

# ORD-17

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH REPEALING ORDINANCE NO.  
ORD-21-0013

WHEREAS, on December 17, 2020, the Planning Commission of the City of Long Beach ("City") held a public hearing and recommended that the City Council approve a zone change from Light Industrial (IL) to Commercial Storage (CS) to facilitate the proposed development in the IL Zoning District associated with the construction and operation of the Pacific Place Project at 3701 Pacific Place (the "Project"); and

WHEREAS, on April 13, 2021, the City Council held a do novo appeal hearing on the Project and following the public hearing Council upheld the Planning Commission's Project Approvals and adopted Ordinance No. 21-0013 approving the proposed zone change; and

WHEREAS, on May 12, 2021, the Riverpark Coalition and Los Angeles Waterkeeper (collectively, "Petitioners") filed a Petition for Writ of Mandate in the Los Angeles Superior Court (Case 21STCP01537), challenging the City's April 13, 2021 decision approving the Project; and

WHEREAS, on October 19, 2022, after a full briefing and hearing, the Court granted the Judgment for Petitioners, and ordered the City to set aside its approvals related to the Project; and

WHEREAS, on December 13, 2022, a judgment on the Peremptory Writ of Mandate was entered by the Court in which it specifically ordered the City to void, vacate and set aside its Project Approvals, including the Zone Change Ordinance (Ordinance No. 21-0013; and

WHEREAS, the Peremptory Writ of Mandate further stated that no more than ninety(90) days after service of the Writ, the City must set aside and vacate in its

OFFICE OF THE CITY ATTORNEY  
DAWN MCINTOSH, City Attorney  
411 W. Ocean Boulevard, 9th Floor  
Long Beach, CA 90802

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1 entirety the aforementioned approvals and Ordinance in relation to the Project and file a  
2 return to the writ of mandate confirming that the City has taken such action; and

3 WHEREAS, the City was served with the Peremptory Writ of Mandate on  
4 December 16, 2022;

5 NOW, THEREFORE, the City Council of the City of Long Beach ordains as  
6 follows:

7 Section 1. Ordinance No. ORD-21-0013, adopted on April 20, 2021 is  
8 hereby repealed.

9 Section 2. The City Clerk shall certify to the passage of this ordinance by  
10 the City Council and cause it to be posted in three (3) conspicuous places in the City of  
11 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the  
12 Mayor.

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I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2023, by the following vote:

Ayes: Councilmembers: \_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_

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\_\_\_\_\_

Recusal(s): Councilmembers: \_\_\_\_\_

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\_\_\_\_\_  
City Clerk

Approved: \_\_\_\_\_  
(Date)

\_\_\_\_\_  
Mayor