

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING SECTIONS 21.15.475, 21.52.212, TABLES 32-1 AND 32-1A IN CHAPTER 21.32, TABLE 33-2 IN CHAPTER 21.33, BY AMENDING THE USE DISTRICT TABLE FOR PD-25 (ATLANTIC AVENUE PLANNED DEVELOPMENT DISTRICT), AND BY AMENDING THE USE DISTRICT TABLE FOR PD-29 (LONG BEACH BLVD PLANNED DEVELOPMENT DISTRICT); AND BY ADDING SECTIONS 21.15.335, 21.15.442, 21.15.562, 21.15.635, 21.15.1792, 21.15.1793, 21.15.1795, 21.15.2008, 21.15.2009, 21.15.2225, 21.15.2401, AND 21.45.116, RELATED TO CHECK CASHING AND OTHER FINANCIAL USES

Section 1. Section 21.15.475 of the Long Beach Municipal Code is amended to read as follows:

21.15.475 Check cashing.

"Check cashing" is a commercial land use that generally includes some or all of a variety of financial services including cashing of checks, warrants, drafts, or other commercial paper serving the same purpose.

"Check cashing" does not include a state or federally chartered bank, savings association, credit union, or industrial loan company. "Check cashing" also does not include a retail seller engaged primarily in the business of selling consumer goods, including consumables, to retail buyers that cashes checks or issues money orders for a minimum flat fee

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1 not exceeding two dollars (\$2.00) per transaction as a service to its  
2 customer that is incidental to its main purpose or business.

3  
4 Section 2. Section 21.52.212 of the Long Beach Municipal Code is  
5 amended to read as follows:

6 21.52.212 Check cashing, pay day loans, car title loans, signature loans, and  
7 other financial services.

8 The following conditions shall apply to check cashing, pay day  
9 loans, car title loans, signature loans, and other financial services  
10 businesses:

11 A. A Conditional Use Permit shall be required for check  
12 cashing, pay day loan, car title loan, and signature loan businesses.  
13 Alternative or other financial services are also required to obtain a  
14 Conditional Use Permit at the discretion of the Zoning Administrator.

15 B. Check cashing, pay day loans, car title loans, signature  
16 loans and other financial service businesses as defined by the Long  
17 Beach Municipal Code shall not be located within:

18 1. A one thousand three hundred twenty (1,320) foot  
19 radius of an approved check cashing, pay day loan, car title loan,  
20 signature loan, or other financial service business.

21 2. The CNA, CNP, CNR, PD-6, PD-25, PD-29 or PD-30  
22 or any industrial zoning districts. This includes other financial services  
23 and alternative types of lending services at the discretion of the Zoning  
24 Administrator.

25 C. Windows shall not be obscured by placement of signs, dark  
26 window tinting, shelving, racks or similar obstructions.

27 D. Exterior phones, security bars and roll up doors shall be  
28 prohibited.

1 E. All fees and regulations associated with a loan or financial  
2 transaction shall be displayed near the cashier/checkstand and provided  
3 to the customer upon checkout.

4 F. The hours of operation shall be stated in the application and  
5 shall be subject to review.

6 G. Special Development Standards for check cashing, pay day  
7 loan, car title loan, signature loan, and other financial services found in  
8 Section 21.45.116 shall also apply.

9  
10 Section 3. "Financial Services" section of Table 32-1 "Uses in All Other  
11 Commercial Zoning Districts" of Chapter 21.32 of the Long Beach Municipal Code is  
12 amended to read as shown on Exhibit "A".

13  
14 Section 4. "Financial Services" section of Table 32-1A "Uses In All Other  
15 Commercial Zoning Districts" of Chapter 21.32 of the Long Beach Municipal Code is  
16 amended to read as shown on Exhibit "B".

17  
18 Section 5. "Professional Office and Institutional Uses" section (9.) of  
19 Table 33-2 "Uses in Industrial Districts" in Chapter 21.33 is amended as shown on Exhibit  
20 "C".

21 Section 6. "Financial Services" section of the Use District Table of PD-25  
22 (Atlantic Avenue Planned Development District) is amended as shown on Exhibit "D".

23  
24 Section 7. "Financial Services" section of the Use District Table of PD-29  
25 (Long Beach Blvd Planned Development District) is amended as shown on Exhibit "E".

26  
27 Section 8. The Long Beach Municipal Code is amended by adding  
28 Section 21.15.335 to read as follows:

1 21.15.335 Bank.

2 "Bank" means any national and state bank, and any federal branch  
3 and insured branch; and includes any former savings association. The  
4 term "state bank" means any bank, banking association, trust company,  
5 savings bank, industrial bank (or similar depository institution which the  
6 Board of Directors finds to be operating substantially in the same manner  
7 as an industrial bank), or other banking institution which is engaged in the  
8 business of receiving deposits, other than trust funds; and is incorporated  
9 under the laws of any State or which is operating under the Code of Law  
10 for the District of Columbia, including any cooperative bank or other  
11 unincorporated bank the deposits of which were insured by the  
12 corporation on the day before the date of the enactment of the Financial  
13 Institutions Reform, Recovery, and Enforcement Act of 1989.

14  
15 Section 9. The Long Beach Municipal Code is amended by adding  
16 Section 21.15.442 to read as follows:

17 21.15.442 Car title loans.

18 "Car Title Loan" means a short-term loan in which the borrower's  
19 car title is used as collateral. The borrower must be the lien holder (i.e.  
20 own the car outright). Car title loans can be regulated as either consumer  
21 or commercial loans by the State of California. This does not include  
22 loans for automobiles regulated by the Federal Trade Commission (FTC).

23  
24 Section 10. The Long Beach Municipal Code is amended by adding  
25 Section 21.15.562 to read as follows:

26 21.15.562 Commercial loans.

27 "Commercial loan" means a loan of a principal amount of five  
28 thousand dollars (\$5,000) or more, or any loan under an open-end credit

1 program, whether secured by either real or personal property, or both, or  
2 unsecured, the proceeds of which are intended by the borrower for use  
3 primarily for other than personal, family, or household purposes as defined  
4 in Section 22502 of the California Financial Code. For purposes of  
5 determining whether a loan is a commercial loan, the lender may rely on  
6 any written statement of intended purposes signed by the borrower. The  
7 statement may be a separate statement signed by the borrower or may be  
8 contained in a loan application or other document signed by the borrower.  
9 The lender shall not be required to ascertain that the proceeds of the loan  
10 are used in accordance with the statement of intended purposes.

11  
12 Section 11. The Long Beach Municipal Code is amended by adding  
13 Section 21.15.635 to read as follows:

14 21.15.635 Consumer loans.

15 "Consumer loan" means a loan, whether secured by either real or  
16 personal property, or both, or unsecured (i.e. signature loan), the  
17 proceeds of which are intended by the borrower for use primarily for  
18 personal, family, or household purposes (the lender shall not be required  
19 to ascertain that the proceeds of the loan are used in accordance with the  
20 statement of intended purposes). For purposes of determining whether a  
21 loan is a consumer loan, the lender may rely on any written statement of  
22 intended purposes signed by the borrower. The statement may be a  
23 separate statement signed by the borrower, or may be contained in a loan  
24 application or other document signed by the borrower. In addition to the  
25 definition of consumer loan in California Finance Code Section 22230, a  
26 "consumer loan" also means a loan of a principal amount of less than five  
27 thousand dollars (\$5,000), the proceeds of which are intended by the  
28 borrower for use primarily for other than personal, family, or household

1 purposes.

2 Section 12. The Long Beach Municipal Code is amended by adding  
3 Section 21.15.1792 to read as follows:

4 21.15.1792 Money orders.

5 "Money Order" means a certificate issued that allows the stated  
6 payee to receive cash on-demand. A money order functions much like a  
7 check, in that the person who purchased the money order may stop  
8 payment.

9  
10 Section 13. The Long Beach Municipal Code is amended by adding  
11 Section 21.15.1793 to read as follows:

12 21.15.1793 Money transfers.

13 "Money Transfer" means a service that allows users to transfer  
14 funds between personal accounts.

15  
16 Section 14. The Long Beach Municipal Code is amended by adding  
17 Section 21.15.1795 to read as follows:

18 21.15.1795 Mortgage brokers.

19 "Mortgage broker" means an individual or company that arranges  
20 mortgage financing between a borrower and a lender.

21  
22 Section 15. The Long Beach Municipal Code is amended by adding  
23 Section 21.15.2008 to read as follows:

24 21.15.2008 Pawnbroker.

25 "Pawnbroker" means and includes any person, other than banks,  
26 trust companies, or bond brokers, who may otherwise be regulated by law  
27 and authorized to deal in commercial papers, shares of stock, bonds and  
28 other certificates of value, who keeps a pawn office, or engages in, or

1 carries on the business of receiving jewelry, precious stones, valuables,  
2 firearms, clothing or personal property, or any other article or articles in  
3 pledge for loans, or as security, or in pawn for the repayment of monies,  
4 and exacts an interest for such loans, or who purchases articles or  
5 personal property and agrees to resell such articles so purchased to the  
6 vendors thereof, or their assigns, at prices agreed upon at or before the  
7 time of such purchases, respectively.

8  
9 Section 16. The Long Beach Municipal Code is amended by adding  
10 Section 21.15.2009 to read as follows:

11 21.15.2009 Pay day loans.

12 "Pay day loans" offer a transaction whereby a person defers  
13 depositing a customer's personal check until a specific date, pursuant to a  
14 written agreement, as provided by California Financial Code Section  
15 23035. Personal check includes the electronic equivalent of a personal  
16 check. Pay day loan (Deferred Deposit) businesses are regulated by the  
17 State of California, Department of Corporations, and do not include  
18 consumer loans or commercial loans.

19  
20 Section 17. The Long Beach Municipal Code is amended by adding  
21 Section 21.15.2225 to read as follows:

22 21.15.2225 Realtor.

23 "Realtor" means a real estate agent, broker or an associate who  
24 holds active membership in a local real estate board that is affiliated with  
25 the National Association of Realtors or California Association of Realtors.

26  
27 Section 18. The Long Beach Municipal Code is amended by adding  
28 Section 21.15.2401 to read as follows:

1 21.15.2401 Secondhand dealer.

2 "Secondhand dealer," means and includes any person,  
3 copartnership, firm, or corporation whose business includes buying,  
4 selling, trading, taking in pawn, accepting for sale on consignment,  
5 accepting for auctioning, or auctioning secondhand tangible personal  
6 property.

7  
8 Section 19. The Long Beach Municipal Code is amended by adding  
9 Section 21.45.116 to read as follows:

10 21.45.116 Check cashing, pay day loans, car title loans, signature  
11 loans and other financial services.

12 The following special development standards shall apply to check  
13 cashing, pay day loan, car title loan, signature loan, and other financial  
14 service businesses:

15 A. Conditional Use Permit. Required Findings for check  
16 cashing, pay day loan, car title loan, signature loan, and other financial  
17 service businesses are found in Section 21.52.212.

18 B. Pay Phones. Exterior phones, security bars and roll up  
19 doors shall be prohibited, and any existing pay phones shall be removed.

20 C. Window Signage. Windows shall not be obscured by  
21 placement of signs, dark window tinting, shelving, racks or similar  
22 obstructions.

23 D. Maintenance. All yard areas shall be developed and  
24 maintained in a neat, quiet, and orderly condition and operated in a  
25 manner so as not to be detrimental to adjacent properties and occupants.  
26 This shall encompass the maintenance of exterior facades of the building,  
27 designated parking areas serving the use, fences, and the perimeter of the  
28 site (including all public parkways).



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E. Signage.

1. All non-conforming signs and pole signs shall be removed, including roof signs regulated under Section 21.44.400.
2. All on-site signage shall be brought into compliance with the Long Beach Municipal Code, Section 21.44, removed, and/or improved to the satisfaction of the Site Plan Review Committee.
3. Each check cashier shall post a list of fees in English, Spanish, Tagalog, and Khmer at the cashier/check stand using a letter height not less than one-half (1/2) inch in height.

F. Landscaping.

1. All parking and landscaping areas on the property shall be improved and brought into compliance with the Long Beach Municipal Code by paving and striping parking areas and adding drought tolerant, native trees and shrubs.
2. All landscaping shall be permanently irrigated with a twenty-four (24) hour/seven (7) day electronic or solar powered time clock.

G. Lighting. Lighting shall be provided, including glare shields, in accordance with Chapter 21.41, in a relatively even pattern and in compliance with California Title 24 Energy requirements.

H. Security.

1. Interior and exterior video security cameras shall be installed at the front and rear of the business with full view of the public right-of-way and any area where the operator provides parking for its patrons. The cameras shall record video for a minimum of thirty (30) days and be accessible via the Internet by the Long Beach Police Department (LBPD).
2. A Public Internet Protocol (IP) address and user name/password to allow LBPD to view live and recorded video from the

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cameras over the Internet are also required. All video security cameras shall be installed to the satisfaction of the Police Chief, Director of Technology Services, and Director of Development Services.

I. Building Improvements.

1. All building facades shall be improved with new paint, roofing materials, and windows to the satisfaction of the Site Plan Review Committee.

2. New canopies or architectural projections shall be incorporated to the satisfaction of the Planning Commission and/or Site Plan Review Committee.

Section 20. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first day after it is approved by the 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 \_\_\_\_\_, 2013, by the following vote:

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

OFFICE OF THE CITY ATTORNEY  
CHARLIES PARKIN, City Attorney  
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Long Beach, CA 90802-4664

TABLE 32-1

Uses in All Other Commercial Zoning Districts

	Neighborhood			Community				Regional	Other	
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
<b>Financial Services</b>										
ATM 1. Walk up or freestanding machine on interior of building; walk up machine on exterior of building	Y	Y	Y	Y	Y	Y	Y	Y	N	1., 2. Requires 2 (5 minute) parking spaces for each ATM machine. Spaces must be located within 100 ft. Such spaces may be existing required parking.
2. Freestanding machine, exterior	AP	AP	AP	AP	AP	AP	AP	AP	N	
3. Drive-thru machine	N	AP	N	AP	C	AP	AP	AP	N	3. For drive-thru machine see standards for drive-thru lane in <u>Section 21.45.130</u>
Bank, credit union, savings and loan, commercial and industrial loans	AP	Y	Y	Y	Y	Y	Y	Y	N	Bank, credit union, and savings and loan in the CNP zone subject to standards in <u>Section 21.52.208</u>  *This does not include car title loans or signature loan businesses as a primary use.
Bus token issuance, payment of utility bills, distribution of government checks and food stamps, sale	Y	Y	Y	Y	Y	Y	Y	Y	N	

TABLE 32-1

of phone cards											
Car title loans	N	N	N	C	C	C	C	C	N	Car title loan, check cashing, pay day loan and signature loan businesses are subject to standards in Sections 21.45.116 and 21.52.212.	
Check cashing	N	N	N	C	C	C	C	C	N		
Money orders, money transfers	Y	Y	Y	Y	Y	Y	Y	Y	N		
Payday loans	N	N	N	C	C	C	C	C	N		
Signature loans	N	N	N	C	C	C	C	C	N		
Escrow, stocks and bonds broker	Y	Y	Y	Y	Y	Y	Y	Y	N		
All financial services not listed	N	N	N	C	C	C	C	C	N		

TABLE 32-1

**TABLE 32-1A**

**Uses in All Other Commercial Zoning Districts**

<b>Financial Services</b>			
<b>USE</b>	<b>CO</b>	<b>CH</b>	<b>CT</b>
Banks, savings and loans with drive-up windows, including commercial/industrial loan businesses	C	Y	C
Banks, savings and loans without drive-up windows, including commercial/industrial loan businesses	Y	Y	Y
Bus token issuance, payment of utility bills, distribution of government checks and food stamps, sale of phone cards	Y	Y	Y
Car title loans	C	C	C
Money orders, money transfers	Y	Y	Y
Signature loans	C	C	C
Stock or bond broker	Y	Y	Y
All Other financial services	C	C	C

TABLE 33-2  
Uses in Industrial Districts

Use	IL	IM	IG	IP	*Notes and Exceptions
<p>9. Professional Office and Institutional Uses</p> <p>(SIC codes 60, 61, 62, 63, 64, 65, 66, 73 [except 7353 and 7359], 861, 862, 863, 864, 878* Division J (Public Administration)</p>	Y	AP	AP	See Item 10 in this table.	<p>a. Prohibited in all industrial districts:</p> <ul style="list-style-type: none"> <li>• 6099 (Functions Related to Depository Banking, Not Elsewhere Classified)</li> <li>• 9223 (Correctional Institutions)</li> <li>• 8744 (Jails, privately operated—correctional facilities, adult privately operated) except a "Community Correctional Re-entry Center," as defined in Section 21.15.602, may be permitted in the IL, IM and IG zone districts pursuant to a conditional use permit as set forth in Chapter 21.52.</li> </ul> <p>b. Offices are intended to serve nearby industries and employees.</p>
<p>9.1 Emergency shelters (SIC code 8322*)</p>	N	N	N	Y	<p>c. Emergency shelters (8322) shall be subject to the special development standards specified in Section 21.45.132.</p>

**PD-25 USE TABLE**

<b>Uses</b>			<b>Comments</b>
ALCOHOLIC BEVERAGE SALES:	Off-premises sales as accessory use to a full line grocery store	C	Note: For alcoholic beverage sales exempted from the CUP process, see Footnote #2.  Note: The concentration of existing ABC licenses & the area crime rate are factors considered in reviewing applications for alcohol sales.
	All other off-premise sales	N	
	On-premise sales as accessory use to a restaurant	C	
	All other on-premise sales	N	
AUTOMOBILE (VEHICLE) USES:	Auto Detailing (with hand held machines only)	AP	Mobile businesses prohibited.
	Car Wash	N	
	Gasoline Sales	C	Site plan review is required. For auto repair, see "Minor Auto Repair".
	General Auto Repair (body work, painting, etc)	N	
	Minor Auto Repair, Tune Up & Lube, Smog Test	N	
	Limousine Service	Y	Fully enclosed garage required.
	Motorcycle/Jet Ski Sales & Repair	N	
	Parking Service - principal use	C	
	Recreational Vehicle Storage	N	
	Rental Agency (does not include repair)	N	
	Sales (does not include auto repair)	N	
	Towing	N	
	Vehicle Parts (with installation); Tire Store	N	
	Vehicle Parts (w/o installation)	AP	
BILLBOARDS:	Mini-poster or Poster (up to 300 sq. ft)	N	
	Painted Board (300 sq. ft or more)	N	
BUSINESS OFFICE SUPPORT	Copy, Fax, Mail Box, or Supplies	Y	
	Equipment Sales, Rental or Repair	Y	



**PD-25 USE TABLE**

<b>Uses</b>			<b>Comments</b>
	Off-set Printing	N	
ENTERTAINMENT	Amusement Machines (4 or fewer)	N	
	Arcades	C	See Section 21..52.203
	Computer Arcades	C	See Section 21.52.220.5
	Dancing (accessory use)	N	
	Drive-in Theater	N	
	Hall Rental	AP	
	Live or Movie Theater (w/100 seats or less)	AP	For theaters w/100+ seats, see "Movie"
	Mock Boxing or Wrestling	N	
	Moving Theater (or Live Theater w/100+ seats)	N	
	Pool Tables (up to 3 tables)	A	Accessory to restaurant, tavern, community center, cultural center, or church (See 21.51.260)
	Private Club, Social Club, Night Club	N	
	Restaurant with Entertainment	Y	City Council hearing is required for new and transferred business licenses
	Other Entertainment Uses (bowling alley, miniature golf, tennis club, skating rink)	AP	
FINANCIAL SERVICES:	ATM (walk-up machine)	A	Requires 2(5 min) parking spaces for each machine. Spaces must be within 100'. Such spaces may be existing required parking. (See 21.32.240) Special standards of CNR zone apply.
	Bank, Credit Union, Saving & Loan	Y	
	Bank (with drive-up ATM or window)	AP	
	Bus token issuance, payment of utility bills, distribution of government checks and food stamps, sale of phone cards	Y	
	Car title loans	N	
	Check cashing	N	

**PD-25 USE TABLE**

<b>Uses</b>			<b>Comments</b>
	Escrow, Stocks & Bonds Brokerage	Y	Car title loan, check cashing, pay day loan and signature loan businesses are subject to standards in Sections 21.45.116 and 21.52.212.
	Money orders, money transfers	Y	
	Pay day loans	N	
	Signature loans	N	
	All Financial Services Not Listed	C	
<b>INSTITUTIONAL USES:</b>	Church or Temple	AP	
	Community Center/Cultural Center	AP	Operator must be a non-profit agency
	Convalescent Hospital or Home	N	
	Crematorium	N	
	Daycare or Pre-school	Y	
	Elementary or Secondary School	N	Permitted in Institutional zones only
	Industrial Arts Trade School or Rehabilitation Workshop	N	
	Mortuary	N	
	Parsonage	A	Accessory to church or temple.
	Professional School/Business School	Y	
	Social Service Office (without food distribution)	AP	
	Social Service Office (with food distribution)	AP	
	Other Institutional Uses	C	
<b>PERSONAL SERVICES:</b>	Basic Personal Services (barber/beauty shop, diet center, dog/cat grooming, dry cleaner, locksmith, mailbox rental, nail/manicure shop, repair shop for small appliances/bicycles/ electronic equipment, tailoring, shoe repair, tanning salon, travel agent, or veterinary clinic without boarding)	Y	
	Catering, Party Counseling (w/o trucks)	Y	For catering w/trucks, see Table 33-1

**PD-25 USE TABLE**

<b>Uses</b>			<b>Comments</b>
	Fitness Center/Health Club, Dance/Karate Studio	AP	Limited to 5000 sq. ft.
	Fortune-telling	N	
	Gun Repair Shop	N	
	House Cleaning Service	Y	
	Laundromat	Y	
	Laundry (commercial customers)	N	Permitted in Industrial zones only.
	Massage Establishment	Y	
	Recycling Center	N	Permitted in Industrial zones only.
	Recycling Collection Center for cans & bottles (staff attended)	N	
	Recycling Containers for cans & bottles	A	Accessory to grocery store only (See 21.51.265).
	Repair Shop (stove, refrigerator, upholstery, lawn mowers, etc.)	N	For small appliance repair, see "Basic Personal Services".
	Self-storage (indoor only)	N	
	Shoe Repair	Y	
	Shoe-shine Stand	A	Accessory to barber, car wash, grocery, hotel, office, or restaurant use.
	Tattoo Parlor	N	
	Termite & Pest Control	N	See "MISC.-Storage of Haz. Materials".
	Veterinary Clinic w/boarding	N	Also see "Basic Personal Services"
	All Personal Services Not Listed	AP	
<b>PROFESSIONAL SERVICES</b>	Accounting, Advertising, Architecture, Artist Studio, Bookkeeping, Business Headquarters, Chiropractics, Computer Programming, Consulting, Contracting, Dentistry, Engineering, Insurance, Law, Marketing, Medicine, Photography, Private Investigator, Psychiatry, Psychology, Real Estate, or Tax Preparation	Y	
	All Professional Offices Not Listed	AP	

**PD-25 USE TABLE**

<b>Uses</b>			<b>Comments</b>
RESIDENTIAL USES	Artist Studio with Residence	Y	
	Caretaker Residence	AP	
	Group Home (care of six or less)	Y	
	Residential Care Facility (care of seven or more)	N	
	Senior and/or Handicapped Housing	AP	
	Special Group Housing (fraternity, sorority, convalescent home, convent, monastery, etc)	N	
	Single-family or Multi-family Residential	Y	See Table 32-5 for permitted densities.
RESTAURANTS & READY-TO-EAT FOODS	Restaurants & Ready-to-Eat Foods without drive-thru lanes	Y	Note: For use selling alcoholic beverages, see "ALCOHOLIC BEV. SALES"
	Restaurants & Ready-to-Eat Foods with drive-thru lanes	C	Special standards apply. (See 21.45.130)
RETAIL SALES	Basic Retail Sales (except uses listed below)	Y	Note: Antiques, art, books (new & used), coins, collectibles, jewelry, and trading cards are included in "Basic Retail"
	Building Supply or Hardware Store with lumber, drywall, or masonry	N	For hardware store w/o lumber, drywall, or masonry, see "Basic Retail Sales"
	Auxillary Flower, Plant, Fruit, or Vegetable Sales (outdoor stand or nursery)	A	Accessory to the sale of related products in a retail store. (See 21.51.255)
	Flower Stand or News Stand	Y	Requires special permit. (See 21.45.135)
	Gun Shop	N	
	Itinerant Vendor	T	
	Major Household Appliances (refrigerator/stoves/etc.)	N	
	Manufacture of Products Sold on Site	A	See 21.51.140
	Merchandise Mall, Indoor Swap Meet	N	
	Outdoor Sales Events (flea mkts/swap meet)	N	

**PD-25 USE TABLE**

<b>Uses</b>			<b>Comments</b>
	Pawn Shops	N	
	Thrift Store, Used Merchandise	AP	Also see Note under "Basic Retail"
	Vending Machines	A	Accessory to existing retail sales. (See 21.51.295)
TEMPORARY LODGING	Bed & Breakfast Inn	AP	
	Hotel	AP	
	Motel	N	
	Inn	N	
	Shelters	N	
TEMPORARY USES	Carnival, Event, Fair, Trade Show, etc.	T	
	Construction Trailer	T	
TRANSPORTATION AND COMMUNICATION FACILITIES	Transportation Facilities (bus terminals, cab stands, heliports, helistops)	N	
	Communication Facilities (cellular telephone cell site, electrical distribution station)	N	
MISCELLANEOUS	Storage of Hazardous Materials Accessory to Principal Use (such as pest control)	C	A CUP is required if amount of material stored exceeds 55 gal. of liquid, 500 lbs of solids, 200 cubic feet of compressed gas, or any amount of acutely hazardous material.

Abbreviations:

- Y = Yes (permitted use)
- N = Not permitted
- C = Conditional Use Permit is required
- A = Accessory Use
- AP = Administrative Use Permit is required
- T = Temporary use subject to provisions contained in Chapter 21.53.

Footnotes:

- (1) Any use in excess of 10,000 sq. ft. requires an Administrative Use Permit.
- (2) The following alcoholic beverage sales shall be exempted from the CUP permit requirement:
  - a. Restaurant with alcoholic beverage service only with meal. This generally means any use with a fixed bar is not exempt. A service bar is not considered a fixed bar. A sushi bar, where alcoholic beverages are served at the same bar where meals are served, is considered serving alcoholic beverages only with meal service. A cocktail lounge with a bar, but with primarily service of only hors d'oeuvres and alcoholic

beverages is not exempt. Any restaurant with more than 30 percent of gross sales consisting of alcoholic beverages shall lose its exemption and be required to obtain a condition use permit to continue to sell alcohol.

- b. Use located more than 500 feet from zoning districts allowing residential use.
- c. Department store or florist with accessory sale of alcoholic beverages.
- d. Existing legal, nonconforming uses.

**PD-29 USE TABLE**

Uses		Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments
ALCOHOLIC BEVERAGE SALES	On/Off-premise sales qualified for exemption	EXP	EXP	EXP	EXP	EXP	Note: For alcoholic beverage sales exempted from the CUP process, see footnote #1.
	All other on/off-premise sales more than 500' from a district allowing residential uses	Y	Y	Y	Y	Y	
	All other on/off premise sales less than 500' from a district allowing residential uses	C	C	C	C	C	Note: The concentration of existing ABC licenses & the area crime rate are factors considered in reviewing applications for alcohol sales.
AUTOMOBILE (VEHICLE) USES	Auto Detailing/Car Wash	AP	AP	AP	AP	Y	Note: Mobile license shall be prohibited
	Gasoline Sales	Y	Y	AP	Y	Y	
	General Auto Repair (body work, painting, etc.)	N	C	N	C	AP	Note: All outdoor display, storage, service & repair of vehicles is (See Section 21.45)

**PD-29 USE TABLE**

Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments
Minor Auto Repair, Tune Up & Lube, Smog Test	C	AP	N	AP	Y	
Motorcycle/Jet Ski Sales & Repair	C	Y	AP	AP	Y	
Parking Service - principal use	Y	Y	Y	Y	Y	
Recreational Vehicle Storage	N	N	N	N	N	
Rental Agency (does not include repair)	Y	Y	Y	Y	Y	
Sales, New Cars (sales of parts & minor/major repair, excluding body repair & painting, are permitted as accessory uses)	N	C	N	C	C	
Sales, Used Cars (only minor auto repair shall be permitted as an accessory use)	N	C	N	C	C	
Towing	A	A	A	A	A	
Vehicle Parts (with installation); Tire Store	C	AP	N	AP	AP	
Vehicle Parks (w/o installation)	AP	Y	Y	Y	Y	
BILLBOARDS	N	N	N	N	N	
BUSINESS OFFICE SUPPORT	Y	Y	Y	Y	Y	



PD-29 USE TABLE						
Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments

ENTERTAINMENT	Amusement Machines (4 or fewer)	A	A	A	A	A	Note: Entertainment licenses require approval from the City Council
	Arcades	N	N	C	C	C	
	Computer Arcades	N	N	C	C	C	
	Dancing (accessory use)	C	C	A	A	A	
	Hall Rental	N	N	AP	AP	AP	
	Live or Movie Theater	N	N	Y	Y	Y	
	Mock Boxing or Wrestling	N	N	C	C	C	
	Pool Tables (up to 3 tables)	A	A	A	A	A	
	Private Club, Social Club, Night Club	N	N	Y	Y	Y	
	Restaurant with Entertainment	Y	Y	Y	Y	Y	
	Other Entertainment Uses (bowling alley, skating rink, miniature golf, tennis club)	C	C	AP (Subarea 2) C (Subarea 5)	AP	AP	
FINANCIAL SERVICES	Bank, Credit Union, Saving & Loan (without drive-thru window)	Y	Y	Y	Y	Y	

**PD-29 USE TABLE**

Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments
Bank, Credit Union, Saving & Loan (with drive-thru window)	AP	AP	AP	AP	AP	
Bus Token Issuance, Payment of Utility Bills, Distribution of Government Checks and Food Stamps, Sale of Phone Cards	Y	Y	Y	Y	Y	
Car Title Loans	Y	Y	Y	Y	Y	Car title loan, check cashing, pay day loan and signature loan businesses are subject to standards in Sections 21.45.116 and 21.52.212.
Check Cashing	N	N	N	N	N	
Money Orders, Money Transfers	Y	Y	Y	Y	Y	
Pay Day Loans	N	N	N	N	N	
Signature Loans	N	N	N	N	N	
All Financial Services Not Listed	N	N	N	N	N	
Church or Temple	C	AP	C	AP	AP	
Fire/Police Stations, Community Center/Cultural (Public Sponsored)	N	Y	Y	Y	Y	
Convalescent Hospital or Home	Y	Y	C	Y	N	
Daycare or Pre-school	Y	Y	Y	Y	Y	
Elementary or Secondary School	C	Y	Y	Y	Y	

**PD-29 USE TABLE**

Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments
Industrial Arts Trade School or Rehab. Workshop	C	Y	AP	Y	Y	
Mortuary	C	C	C	Y	Y	
Parsonage	A	A	A	A	A	Note: Accessory to church or temple
Professional School/ Business School	Y	Y	Y	Y	Y	
Social Service Office (w/o food distribution)	AP	AP	Y (Subarea 2) C (Subarea 5)	Y	C	
Social Service Office (with food distribution)	N	C	C	C	C	
Other Institutional Uses	AP	AP	AP	AP	AP	
PERSONAL SERVICES Basic Personal Services (barber/beauty shop, diet center, dog/cat grooming, dry cleaner, locksmith, mailbox rental, nail/ manicure shop, repair shop for small appliances/ bicycles/electronic equipment, tailoring, shoe repair, tanning salon, travel agent or veterinary clinic)	Y	Y	Y	Y	Y	
Catering, Party Counseling (w/o trucks)	Y	Y	Y	Y	Y	

**PD-29 USE TABLE**

Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments
Fitness Center/Heath Club, Dance/Karate Studio	Y	Y	Y	Y	Y	
Fortune-telling	N	N	N	C	C	
Gun Repair Shop	C	C	C	C	C	
Laundromat	AP	AP	AP	Y	Y	
Massage	A	A	A	A	A	
Recycling Center	N	N	N	N	N	
Recycling Collection Center for cans & bottles (staff attended)	N	N	N	N	N	
Recycling Containers for cans and bottles	A	A	A	A	A	Note: Accessory to Grocery Store only
Repair Shop (stove, refrigerator, upholstery, lawn mowers, etc.)	C	C	N	AP	Y	
Shoe-shine Stand	A	A	A	A	A	
Tattoo Parlor	N	N	N	N	N	
Termite & Pest Control	AP	AP	AP	AP	Y	
All Personal Services Not Listed	AP	AP	AP	AP	AP	

**PD-29 USE TABLE**

Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments
<b>PROFESSIONAL SERVICES</b> All Professional Offices (Accounting, Advertising, Architecture, Artist Studio, Bookkeeping, Business Headquarters, Chiropractics, Computer Programming, Consulting, Contracting, Dentistry, Engineering, Insurance, Law, Marketing, Medicine, Photography, Private Investigator, Psychiatry, Psychology, Real Estate, or Tax Preparation)	Y	Y	Y	Y	Y	
<b>RESIDENTIAL USES</b> Artist Studio with Residence	AP	Y	Y	Y	AP	
Caretaker Residence	A	A	A	A	A	
Senior and/or Handicapped Housing	N	AP	AP	AP	AP	
Special Group Housing (fraternity, sorority, convent, monastery, etc.)	N	C	C	C	N	
Multi-family Residential	N	Y	Y	Y	Y	Note: Check special development standards
<b>RESTAURANTS &amp; READY-TO-EAT FOODS</b> Restaurants & Ready-to-Eat Foods w/o drive-thru lanes	Y	Y	Y	Y	Y	

**PD-29 USE TABLE**

Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments
Restaurants & Ready-to-Eat Foods with drive-thru lanes	C	C	C	AP	AP	
RETAIL SALES Basic Retail Sales (except uses listed below)	Y	Y	Y	Y	Y	
Gun Shop	C	C	N	C	C	
Itinerant Vendor	T	T	T	T	T	
Merchandise Mall, Indoor Swap Meet	C	AP	Y	Y	Y	
Outdoor Sales Events (flee mkts/swap meet)	C	C	C	C	C	
Superstore (Retail > 100,000 SF with > 10% non-taxable merchandise)	N	N	N	N	N	Note: See 21.15.2985
Pawn Shops	C	C	N	C	C	
Thrift Store	AP	AP	N	AP	Y	
Vending Machines	A	A	A	A	A	
TEMPORARY LODGING Hotels (motels) w/90 rooms or more	C	Y	Y	Y	Y	
Hotel (motels) less than 90 rooms	N	N	N	N	N	
Shelters	N	N	N	C	N	

**PD-29 USE TABLE**

Uses		Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments
TEMPORARY USES	Carnival, Event, Fair, Trade Show, etc.	T	T	T	T	T	
	Construction Trailer	T	T	T	T	T	
TRANSPORTATION AND COMMUNICATION FACILITIES	Transportation Facilities (bus terminals)	N	N	AP	AP	AP	
	Communication Facilities	C	C	C	C	C	
	A. Freestanding/monopole cellular and personal communication services	C	C	C	C	C	
	B. Attached/roof mounted cellular and personal communication services	Y	Y	Y	Y	Y	
	C. Electrical distribution station	C	C	C	C	C	
MISCELLANEOUS	Nurseries	Y	Y	Y	Y	Y	
	Passive Park	Y	Y	Y	Y	Y	
	Community Garden	IP	IP	IP	IP	IP	
	Community Playground	IP	IP	IP	IP	IP	

**PD-29 USE TABLE**

Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments
	AP	AP	AP	AP	AP	
INDUSTRIAL RELATED USES	Recreational Park					
	Industrial Food Processing: 1. Bakery 2. Catering (food preparation)	N N	N N	N N	Y Y	Note: Check special development standards for all Industrial related uses. A retail outlet or a showroom is encouraged on the site.
	Industrial Laundry	N	N	N	C	
	Self-storage facility	N	N	N	N	
	Sewing	N	N	N	C	
	Research & laboratory	N	N	N	C	
	Warehousing	N	N	N	C	
	Wholesale sales (except livestock)	N	N	N	AP	

Abbreviations:

- Y = Yes (permitted use)
  - N = Not permitted
  - C = Conditional Use Permit is required
  - AP = Administrative Use Permit is required
  - EXP = Alcoholic beverage sales qualified for CUP exemption (see footnote #1)
  - A = Accessory use. For special development standards, refer to Chapter 21.51.
  - T = Temporary use subject to provisions contained in Chapter 21.53.
  - IP = Interim park use permit required. For special conditions, refer to Chapter 21.52.
- Footnote:



(1) The following alcoholic beverage sales shall be exempted from the CUP permit requirement:

- a. Restaurant with alcoholic beverage service only with meal. This generally means any use with a fixed bar is not exempt. A service bar is not considered a fixed bar. A sushi bar, where alcoholic beverages are served at the same bar where meals are served, is considered serving alcoholic beverages only with meal service. A cocktail lounge with a bar, but with primarily service of only hors d'oeuvres and alcoholic beverages is not exempt. Any restaurant with more than 30 percent of gross sales consisting of alcoholic beverages shall lose its exemption and be required to obtain a condition use permit to continue to sell alcohol.
- b. Use located more than 500 feet from zoning districts allowing residential use.
- c. Department store or florist with accessory sale of alcoholic beverages.
- d. Existing legal, nonconforming uses.
- e. A full line grocery store of 50,000 sq. ft. floor area.

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