

1 [General Plan - Adopting the 2022 Safety & Resilience Element]

2

3 **Ordinance amending the San Francisco General Plan by repealing the 2012 Community**
 4 **Safety Element and adopting the 2022 Safety & Resilience Element; affirming the**
 5 **Planning Department’s determination under the California Environmental Quality Act;**
 6 **and making findings of public necessity, convenience, and general welfare under**
 7 **Planning Code, Section 340, and findings of consistency with the General Plan, and the**
 8 **eight priority policies of Planning Code, Section 101.1.**

9 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
 10 **Additions to Codes** are in *single-underline italics Times New Roman font*.
 11 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
 12 **Board amendment additions** are in double-underlined Arial font.
 13 **Board amendment deletions** are in ~~strikethrough Arial font~~.
 14 **Asterisks (* * * *)** indicate the omission of unchanged Code
 15 subsections or parts of tables.

13

14 Be it ordained by the People of the City and County of San Francisco:

15

16 Section 1. Findings.

17 (a) Section 4.105 of the Charter provides that the Planning Commission shall
 18 periodically recommend to the Board of Supervisors, for approval or rejection, proposed
 19 amendments to the General Plan.

20 (b) On October 7, 2022, the Board of Supervisors received from the Planning
 21 Department the proposed General Plan amendment which repeals the 2012 Community
 22 Safety Element and adopts the 2022 Safety & Resilience Element (“the Safety & Resilience
 23 Element Update Amendment”). This amendment is on file with the Clerk of the Board of
 24 Supervisors in File No. 221065 and is incorporated herein by reference.

25

1 (c) Section 4.105 of the Charter further provides that if the Board of Supervisors fails to
2 act within 90 days of receipt of the proposed Safety & Resilience Element Update
3 Amendment, then the proposed amendment shall be deemed approved.

4 (d) Planning Code Section 340 provides that an amendment to the General Plan may
5 be initiated by a resolution of intention by the Planning Commission, which refers to, and
6 incorporates by reference, the proposed General Plan amendment. Section 340 further
7 provides that the Planning Commission shall adopt the proposed General Plan amendment
8 after a public hearing if it finds from the facts presented that the public necessity,
9 convenience, and general welfare require the proposed amendment or any part thereof. If
10 adopted by the Commission in whole or in part, the proposed amendment shall be presented
11 to the Board of Supervisors, which may approve or reject the amendment by a majority vote.

12 (e) On July 21, 2022, the Planning Commission, by Resolution No. 21147, initiated the
13 Safety & Resilience Element Update, as an amendment to the General Plan, at a duly noticed
14 public hearing. Said motion is on file with the Clerk of the Board of Supervisors in File No.
15 221056 and incorporated herein by reference.

16 (f) On July 1, 2022, the Planning Department published the Addendum to Final
17 Negative Declaration and complied with the provisions of the California Environmental Quality
18 Act ("CEQA") (California Public Resources Code Sections 21000 et seq.), the CEQA
19 Guidelines (14 Cal. Code Regs. Sections 15000 et seq.), and Chapter 31 of the San
20 Francisco Administrative Code. A copy of the Addendum to Final Negative Declaration is on
21 file with the Clerk of the Board of Supervisors in File No. 221065. The Board affirms this
22 determination.

23 (g) The Project evaluated in the Addendum to Final Negative Declaration includes
24 amendments to the General Plan related to the Safety & Resilience Element Update
25 Amendment proposed by the Planning Department. The Safety & Resilience Element Update

1 Amendment is an action proposed by the Planning Department that is within the scope of the
2 Project evaluated in the Addendum to Final Negative Declaration.

3 (h) The letter from the Planning Department transmitting the proposed General Plan
4 amendments to the Board of Supervisors, the Final Addendum to Negative Declaration, and
5 the Planning Commission’s Resolution approving the proposed General Plan Amendments
6 are on file with the Clerk of the Board of Supervisors in File No. 221065. These and any and
7 all other documents referenced in this ordinance have been made available to the Board of
8 Supervisors and may be found in either the files of the Planning Department, as the custodian
9 of records, at 49 South Van Ness Avenue in San Francisco, or in File No. 221065 with the
10 Clerk of the Board of Supervisors at 1 Dr. Carlton B. Goodlett Place in San Francisco, and are
11 incorporated herein by reference.

12 (i) The Board of Supervisors has reviewed and considered the Final Addendum to
13 Negative Declaration and the environmental documents on file referred to herein. The Board
14 of Supervisors has reviewed and considered the CEQA Findings, and hereby adopts them as
15 its own and incorporates them by reference as though such findings were fully set forth in this
16 ordinance.

17 (j) The Board of Supervisors finds, pursuant to Planning Code Section 340, that the
18 Safety & Resilience Element Update Amendment set forth in the documents on file with the
19 Clerk of the Board of Supervisors in File No. 221065 will serve the public necessity,
20 convenience, and general welfare for the reasons set forth in Planning Commission
21 Resolution No. 21175 and incorporates those reasons herein by reference.

22 (k) The Board of Supervisors finds that the proposed General Plan amendments are,
23 on balance, in conformity with the General Plan, as amended by this ordinance, and the
24 priority policies of Planning Code Section 101.1 for the reasons set forth in Planning
25 Commission Resolution No. 21175, and the Board hereby adopts those findings as its own.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Section 2. The San Francisco General Plan is hereby amended by repealing the 2012 Community Safety Element and adopting the 2022 Safety & Resilience Element, as shown in Exhibit A. A copy of the repealed 2012 Community Safety Element is on file with the Clerk of the Board of Supervisors in File No. 211065, and is also on file with the Planning Department.

Section 3. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/ Robb Kapla
ROBB KAPLA
Deputy City Attorney

n:\legana\as2022\2300013\01616550.docx