



November 20, 2024

Honorable Todd Gloria, Mayor
City of San Diego
202 C Street
San Diego, CA 92101

**RE: REQUEST FOR EXECUTIVE ORDER REGARDING FOOTNOTE 7 IN
TABLE 131-04D OF SAN DIEGO MUNICIPAL CODE**

On September 30, 2024, the Community Planners Committee (CPC) sent a letter urging the removal of Footnote 7 from Table 131-04D in the San Diego Municipal Code (§131.0443, Chapter 13, Article 1, Division 4) and the halting of all projects reliant on it. Similarly, on November 1, 2024, the Chollas Valley Community Planning Group (CVCPG) sent a letter echoing these calls. CPC and CVCPG have submitted that Footnote 7 conflicts with several fundamental legal protections and policies, including:

- **The Equal Protection Clause of the United States Constitution**
- **The Equal Protection Clause of the California Constitution**
- **Title VIII of the Civil Rights Act of 1968 (Fair Housing Act)**
- **California Assembly Bill 686 (Affirmatively Furthering Fair Housing)**

Additionally, CVCPG submits that the processes outlined in the San Diego Municipal Code to ensure Constitutional Due Process in rezoning actions were not followed.

These laws and policies collectively mandate and facilitate the elimination of racial bias in housing practices, the dismantling of segregation, and the promotion of equitable access to housing opportunities. Footnote 7 perpetuates racial and economic disparities, targeting historically underserved communities in Chollas Valley and Southeastern San Diego.

During the CVCPG meeting on November 18, 2024, City Planning Director Heidi Vonblum presented a request for CVCPG to recommend a process for the removal of Footnote 7, beginning with consideration by the Planning Commission in December 2024. However, CVCPG declined to endorse this process after Ms. Vonblum clarified that current projects relying on Footnote 7 would not be halted.

To ensure compliance with these laws and uphold the principles of justice and equity, CVCPG unanimously approved an alternative recommendation that urges you to issue an executive order that:

1. **No city official, department, or subdivision of the city administration approve any projects reliant on Footnote 7—whether past, present, or future.**
2. **Footnote 7 is deemed invalid and without effect.**

We respectfully request that you take immediate action to address this matter and demonstrate your commitment to ensuring justice, equity, and compliance with federal and state laws. We look forward to your written response by 14 calendar days from the date of this letter.

Andrea Hetheru, Chair
Chollas Valley Community Planning Group



Vinetia Jones, Correspondence Secretary
Chollas Valley Community Planning Group



Chollas Valley Community Planning Group (CVCPG) Meeting, November 18, 2024:
Vote of 13-0 in support of this letter

Attachments:

- CPC Letter dated September 30, 2024
- CVCPG Letter dated November 1, 2024