

Interactions with The San Diego Union-Tribune

**“Balboa Park groups oppose proposed homeless shelter, saying it would be a violation of city, state rules”**

March 24, 2023

**Question:**

Can the city attorney confirm what’s said in this email from David Lundin? He cites a specific section of the city charter plus state laws that prohibit non-park use on park land.

Also, would non-park uses be allowed temporarily as an emergency use? I believe that’s been done before, such as when the military used some buildings in WWII.

**Response:**

Dedicated parkland has been used for non-park uses as recently as the Faulconer Administration, when a parking lot at 20<sup>th</sup> and B (which is within the Balboa Park footprint) was used as a temporary campground to protect unsheltered individuals during the Hepatitis A outbreak. Such temporary emergency uses are well established under the law.

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