban planners must understand people need places to play that are in their communities. This is an opportunity to heal decades of trauma imposed on our neighborhoods due to historical neglect and deceit.

Our community has some of the lowest per capita park acreage in the city. State and local EJ standards explicitly say that parks and open space are **critical health infrastructure** in neighborhoods like ours. A planned park is not an “optional” amenity. It is a **required mitigation** for decades of environmental inequity. Housing--especially dense or traffic generating housing—**cannot replace that lost health benefit.**

In the spirit of the law, the General Plan and the City's EJ policies require “no net loss” of public amenities in EJ neighborhoods. The General Plan commits the city to improve access to parks in EJ areas and avoid concentrating adverse land uses here and ensure fair distribution of public facilities.

Eliminating a planned park in an EJ community violates every one of these goals. Choosing housing instead of a park is a textbook example of a disproportionate negative impact, which the City is legally required to prevent.

**The City must engage the community in good faith.** SB1000 requires meaningful community participation, not after the fact decision. Our community has spoken clearly: We were promised a park for over 40 years. We still need a park. Under state law, the city must honor that need. Housing approvals do not satisfy SB1000 unless they demonstrably improve conditions for EJ

residents. Replacing a long promised park with housing does not improve our conditions. It harms us.

**High Resource Neighborhoods are not being asked to sacrifice their park—and neither should we.**

If the city is to increase housing capacity, it must do so fairly, across all neighborhoods especially those with abundant resources and large lots. The solution is not eliminating the only planned park in an EJ community. **Environmental Justice means every neighborhood deserves dignity, green space and public health, not just the wealthy ones.** The current and best example is Foxhill La Jolla, where the City is allowing large mansions on large lots. There is no densification of housing because this is a whiter and wealthier and an exclusive community.

The contrast with Foxhill and Emerald Hill Subdivision matters side by side. Under AFFH/SB1000 scrutiny, you see a two-tiered housing justice approach: in affluent areas, minimal density and exclusive lots. In disadvantaged, diverse neighborhood, high density housing, often without commensurate infrastructure or amenities. **That pattern arguably undermines the purpose of AFFH and SB1000, namely to dismantle historic segregation and inequitable access to opportunity.** It shows that zoning and land use decisions are not neutral: they maintain and reproduce inequality when wealth, race and geography align. Thus applying AFFH/SB1000 equitably would likely require distributing affordable or multi -unit housing or increased density across the city, especially in higher resource neighborhood—not concentrating density in historically disadvantaged areas.

Under SB1000, under the city's own general plan and under the principle of equity and inclusion, **housing cannot override a planned park in an EJ neighborhood, a community already burdened by pollution, heat and a lack of green space.** I urge you to respect state law, honor your EJ commitments, and protect this park for the families that need it most. Emerald Hills Subdivision is a legally defective project and the land that it is projected to sit on is owed a higher level of protection by the City of San Diego.

Parks improve physical activity through walking, sports and play which reduces chronic diseases. Parks reduce stress, improve mood and help alleviate symptoms of depression. Parks provide a shared space for community events and can help bring people together. Parks improve environmental quality by filtering air pollution, reducing noise pollution and providing habitats for local flora and fauna. Parks increase property values. We want this park to be a living legacy for our citizens and a gift to our children.

Join Us, the residents of Chollas Valley in standing up for a 31 acre park with unprecedented vistas and unlimited possibilities to create a space for all the citizens of San Diego to enjoy.

Un pueblo unido jamás esta vencido.  
A community united will not be defeated.

Saige Gonzales Walding  
Chair, Chollas Valley Community Planning Group

