

**COUNCIL POLICY**

SUBJECT: OPEN HOUSING  
POLICY NO.: 600-20  
EFFECTIVE DATE: January 15, 1974

**BACKGROUND:**

The San Diego City Council has long been concerned with the quality of housing available to its citizens. An important part of insuring that quality housing is available is the concept of an open neighborhood wherein San Diego citizens are free to live where they choose, irrespective of race, color, creed or place of national origin. Adequate housing in a suitable environment must go hand in hand with freedom of choice.

Beginning with the Supreme Court decision of Brown vs. The Board of Education in 1954, our nation has been taking strides to eliminate discrimination wherever it may be found. The requirement of nondiscrimination has been with us for years. It is relatively obvious to the City Council, however, that in many areas a policy of nondiscrimination is not sufficient. More is needed - the active leadership of government itself. It is in the spirit of doing something rather than not doing something that the City Council adopts this policy.

The San Diego City Council has already taken the nationwide lead in affirmative marketing programs for new subdivisions. Specifically, the California Terraces' experiences have taught us that racial balance and freedom of choice for our citizens may be accomplished through the reasonable application of the concept known as "affirmative marketing." That positive experience of both the Council and the developer led The City of San Diego to adopt a policy of balanced communities in the newly developing areas of the City, Council Policy 600-19.

The Balanced Community Policy 600-19 deals primarily with the concept of balancing the economic ranges of housing available within a community. It is clear that the question of open housing and freedom of choice is a question different from the production of low to moderate income housing. Whereas the concept of mixing price ranges of housing within a community is primarily determined by the economics of a particular development, freedom of choice deals more with attitude. It is obvious to the Council that a separate policy is needed to deal with the question of freedom of choice and open neighborhood. Since the Balanced Community Policy is not always applied on a citywide basis, it is clear that a concept of freedom of choice and open neighborhood must apply on a citywide basis. What is at stake is not the economic availability of certain price ranges but rather the freedom of choice unhindered by discriminatory practices.

The City of San Diego is determined to have open neighborhoods. Although the law provides for freedom of choice, it is the City Council's belief that the City has a responsibility to affirmatively create those open neighborhoods.

**PURPOSE:**

The City desires to establish a community-wide approach to affirmative fair housing marketing in the City of San Diego. In order to develop realistically open neighborhoods within San Diego and a plan

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of action which will promote compliance with this policy, the City Council adopts the following affirmative fair housing marketing objectives.

- A. To increase substantially the number of minority families residing in neighborhoods outside areas of predominate minority concentration and establish racially balanced communities through advertising and other methods intended to inform minority and the majority family in the San Diego City area that all housing developed within the City is available to them on an equal opportunity basis.
- B. To inform the citizens of San Diego that in terms of equal housing, the City of San Diego is an open community.

In order to carry out effectively the purposes of an affirmative marketing program, the City Council adopts the following policy.

**POLICY:**

It shall be the policy of the City Council of The City of San Diego to require as a condition of all tentative maps the submission of an affirmative marketing program.

**EXEMPTIONS FROM THE POLICY:**

1. Tentative maps involving less than 20 dwelling units shall be excluded from the provisions of this policy.
2. Voluntary signatories to the HUD/BCA master affirmative marketing program need not submit additional affirmative marketing programs, since the master agreement constitutes full and complete satisfaction of the requirement of this policy.

**IMPLEMENTATION:**

1. An affirmative marketing program shall be a condition attached to all tentative maps.
2. An affirmative marketing program shall be submitted to the City Manager for approval prior to the recordation of the final map. The City Manager shall either approve or disapprove the affirmative marketing program within 21 days of receipt. The City Manager in approving the program shall furnish a document of approval to the developer for filing with the map.
3. The City Manager's decision as to the adequacy of an affirmative marketing program shall be determined by the contents of the affirmative marketing program, which should include:
  - a. Demographic information of the area in which the project is located.
  - b. Determination based on demographic information as to what racial group is less likely to apply for housing in that area.

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- c. Based on the racial group/groups less likely to apply, what outreach efforts will the sponsor/developer undertake to insure that members of that minority group/groups are aware of the housing opportunities.
- d. Identify which minority/majority newspapers will be used, and the frequency of use.
- e. Identify radio or T.V. advertisements if they are to be used.
- f. Insure that all brochures and handouts have the Equal Housing logo or slogan.
- g. List the community organizations to be contacted with information concerning the project.
- h. Describe the nondiscrimination hiring policy applicable to staff engaged in sale of properties and indicate racial composition of sale staff.
- i. Instruct and train all employees on local, state and federal fair housing laws and policies.
- j. Provide bilingual sales information as needed.
- k. The sponsor/developer must designate a qualified official of his company as Equal Opportunity Officer.
- l. The goals for sales of housing in the City of San Diego are as follows:

Up to \$24,000	20% minority
From \$24,001 to \$30,000	15% minority
From \$30,001 and over	10% minority

There are certain areas in the City where the outreach efforts will be made to white persons because of the racial composition of that area.

- 4. Any sponsor/developer who files an affirmative marketing program for approval by the City Manager must also submit a monthly sales report to the City Manager. The monthly sales report will include:
  - a. Name and location of project.
  - b. Total number of units.
  - c. Estimated number of visitors to sales office by racial and ethnic background.
  - d. Number of units sold during the month.
  - e. Number of units sold to minorities.
  - f. Number sold to minorities broken down by race.

5. The requirements of an affirmative marketing program must be binding on the original applicant's successors in interest to the extent that the first sales to the general public are covered.

HISTORY:

Adopted by Resolution R-209658 01/15/1974