

# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 4<sup>th</sup> Floor Long Beach, CA 90802 (562) 570-5237 Fax: (562) 570-6205

September 17, 2013

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Receive the supporting documentation into the record, conclude the public hearing, and declare the Ordinance amending and restating the City's regulation of check cashing and other financial services (Chapter 21.52), as well as amendments related to check cashing and other financial service definitions (Chapter 21.15), and addition of special development standards for check cashing and other financial services (Chapter 21.45), read the first time and laid over to the next regular meeting of the City Council for final reading; and Accept Categorical Exemption CE 13-074. (Citywide)

## DISCUSSION

On November 13, 2012, the Long Beach City Council adopted a one-year moratorium prohibiting all check cashing, payday lending, car title loan and signature loan businesses citywide. The one-year moratorium was adopted to allow staff sufficient time to study check cashing businesses, and create new regulations that incorporate car title loan and signature loan businesses.

This is the second moratorium placed on check cashing and other financial services businesses in the last five years. The first moratorium was placed in 2008, due to the proliferation of check cashing businesses citywide. That moratorium was not extended by the City Council after staff found a number of check cashers were operating without licenses. Instead, the City Council directed staff to bring all illegal check cashing business into compliance with City zoning standards. Since Council direction, the number of businesses operating check cashing businesses has declined. This latest moratorium focuses on other related financial services. Staff has prepared an amendment to the Zoning Regulations pertaining to check cashing, pay day lending and other financial services, regulated in Chapter 21.52 of the Zoning Ordinance. This effort is now complete, and staff is pleased to present the new text to the City Council for review and adoption (Ordinance).

"Check Cashing," as it is currently defined in the Long Beach Municipal Code, includes deferred deposit of personal checks, whereby the check casher refrains from depositing a personal check written by a customer until a specific date; money transfers; payday advances; issuance of money orders; distribution of governmental checks and food stamps; payment of utility bills; issuance of bus passes and tokens; sale of phone cards; and other similar uses. "Check Cashing" does not include a State or federally chartered bank, savings association, credit union, or industrial loan company. Since many

alternate financial institutions fall under the definition of check cashing, it is difficult at times to distinguish or define businesses to determine the approval process.

The new regulations focus on three major areas: (1) to modernize the regulations to deal with a number of problems and shortcomings in the current code, including the definition; (2) to greatly enhance the ability of the code to facilitate improvements where necessary and separate the uses from one another in order to address concentration issues; (3) to prohibit the use from neighborhood commercial areas, Planned Development areas and Industrial Zones in order to separate the use from neighborhoods and into locations that are more automobile-oriented.

The existing check cashing chapter will be reinstated and modernized. The modernization will remove conditions and findings that are no longer concerned with check cashing and other financial service uses. Those findings will be replaced with conditions that will require a separation of uses from one another, performance standards, and consumer education conditions.

The proposed Ordinance will capture all types of financial services and enhance existing regulations for the variety of businesses operating under the general category of financial services, thus revising and expanding uses previously defined under check cashing by creating new definitions for financial service uses. This will allow staff to differentiate between businesses, avoiding the blanket definition of check cashing currently used to define a range of financial uses. To further differentiate businesses, the use tables for PD-25, PD-29, and PD-30, along with the Industrial and Commercial Use tables, were modified by adding uses not currently defined, changing check cashing, payday lending, car title lending, and other financial uses from a Conditional Use to a use not allowed in all neighborhood oriented commercial zones (CNP, CNA, and CNR), and Industrial zoning districts. The changes to the use tables will make it easier for staff to classify uses and allow for a separation from nearby residential properties.

Staff communicated and met with both advocates and opponents on a number of occasions and presented the Ordinance on May 2, 2013, as a Study Session item at Planning Commission.

On August 15, 2013, the Planning Commission conducted a public hearing to review these proposed changes to check cashing and other financial service regulations. After considering extensive public comments, the Planning Commission requested changing the proposed separation requirements (buffer) from a distance of 1,000 feet to 1,320 feet (Exhibit A – Buffer Maps).

The Planning Commission then approved the Ordinance in concept and forwarded it to the City Council with a recommendation for adoption. Staff incorporated the Planning Commission's requested changes and, after additional consideration based upon community feedback, also recommends that check cashing and other financial services uses be prohibited in PD-25.

Staff believes that the implementation of this Ordinance would help reduce the number of check cashing businesses in Long Beach, help to educate the public, and better define other financial businesses, while reducing blighted buildings and signage, and

making the uses more secure. Staff, therefore, recommends that the City Council adopt these proposed changes into Ordinance.

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Categorical Exemption (CE) was prepared for the proposed project (Exhibit B – CE-13-074).

This matter was reviewed by Assistant City Attorney Michael Mais on August 20, 2013 and by Budget Management Officer Victoria Bell on August 29, 2013.

TIMING CONSIDERATIONS

City Council action on this matter is requested on September 17, 2013, so that related changes may be put in place before the expiration of the Moratorium on November 13, 2013.

FISCAL IMPACT

There is no fiscal impact associated with this request. Existing fees charged for the processing of entitlements will recover costs incurred by City staff. A number of new fees are proposed by staff to accompany new or updated permit processes.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



AMY J. BODEK, AICP  
DIRECTOR OF DEVELOPMENT SERVICES

AJB:DB:sv

P:\Planning\City Council Items (Pending)\Council Letters\2013\2013-08-13\Sign Ord 1008-18.docx

Attachments: Exhibit A – Buffer Maps  
Exhibit B – Categorical Exemption CE 13-074  
City Council Ordinance Redline  
City Council Ordinance

APPROVED:

  
\_\_\_\_\_  
PATRICK H. WEST  
CITY MANAGER

DRAFT

# LONG BEACH CHECK CASHING ORDINANCE MAP

Council District	Proposed Zones Allowed			Proposed Zones Not Allowed			Total
	CheckCashing	PaydayLending	ConsumerLoans	CheckCashing	PaydayLending	ConsumerLoans	
1	9			3	4		16
2	2				2		4
3							0
4	2	2	1	2			7
5	1	1					2
6	3	1		1	1		6
7	1		1	2		1	5
8	5			1	1		7
9	3	3					6
<b>Total</b>	<b>26</b>	<b>7</b>	<b>2</b>	<b>9</b>	<b>8</b>	<b>1</b>	<b>53</b>

## LEGEND

- Check Cashing (35)
- Payday Lending (15)
- Consumer Loans (3)
- 1320 ft Radius (1/4 mile)

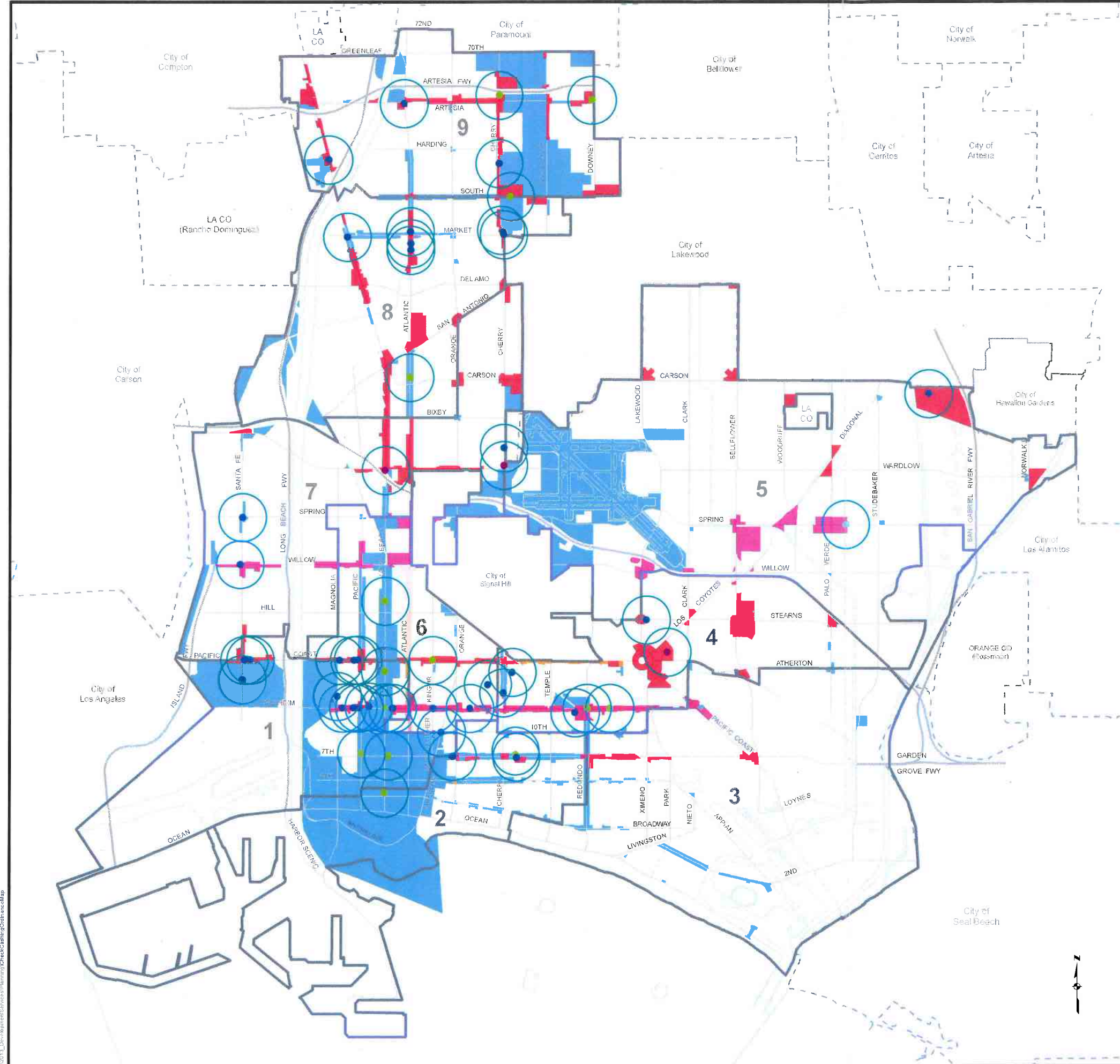
### ZONES ALLOWED

- CCA, CCN, CCP, CCR, CHW
- CH, CO
- PD-25

### ZONES NOT ALLOWED

- CNA, CNP, CNR, IG, IL, IM, PD-6, 29, 30
- Council Districts

Sources: Check Cashing Business Locations provided by Development Services (As of November 28, 2012)  
 Low Income Census Tracts identified by HUD FY 2011 Income Limits Summary for 4 Person Household  
 Low, Very Low and Extremely Low Income Limits and U.S. Census Table S1901 2007-2011 American Community Survey 5-year Estimates



T:\2011\_City of Long Beach\Planning\CheckCashingOrdinanceMap

# LONG BEACH CHECK CASHING ORDINANCE MAP

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3						0	0
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7	1		1	2		1	5
8	5			1	1		7
9	3	3					6
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## LEGEND

- Check Cashing (35)
- Payday Lending (15)
- Consumer Loans (3)
- 1000 ft

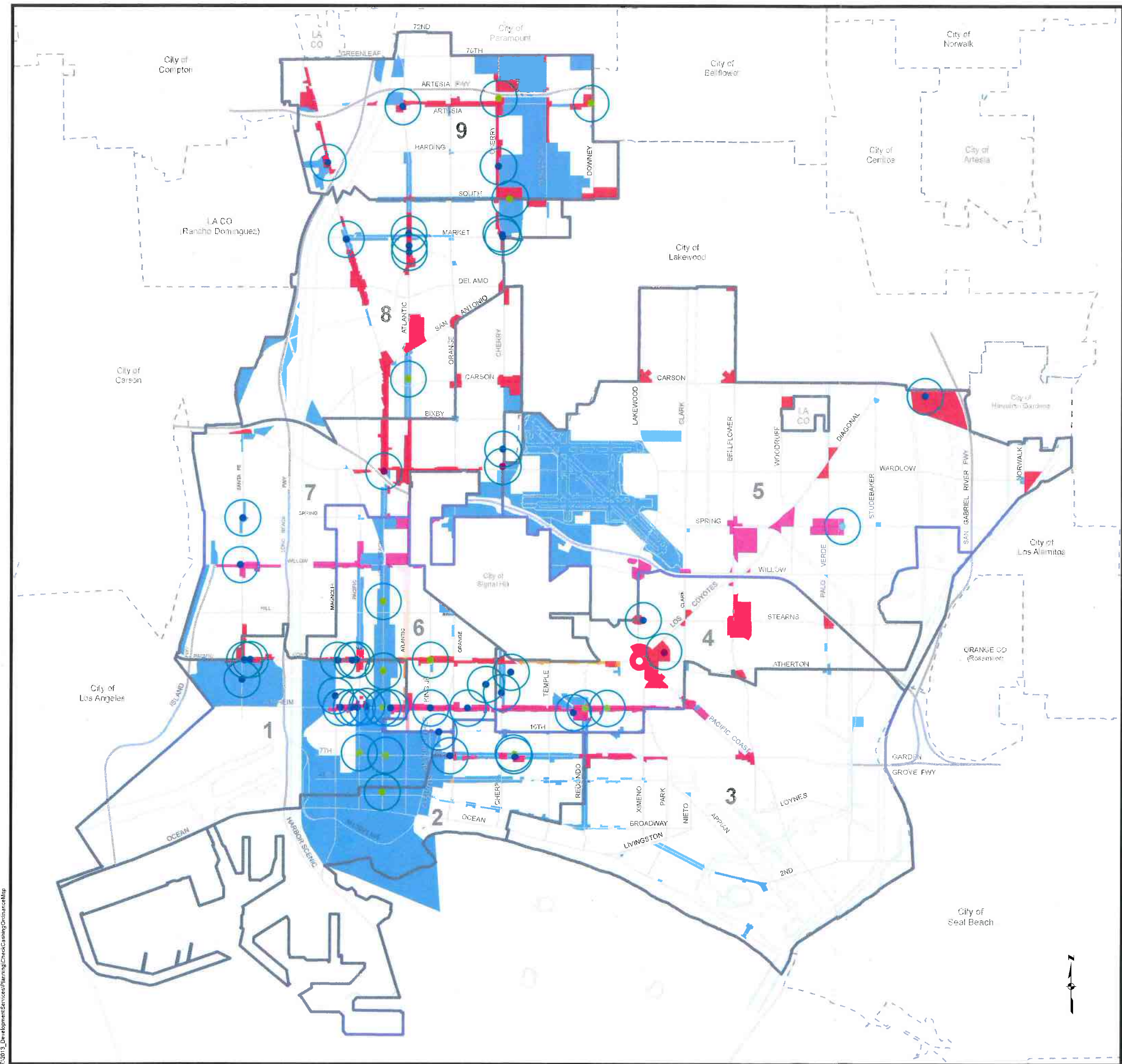
### ZONES ALLOWED

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- CH, CO
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### ZONES NOT ALLOWED

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 Low, Very Low and Extremely Low Income Limits and U.S. Census Table S1901 2007-2011 American Community Survey 5-year Estimates





# NOTICE of EXEMPTION from CEQA

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(562) 570-6194 FAX: (562) 570-6068  
lbs.longbeach.gov

TO:  Office of Planning & Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

FROM: Department of Development Services  
333 W. Ocean Blvd, 5<sup>th</sup> Floor  
Long Beach, CA 90802

L.A. County Clerk  
Environmental Fillings  
12400 E. Imperial Hwy. 2<sup>nd</sup> Floor, Room 2001  
Norwalk, CA 90650

Categorical Exemption CE-13074

Project Location/Address: CITYWIDE  
Project/Activity Description: Amendments, Revisions, and additions to the zoning ordinance pertaining to Check Cashing, Pay Day Loans, and other Financial Services.

Public Agency Approving Project: City of Long Beach, Los Angeles County, California

Applicant Name: Amy Bedek, Director of Development Services

Mailing Address: 333 W. OCEAN BLVD., 3RD FLOOR, LONG BEACH, CA 90802

Phone Number: 562-570-6428 Applicant Signature: \_\_\_\_\_

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1308-01 Planner's Initials: SV

Required Permits: Zoning Text Amendments

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH STATE GUIDELINES SECTION 15308, Class 8, Actions by Regulatory Agencies

Statement of support for this finding: Regulatory standards by local agency

Contact Person: Ernie Chalfant Contact Phone: 562-570-6571

Signature: [Signature] Date: 8/5/13

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, money orders, or other commercial paper serving the same purpose; ~~deferred deposit of personal checks whereby the check casher refrains from depositing a personal check written by a customer until a specific date; money transfers; payday advances; issuance of money orders; distribution of governmental checks and food stamps; payment of utility bills; issuance of bus passes and tokens; sale of phone~~

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~~cards; and similar uses. "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 not exceeding two dollars (\$2.00) per transaction as a service to its customer that is incidental to its main purpose or business.~~

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

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

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

~~A. Off-street parking for check-cashing businesses shall be the same as for banks and savings and loans as required by Chapter 21.41.A~~  
Conditional Use Permit shall be required for check cashing, pay day loan, car title loan, and signature loan businesses. Alternative or other financial services are also required to obtain a Conditional Use Permit at the discretion of the Zoning Administrator.

~~B. If established in an existing shopping center, off-street parking shall be provided as required for a shopping center by Chapter 21.41.~~  
Check cashing, pay day loans, car title loans, signature loans and other financial service businesses as defined by the Long Beach Municipal Code shall not be located within:

1. A one thousand three hundred twenty (1,320) foot radius of an approved check cashing, pay day loan, car title loan,



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signature loan, or other financial service business.

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

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

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

~~E. The floor plan shall include a customer waiting/service area of sufficient size to fully accommodate anticipated queuing lines. Such waiting/service area shall provide not less than fifty (50) square feet for each teller window.~~ All fees and regulations associated with a loan or financial transaction shall be displayed near the cashier/checkstand and provided to the customer upon checkout.

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

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

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

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

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

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

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

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

21.15.335 Bank.

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

Section 9. The Long Beach Municipal Code is amended by adding

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1 Section 21.15.442 to read as follows:

2 21.15.442 Car title loans.

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

8  
9 Section 10. The Long Beach Municipal Code is amended by adding  
10 Section 21.15.562 to read as follows:

11 21.15.562 Commercial loans.

12 “Commercial loan” means a loan of a principal amount of five  
13 thousand dollars (\$5,000) or more, or any loan under an open-end credit  
14 program, whether secured by either real or personal property, or both, or  
15 unsecured, the proceeds of which are intended by the borrower for use  
16 primarily for other than personal, family, or household purposes as defined  
17 in Section 22502 of the California Financial Code. For purposes of  
18 determining whether a loan is a commercial loan, the lender may rely on  
19 any written statement of intended purposes signed by the borrower. The  
20 statement may be a separate statement signed by the borrower or may be  
21 contained in a loan application or other document signed by the borrower.  
22 The lender shall not be required to ascertain that the proceeds of the loan  
23 are used in accordance with the statement of intended purposes.

24  
25 ~~Section 12.~~Section 11. \_\_\_\_\_ The Long Beach Municipal Code is amended by  
26 adding Section 21.15.635 to read as follows:

27 21.15.635 Consumer loans.

28 “Consumer loan” means a loan, whether secured by either real or

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1        personal property, or both, or unsecured (i.e. signature loan), the  
2        proceeds of which are intended by the borrower for use primarily for  
3        personal, family, or household purposes (the lender shall not be required  
4        to ascertain that the proceeds of the loan are used in accordance with the  
5        statement of intended purposes). For purposes of determining whether a  
6        loan is a consumer loan, the lender may rely on any written statement of  
7        intended purposes signed by the borrower. The statement may be a  
8        separate statement signed by the borrower, or may be contained in a loan  
9        application or other document signed by the borrower. In addition to the  
10       definition of consumer loan in California Finance Code Section 22230, a  
11       “consumer loan” also means a loan of a principal amount of less than five  
12       thousand dollars (\$5,000), the proceeds of which are intended by the  
13       borrower for use primarily for other than personal, family, or household  
14       purposes.

15  
16                    Section 12. The Long Beach Municipal Code is amended by adding  
17 Section 21.15.1792 to read as follows:

18        21.15.1792 Money orders.  
19        “Money Order” means a certificate issued that allows the stated  
20        payee to receive cash on-demand. A money order functions much like a  
21        check, in that the person who purchased the money order may stop  
22        payment.

23  
24                    Section 13. The Long Beach Municipal Code is amended by adding  
25 Section 21.15.1793 to read as follows:

26        21.15.1793 Money transfers.  
27        “Money Transfer” means a service that allows users to transfer  
28        funds between personal accounts.

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

21.15.1795 Mortgage brokers.  
“Mortgage broker” means an individual or company that arranges  
mortgage financing between a borrower and a lender.

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

21.15.2008 Pawnbroker.  
“Pawnbroker” means and includes any person, other than banks,  
trust companies, or bond brokers, who may otherwise be regulated by law  
and authorized to deal in commercial papers, shares of stock, bonds and  
other certificates of value, who keeps a pawn office, or engages in, or  
carries on the business of receiving jewelry, precious stones, valuables,  
firearms, clothing or personal property, or any other article or articles in  
pledge for loans, or as security, or in pawn for the repayment of monies,  
and exacts an interest for such loans, or who purchases articles or  
personal property and agrees to resell such articles so purchased to the  
vendors thereof, or their assigns, at prices agreed upon at or before the  
time of such purchases, respectively.

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

21.15.2009 Pay day loans.  
“Pay day loans” offer a transaction whereby a person defers  
depositing a customer's personal check until a specific date, pursuant to a  
written agreement, as provided by California Financial Code Section

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1        23035. Personal check includes the electronic equivalent of a personal  
2        check. Pay day loan (Deferred Deposit) businesses are regulated by the  
3        State of California, Department of Corporations, and do not include  
4        consumer loans or commercial loans.

5  
6                Section 17. The Long Beach Municipal Code is amended by adding  
7 Section 21.15.2225 to read as follows:

8        21.15.2225 Realtor.  
9                "Realtor" means a real estate agent, broker or an associate who  
10        holds active membership in a local real estate board that is affiliated with  
11        the National Association of Realtors or California Association of Realtors.

12  
13                Section 18. The Long Beach Municipal Code is amended by adding  
14 Section 21.15.2401 to read as follows:

15        21.15.2401 Secondhand dealer.  
16                "Secondhand dealer," means and includes any person,  
17        copartnership, firm, or corporation whose business includes buying,  
18        selling, trading, taking in pawn, accepting for sale on consignment,  
19        accepting for auctioning, or auctioning secondhand tangible personal  
20        property.

21  
22                Section 19. The Long Beach Municipal Code is amended by adding  
23 Section 21.45.116 to read as follows:

24        21.45.116 Check cashing, pay day loans, car title loans, signature  
25        loans and other financial services.

26                The following special development standards shall apply to check  
27        cashing, pay day loan, car title loan, signature loan, and other financial  
28        service businesses:

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

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

6           C.     Window Signage. Windows shall not be obscured by  
7 placement of signs, dark window tinting, shelving, racks or similar  
8 obstructions.

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

15          E.     Signage.

16                   1.     All non-conforming signs and pole signs shall be  
17 removed, including roof signs regulated under Section 21.44.400.

18                   2.     All on-site signage shall be brought into compliance  
19 with the Long Beach Municipal Code, Section 21.44, removed, and/or  
20 improved to the satisfaction of the Site Plan Review Committee.

21                   3.     Each check cashier shall post a list of fees in English,  
22 Spanish, Tagalog, and Khmer at the cashier/check stand using a letter  
23 height not less than one-half (1/2) inch in height.

24          F.     Landscaping.

25                   1.     All parking and landscaping areas on the property  
26 shall be improved and brought into compliance with the Long Beach  
27 Municipal Code by paving and striping parking areas and adding drought  
28 tolerant, native trees and shrubs.

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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 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  
333 West Ocean Boulevard, 11th Floor  
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, <u>commercial and industrial loans</u>	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 <u>car title loans or signature loan businesses as a primary use.</u>
<u>Bus token issuance, payment of utility bills, distribution of government checks</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	

REDLINED

TABLE 32-1

*Exhibit A*

and food stamps, sale 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	<u>NE</u>	<u>NE</u>	<u>NE</u>	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	<u>NE</u>	<u>NE</u>	<u>NE</u>	C	C	C	C	C	N	

REDLINED

TABLE 32-1

TABLE 32-1A

Uses in All Other Commercial Zoning Districts

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

REDLINED VERSION

*Exhibit B*

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>

REDLINED TABLE 33-2

*Exhibit C*

PD-25 USE TABLE			
Uses			Comments
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	

*Exhibit C*

PD-25 USE TABLE			
Uses			Comments
	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	
	<u>Bus token issuance, payment of utility bills, distribution of government checks and food stamps, sale of phone cards</u>	<u>Y</u>	
	<u>Car title loans</u>	<u>N</u>	

PD-25 USE TABLE		
Uses		Comments
	Check Cashing	<u>N</u> AP
	Escrow, Stocks & Bonds Brokerage	Y
	Money orders, money transfers	Y
	Pay day loans	N
	Signature loans	N
	All Financial Services Not Listed	<u>C</u> AP
INSTITUTIONAL USES:	Church or Temple	AP
	Community Center/Cultural Center	AP
	Convalescent Hospital or Home	N
	Crematorium	N
	Daycare or Pre-school	Y
	Elementary or Secondary School	N
	Industrial Arts Trade School or Rehabilitation Workshop	N
	Mortuary	N
	Parsonage	A
	Professional School/Business School	Y
	Social Service Office (without food distribution)	AP
	Social Service Office (with food distribution)	AP
	Other Institutional Uses	C
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 without boarding)	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.

Operator must be a non-profit agency

Permitted in Institutional zones only

Accessory to church or temple.



<b>PD-25 USE TABLE</b>			
<b>Uses</b>			<b>Comments</b>
	Catering, Party Counseling (w/o trucks)	Y	For catering w/trucks, see Table 33-1
	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>PD-25 USE TABLE</b>			
<b>Uses</b>			<b>Comments</b>
<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	
<b>RESIDENTIAL USES</b>	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.
<b>RESTAURANTS &amp; READY-TO-EAT FOODS</b>	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)
<b>RETAIL SALES</b>	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	

PD-25 USE TABLE			
Uses			Comments
	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	
	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-25 USE TABLE			
Uses			Comments
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			
	Uses		Comments
	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	
	<u>Bus token issuance, payment of utility bills, distribution of government checks and food stamps, sale of phone cards</u>	<u>Y</u>	
	<u>Car title loans</u>	<u>N</u>	

PD-25 USE TABLE			
	Uses		Comments
	Check Cashing	<u>N</u> AP	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.
	Escrow, Stocks & Bonds Brokerage	Y	
	Money orders, money transfers	Y	
	Pay day loans	N	
	Signature loans	N	
	All Financial Services Not Listed	<u>C</u> AP	
INSTITUTIONAL USES:	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	
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 without boarding)	Y	

**PD-25 USE TABLE**

<b>Uses</b>			<b>Comments</b>
	Catering, Party Counseling (w/o trucks)	Y	For catering w/trucks, see Table 33-1
	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>PD-25 USE TABLE</b>			
<b>Uses</b>			<b>Comments</b>
<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	
<b>RESIDENTIAL USES</b>	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.
<b>RESTAURANTS &amp; READY-TO-EAT FOODS</b>	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)
<b>RETAIL SALES</b>	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	

PD-25 USE TABLE			
Uses			Comments
	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	
	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)
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- 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	EXP	EXP	EXP	EXP	EXP	Note: For alcoholic beverage sales exempted from the CUP process, see footnote #1.
	Y	Y	Y	Y	Y	
	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	AP	AP	AP	AP	Y	Note: Mobile license shall be prohibited
	Y	Y	AP	Y	Y	
	N	C	N	C	AP	Note: All outdoor display, storage, service & repair of vehicles is (See Section 21.45)

*Exhibit E*

**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	

**PD-29 USE TABLE**

Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments
BUSINESS OFFICE SUPPORT	Y	Y	Y	Y	Y	

ENTERTAINMENT	Amusement Machines (4 or fewer)	Arcades	Computer Arcades	Dancing (accessory use)	Hall Rental	Live or Movie Theater	Mock Boxing or Wrestling	Pool Tables (up to 3 tables)	Private Club, Social Club, Night Club	Restaurant with Entertainment	Other Entertainment Uses (bowling alley, skating rink, miniature golf, tennis club)	Note: Entertainment licenses require approval from the City Council								
												A	N	C	A	AP	Y	C	A	AP
	A	N	N	C	N	N	N	A	N	Y	C	A	A	AP	Y	C	A	AP	Y	Y
	N	N	C	N	N	N	N	A	N	Y	C	A	A	AP	Y	C	A	AP	Y	Y
	N	N	C	N	N	N	N	A	N	Y	C	A	A	AP	Y	C	A	AP	Y	Y
	N	N	C	N	N	N	N	A	N	Y	C	A	A	AP	Y	C	A	AP	Y	Y
	N	N	C	N	N	N	N	A	N	Y	C	A	A	AP	Y	C	A	AP	Y	Y
	N	N	C	N	N	N	N	A	N	Y	C	A	A	AP	Y	C	A	AP	Y	Y
	N	N	C	N	N	N	N	A	N	Y	C	A	A	AP	Y	C	A	AP	Y	Y

**PD-29 USE TABLE**

Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments	
FINANCIAL SERVICES	Y	Y	Y	Y	Y		
Bank, Credit Union, Saving & Loan (without drive-thru window)	Y	Y	Y	Y	Y		
Bank, Credit Union, Saving & Loan (with drive-thru window)	AP	AP	AP	AP	AP		
<u>Bus Token Issuance, Payment of Utility Bills, Distribution of Government Checks and Food Stamps, Sale of Phone Cards</u>	Y	Y	Y	Y	Y		
<u>Car Title Loans</u>	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.	
<u>Check Cashing</u>	NAP	NAP	NAP	NAP	NAP		
<u>Money Orders, Money Transfers</u>	Y	Y	Y	Y	Y		
<u>Pay Day Loans</u>	N	N	N	N	N		
<u>Signature Loans</u>	N	N	N	N	N		
<u>All Financial Services Not Listed</u>	NAP	NAP	NAP	NAP	NAP		
INSTITUTIONAL USES	C	AP	C	AP	AP		
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		

PD-29 USE TABLE							
Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments	
Daycare or Pre-school	Y	Y	Y	Y	Y		
Elementary or Secondary School	C	Y	Y	Y	Y		
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		



**PD-29 USE TABLE**

Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments
PERSONAL SERVICES	Y	Y	Y	Y	Y	
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	
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

**PD-29 USE TABLE**

Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments
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	
PROFESSIONAL SERVICES 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	
RESIDENTIAL USES	AP	Y	Y	Y	AP	
Caretaker Residence	A	A	A	A	A	
Senior and/or Handicapped Housing	N	AP	AP	AP	AP	

**PD-29 USE TABLE**

Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments
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
RESTAURANTS & READY-TO-EAT FOODS	Y	Y	Y	Y	Y	
Restaurants & Ready-to-Eat Foods w/o drive-thru lanes	C	C	C	AP	AP	
Restaurants & Ready-to-Eat Foods with drive-thru lanes	Y	Y	Y	Y	Y	
RETAIL SALES	Y	Y	Y	Y	Y	
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	

**PD-29 USE TABLE**

Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments
	A	A	A	A	A	
Vending Machines						
TEMPORARY LODGING	C	Y	Y	Y	Y	
Hotels (motels) w/90 rooms or more						
Hotel (motels) less than 90 rooms	N	N	N	N	N	
Shelters	N	N	N	C	N	
TEMPORARY USES	T	T	T	T	T	
Carnival, Event, Fair, Trade Show, etc.						
Construction Trailer	T	T	T	T	T	
TRANSPORTATION AND COMMUNICATION FACILITIES	N	N	AP	AP	AP	
Transportation Facilities (bus terminals)						
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	

PD-29 USE TABLE							
Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments	
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		
Recreational Park	AP	AP	AP	AP	AP		
INDUSTRIAL RELATED USES							
Industrial Food Processing:							
1. Bakery	N	N	N	N	Y	Note: Check special development standards for all Industrial related uses. A retail outlet or a showroom is encouraged on the site.	
2. Catering (food preparation)	N	N	N	N	Y		
Industrial Laundry	N	N	N	N	C		
Self-storage facility	N	N	N	N	N		
Sewing	N	N	N	N	C		
Research & laboratory	N	N	N	N	C		
Warehousing	N	N	N	N	C		
Wholesale sales (except livestock)	N	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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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

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.

//  
//



OFFICE OF THE CITY ATTORNEY  
CHARLIE PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

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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

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			
Uses			Comments
	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	
INSTITUTIONAL USES:	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	
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 without boarding)	Y	
	Catering, Party Counseling (w/o trucks)	Y	For catering w/trucks, see Table 33-1



PD-25 USE TABLE			
Uses			Comments
	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	
PROFESSIONAL SERVICES	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			
Uses			Comments
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			
Uses			Comments
	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	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	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	
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	
INSTITUTIONAL USES	C	AP	C	AP	AP	
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	
						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.



**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
PROFESSIONAL SERVICES	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	
RESIDENTIAL USES	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
RESTAURANTS & READY-TO-EAT FOODS	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**

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