

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

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May 17, 2021

Brian Schoenfisch, Program Manager
Community Planning and Implementation
Planning Department
City of San Diego
9485 Aero Drive
San Diego, CA 92117

RE: City of San Diego's 6th Cycle Housing Element Conditional Compliance

Dear Brian Schoenfisch:

The California Department of Housing and Community Development (HCD) is responsible for administering State Housing Element Law (Article 10.6 of the Government Code). This responsibility includes the review of local housing elements for compliance pursuant to Government Code section 65585, subdivision (b), and review of any action or failure to act that is inconsistent with an adopted housing element pursuant to Government Code section 65585, subdivision (i)(1)(A).

On October 1, 2020, HCD issued its written findings to the City of San Diego (City) under Government Code section 65585, subdivision (d). HCD found that the City's housing element substantially complied with State Housing Element Law—conditioned upon:

1. Implementing programs to amend the element and address requirements related to affirmatively furthering fair housing.
2. Making findings to demonstrate the likelihood of redevelopment on non-vacant sites pursuant to Government Code section 65583.2, subdivision (g).

As our letter emphasized, these conditions had to be addressed by April 15, 2021, to remain in compliance with State Housing Element Law. HCD acknowledges and appreciates the City's commitment and hard work toward resolving these findings. Notably, the City's February 5, 2021 submittal has made significant progress toward addressing the conditions in HCD's October 2020 review. The City's submittal demonstrates that the City has been actively working to address HCD's findings.

However, to date, the City has not fully satisfied the conditions cited in HCD's October 1, 2020 letter. Pursuant to Government Code section 65585, subdivision (i),

the City has 30 days from the date of this letter to respond to this correspondence and demonstrate that it has satisfied the conditions of HCD's October 1 letter. If the City does not respond and demonstrate that the conditions have been satisfied by June 16, 2021, HCD will find the City's housing element out of compliance.

HCD looks forward to continuing to work with the City and receive timely documentation to resolve these matters. HCD is amenable to working with the City to develop a path to remain in compliance or, if necessary, expeditiously regain compliance with State Housing Element Law. Failure to bring the housing element into compliance with applicable statutory requirements may result in further action authorized by Government Code section 65585, including revocation of housing element compliance, as noted above, and referral to the California Office of the Attorney General.

If you have any questions or would like to discuss the content of this letter, please contact Sohab Mehmood of our staff at Sohab.Mehmood@hcd.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Megan Kirkeby', with a small dot at the end of the signature.

Megan Kirkeby
Deputy Director