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

ORDINANCE NO. ORD-23-0009

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. ORD-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. ORD-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

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entirety the aforementioned approvals and Ordinance in relation to the Project and file a return to the writ of mandate confirming that the City has taken such action; and WHEREAS, the City was served with the Peremptory Writ of Mandate on NOW, THEREFORE, the City Council of the City of Long Beach ordains as Ordinance No. ORD-21-0013, adopted on April 20, 2021 is The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three (3) conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the

1	I hereby certify that the foregoing ordinance was adopted by the City			
2	Council of the City of Long Beach at its meeting of February 14, 2023, by the following			
3	vote:			
4				
5	Ayes:	Councilmembers:	Zendejas, Allen, Duggan, Supernaw,	
6			Kerr, Saro, Uranga, Austin.	
7				
8				
9	Noes:	Councilmembers:	None.	
10				
11	Absent:	Councilmembers:	None.	
12				
13	Recusal(s):	Councilmembers:	Ricks-Oddie.	
14				
15				
16			() gay sign	
17	Approved: 2/14	1 242 2	Alas III a	
18	Approved.	Date)	Mayor	
19				
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24 25				
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AFFIDAVIT OF POSTING

STATE OF CALIFORNIA) SS COUNTY OF LOS ANGELES) CITY OF LONG BEACH)

Alyssa Campos being duly sworn says: That I am employed in the Department of the City Clerk of the City of Long Beach; that on the 16th day of February 2023, I posted three true and correct copies of Ordinance No. ORD-23-0009 in three conspicuous places in the City of Long Beach, to wit: One of said copies in the lobby of City Hall in front of the Civic Chambers; one of said copies in the Billie Jean King Main Library; and one of said copies on the front counter of the City Clerk Department.

Subscribed and sworn to before me This 16th day of February 2023.

CITY CLERK