



JOEL ANDERSON
SUPERVISOR, SECOND DISTRICT
SAN DIEGO COUNTY BOARD OF SUPERVISORS

AGENDA ITEM

DATE: August 27, 2024

15

TO: Board of Supervisors

SUBJECT:

ESTABLISHING AN UNSAFE CAMPING ORDINANCE TO PREVENT WILDFIRE HAZARDS AND ENSURE PUBLIC SAFETY IN OUR COMMUNITIES (DISTRICTS: ALL)

OVERVIEW

On October 23, 2024, the Board of Supervisors (Board) voted unanimously to direct the Chief Administrative Officer (CAO) to take several actions outlined in a Board Letter titled *Establishing an Unsafe Camping Ordinance in San Diego*. These actions included direction to bring forward to the Board a draft Unsafe Camping Ordinance for its consideration. The purpose of this ordinance is to provide law enforcement with the authority necessary to prohibit and remove illegal encampments, clear improperly stored property on public land, and protect vacant areas, such as the San Diego River corridor and other fire-prone regions, from wildfire hazards and pollution in unincorporated communities.

Following the approval of this Board Letter, major legal and policy actions have been taken on the issue of homelessness, including the U.S. Supreme Court's decision in the *City of Grants Pass v. Johnson* and Governor Newsom's Executive Order encouraging local governments to clean up homeless encampments. With the additional clarity provided by these actions, County staff is now moving forward to develop the ordinance as directed by the Board.

The County's unincorporated area is a unique jurisdiction compared to the incorporated cities that have adopted recent unsafe camping bans, and our ordinance must reflect the unique realities of our geography. As San Diego continues to be at high risk for wildfires, there are significant public safety risks posed from illegal encampments in riverbeds and canyons in the unincorporated areas. To date, Cal Fire has responded to 43 wildfires this year, which have burned over 2,300 acres. Other jurisdictions, such as the City of Santee, have enacted ordinances to address the ongoing threat of wildfires along the San Diego River corridor and other areas where encampments are prevalent. Because it is important to ensure that same level of protection for our unincorporated communities, I recommend that the Board reiterate its desire for the Unsafe Camping Ordinance that will be brought before the Board to include similar provisions to ensure that law enforcement officials have the authority and tools they need to help prevent to occurrence of wildfires in high-

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risk fire areas. This direction will help safeguard our communities from the potential loss of life and property resulting from wildfires.

**RECOMMENDATION
SUPERVISOR JOEL ANDERSON**

1. Waive Board Policy A-72 Agenda and Related Process, Section 2.k.ii, which establishes required timelines for review when preparing a Board letter
2. Direct the Chief Administrative Officer to ensure that the draft Unsafe Camping Ordinance brought before the Board includes provisions to address the threat of fires occurring from illegal encampments.

EQUITY IMPACT STATEMENT

The recommended actions address the unique geographical and socio-economic challenges of the unincorporated areas, mitigating risks like wildfire hazards and environmental degradation that could worsen existing inequalities.

SUSTAINABILITY IMPACT STATEMENT

The recommended actions aim to protect fire-prone and environmentally sensitive areas, from the negative impacts of illegal encampments. Additionally, it promotes long-term public safety by creating a framework for responsible land use and enforcement. This approach ensures that the County's natural and community resources are preserved for future generations.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. There will be no change in net General Fund cost and no additional staff years. There may be future fiscal impacts based on recommendations following from today's action. Any such recommendation(s) would return back for consideration and approval by the Board. Upon return by staff, funding for future costs will need to be identified by staff.

BUSINESS IMPACT STATEMENT

This policy aims to create cleaner, safer public spaces, which can attract more customers and boost local businesses by addressing illegal encampments. The focus on reducing environmental risks such as wildfires make the region more attractive for business, encouraging investment and growth.

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

On October 23, 2024, the Board of Supervisors (Board) voted unanimously to direct the Chief Administrative Officer (CAO) to take several actions outlined in a Board Letter titled *Establishing an Unsafe Camping Ordinance in San Diego*. These actions included direction to bring forward to the Board a draft Unsafe Camping Ordinance for its consideration. The purpose of this ordinance

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is to provide law enforcement with the authority necessary to prohibit and remove illegal encampments, clear improperly stored property on public land, and protect vacant areas, such as the San Diego River corridor and other fire-prone regions, from wildfire hazards and pollution in unincorporated communities.

The County's East County communities present unique challenges compared to some of the cities that have recently adopted unsafe camping bans. Included in these challenges is the high risk for wildfires in environmentally sensitive zones. Other jurisdictions, such as the City of Santee, have recognized the importance of preventing the occurrence of wildfires starting in illegal encampments by enacting an ordinance to further protect their residents.

To ensure unincorporated community members are afforded that same level of protection as other jurisdictions, I recommend that the Board reiterate its desire for the draft Unsafe Camping Ordinance that is brought before the Board to include provisions necessary to ensure that law enforcement officials have the authority and tools they need to help prevent to occurrence of wildfires in high-risk fire areas. By including these fire safety provisions, we can better address the unique wildfire risks in the unincorporated area ensuring that our approach is both comprehensive and consistent with regional efforts. This action will align our efforts with the broader goals of safeguarding our communities from the dangers associated with illegal encampments.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

The recommended actions align with the County of San Diego's 2023-2028 Strategic Plan, by fostering safe, healthy, and thriving communities. The focus on preserving natural resources and reducing environmental hazards such as wildfires is in line with the County's commitment to sustainability and protecting the region's unique ecosystems.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Joel Anderson', with a long horizontal flourish extending to the right.

JOEL ANDERSON,
Supervisor, Second District

ATTACHMENTS:

N/A