

Attachment 3: Safety and Health Element Resolution

WHEREAS, California Government Code Sections 65302(g) requires cities to prepare a safety element, which may include a local hazard mitigation plan, for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence; liquefaction; and other seismic hazards and other geologic hazards, flooding; and wildland and urban fires, as a component of each city's general plan and to revise it upon undertaking an update to the Housing Element, which the City has prepared under separate resolution; and

WHEREAS, California Government Code Sections 65302(h), as amended by SB 1000, requires cities to prepare an environmental justice element(s) that identify disadvantaged communities within the community and identify objectives and policies to reduce the unique or compounded health risks in disadvantaged communities by means that include, but are not limited to, the reduction of pollution exposure, including the improvement of air quality, and the promotion of public facilities, food access, safe and sanitary homes, and physical activity; identify objectives and policies to promote civic engagement in the public decision making process; identify objectives and policies that prioritize improvements and programs that address the needs of disadvantaged communities; and to adopt or review the environmental justice element upon the adoption or next revision of two or more elements concurrently on or after January 1, 2018, as a component of each city's general plan and to revise it regularly; and

WHEREAS, pursuant to Charter Section 555, the Director of City Planning initiated an amendment to the Housing, Safety, and Health Elements (Plan for a Healthy Los Angeles) of the General Plan (collectively, "Proposed Plans") and prepared a proposed update to the Safety Element, which replaces the current Safety Element adopted in 1996, and prepared targeted amendments to the Health Element, which included clarification that the Health Element serves as the Health, Wellness and Equity Element of the General Plan; and

WHEREAS the Safety Element and Local Hazard Mitigation Plan comply with the requirements of state law and set forth the disaster prevention, response and recovery policies for the City and the Safety Element has been updated to minimize impacts from climate change, and increase resilience in the City; and

WHEREAS, the Health Element complies with the requirements of state law as described in Government Code Section 65302 pertaining to an environmental justice element; and

WHEREAS, the Draft Environmental Impact Report was circulated to the public, responsible agencies and other interested parties as required by CEQA Guidelines Section 15087 for a period of 45 days commencing on July 22, 2021 and closing on September 7, 2021; and

WHEREAS, as consultation with public agencies was conducted, the City received comments on the draft Safety Element from CAL FIRE and incorporated recommendations into the draft presented to the City Planning Commission; and

WHEREAS, the Hearing Officer, as a representative of the City Planning Commission, held a public hearing on the Proposed Plans on September 21 and 22, 2021; and

WHEREAS, a notice of public hearing was published in the "Daily Journal" on September 1, 2021, for a hearing on September 21 and 22, 2021, in accordance with Section 12.32-C4 of the Los Angeles Municipal Code; and

WHEREAS, the City Planning Commission conducted a noticed public hearing on October 14, 2021; and

WHEREAS, the City Planning Commission, on October 14, 2021, recommended that the Mayor approve and the City Council adopt the proposed Safety Element Update and amendments to the Health Element and transmitted its recommendation pursuant to the City Charter and the Municipal Code; and

WHEREAS, the City Council's Planning and Land Use Management Committee and Public Safety Committee, each held a public hearing on _____ 2021 and _____ 2021 regarding the Safety Element Update and Health Element amendments in accordance with the City's Charter and Municipal Code; and

WHEREAS, pursuant to the provisions of the Los Angeles City Charter Section 555 and Los Angeles Municipal Code Section 11.5.6, the Mayor and the City Planning Commission have transmitted their recommendations on the Safety Element and Health Element Amendments; and

WHEREAS, in a separate action, the City Council adopted a resolution to certify Environmental Impact Report (Case No. EIR-2020-6762-EIR and State Clearinghouse No. 2021010130) for the Proposed Plans, adopted EIR Findings, a Statement of Overriding Considerations and a Mitigation and Monitoring Program; and

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. Recitals. The foregoing recitals are true and correct and incorporated herein by reference.
2. General Plan Amendment. The City Council approves the following amendments to the General Plan:
 - a. The Safety Element Update found in Council File No. _____
 - b. The amendments to the Health Element, found in Council File No. _____

3. Reversion to Prior Element. Unless otherwise provided by action of the City Council, to the extent the Safety Element Update is enjoined (in whole or in part, permanently or temporarily), or set aside by court order, the Safety Element (1996), shall, by operation of law, be revived and continue in full force and effect, until such time as the injunction is dissolved, the court order is set aside, and/or until further action of the City Council.

Unless otherwise provided by action of the City Council, to the extent the Health Element amendments are enjoined (in whole or in part, permanently or temporarily), or set aside by court order, the Health Element (2015), as applicable, shall, by operation of law, be revived and continue in full force and effect, until such time as the injunction is dissolved, the court order is set aside, and/or until further action of the City Council.