

ORDINANCE NO. ORD-08-0008

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH INVOLVING THE TEMPORARY
LIMITATION OF CERTAIN DEVELOPMENT AND LAND USE
ACTIVITIES RELATING TO CHECK CASHING FACILITIES;
DECLARING THE URGENCY THEREOF; AND DECLARING
THAT THIS ORDINANCE SHALL TAKE EFFECT
IMMEDIATELY

The City Council of the City of Long Beach ordains as follows:

Section 1. Purpose and Findings. At the direction of the City Council, Development Services and the Planning Commission will undertake or are currently studying potential amendments to the Zoning Regulations and Building Codes of the City of Long Beach relating to the location and possible restrictions of land use approvals related to check cashing facilities, as that term is defined in Section 21.15.475 of the Long Beach Municipal Code. Residents, Councilmembers and other individuals have expressed concern that the proliferation of "check cashing facilities" and so called "payday advance" or "payday loan" facilities throughout the downtown area of the City have led to, or will lead to, the displacement of full service banking institutions in this locale, making access to traditional banking services difficult for certain economically disadvantaged segments of the City's population.

The City Council specifically finds that the existing regulations contained in the Zoning and Building regulations of the City may be in conflict with the zoning and building regulations that are or will be studied by Development Services and the Planning Commission pursuant to the City Council's direction. The City Council further finds that this interim ordinance shall not conflict with the California Coastal Act.

1 Section 2. Estimated Time for Completion of Study. It is estimated that
2 the study or studies undertaken in connection with the adoption of this interim ordinance
3 shall take Development Services and the Planning Commission approximately one (1)
4 year to complete.

5 Section 3. Prohibition - "Check cashing facilities." During the one (1)
6 year interim period, no application shall be approved for a business license, conditional
7 use permit, administrative use permit or other land use entitlement for a "check cashing
8 facility" as that term is used in Long Beach Municipal Code Section 21.15.475. Said
9 prohibition shall apply to primary and accessory land uses and shall be effective within
10 the boundaries of the Downtown Planned Development District (PD-30) as that area is
11 depicted on that certain map which is attached hereto and incorporated herein by this
12 reference as Exhibit "A" as though set forth herein in its entirety.

13 Section 4. Exceptions. The prohibition contained in this ordinance does
14 not apply where an application for said development, construction, or use was on file and
15 deemed complete by the Development Services Department on or before April 22, 2008.

16 Section 5. The City Council finds and determines that the proposed
17 interim ordinance is not in conflict with the various provisions of the California Coastal Act
18 because, among other things, the proposed interim ordinance does not in any way affect
19 access to or the enjoyment of coastal related activities.

20 Section 6. Declaration of Urgency. This ordinance is an emergency
21 measure, and it is urgently required for the reason that, pending completion of the
22 necessary planning study, and a determination relative to the potential need to amend
23 the Zoning or Building regulations of the City, it is necessary to limit construction,
24 development or use of check cashing facilities in order to avoid the adverse impacts that
25 might be inconsistent with the pending revisions to the Zoning or Building regulations of
26 the City being considered during the interim period.

27 Section 7. This ordinance is an emergency ordinance duly adopted by
28 the City Council on June 10, 2008, by a vote of at least five (5) of its members and shall

1 take effect on June 10, 2008. The City Clerk shall certify to a separate roll call and vote
2 on the question of the emergency of this ordinance and to its passage by the vote of five
3 members of the City Council of the City of Long Beach, and cause the same to be posted
4 in three conspicuous places in the City of Long Beach.

5 This ordinance shall also be adopted by the City Council as a regular
6 ordinance, to the end that in the event of any defect or invalidity in connection with the
7 adoption of this ordinance as an emergency ordinance, the same shall, nevertheless, be
8 and become effective on the thirty-first day after it is approved by the Mayor. The City
9 Clerk shall certify to the passage of this ordinance by the City Council of the City of Long
10 Beach and shall cause the same to be posted in three conspicuous places in the City of
11 Long Beach.

12 I hereby certify that on a separate roll call and vote which was taken by the
13 City Council of the City of Long Beach upon the question of emergency of this ordinance
14 at its meeting of June 10, 2008, the ordinance was declared to be an emergency by the
15 following vote:

16 Ayes: Councilmembers: S. Lowenthal, DeLong, Schipske,
17 Andrews, Gabelich.

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19 Noes: Councilmembers: O'Donnell, Lerch.

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21 Absent: Councilmembers: B. Lowenthal, Reyes Uranga.

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I further certify that on May 20, 2008, upon a roll call and vote on first reading of the ordinance, it was adopted by the City Council of the City of Long Beach by the following vote:

Ayes: Councilmembers: B. Lowenthal, S. Lowenthal, DeLong,
O'Donnell, Andrews, Gabelich.

Noes: Councilmembers: Schipske, Reyes Uranga.

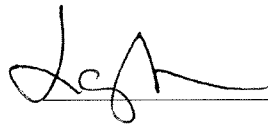
Absent: Councilmembers: Lerch.

I further certify that the foregoing ordinance was thereafter adopted on final reading by the City Council of the City of Long Beach at its meeting of June 10, 2008, by the following vote:

Ayes: Councilmembers: S. Lowenthal, DeLong, Schipske,
Andrews, Gabelich.

Noes: Councilmembers: O'Donnell, Lerch.

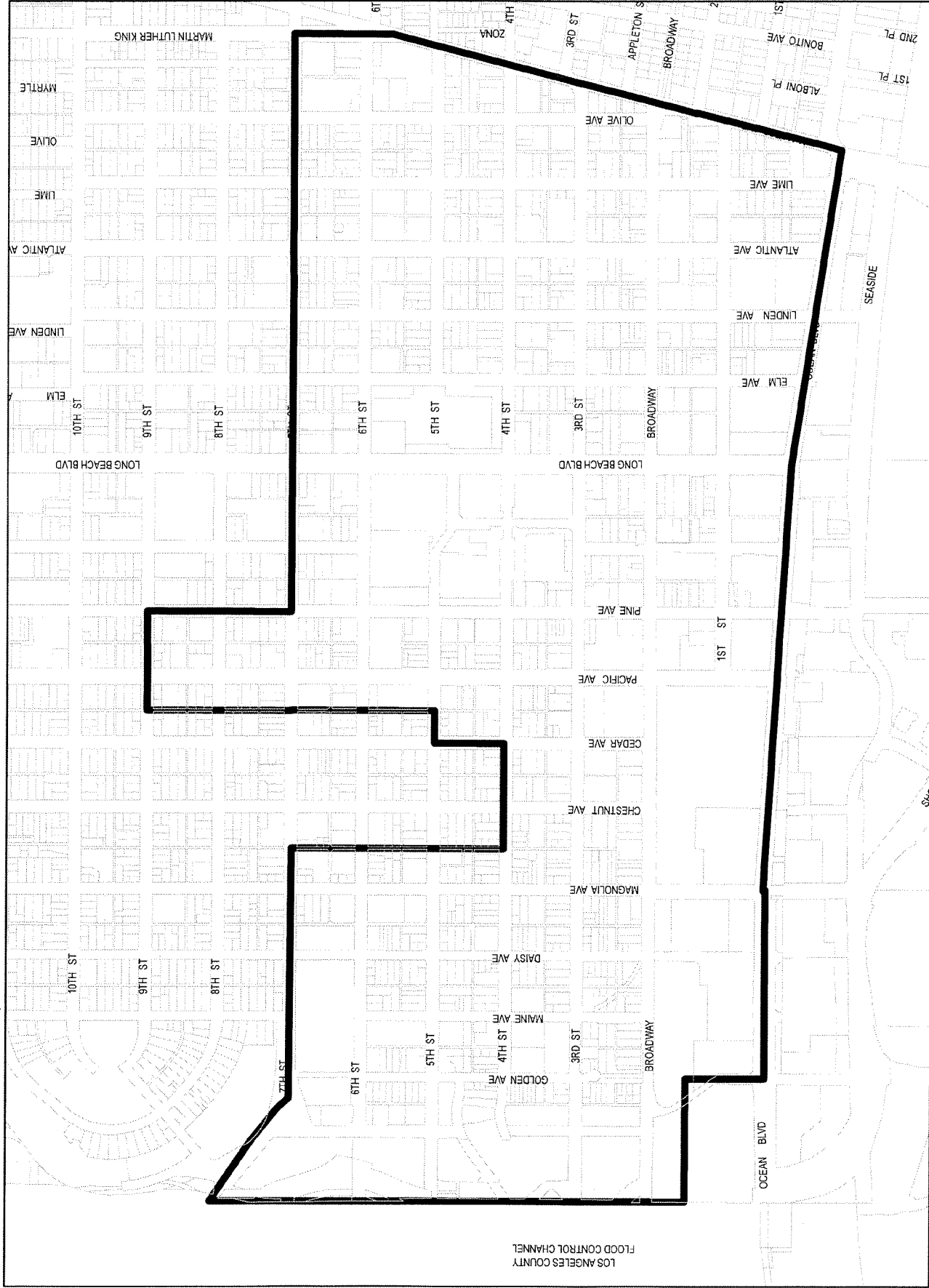
Absent: Councilmembers: B. Lowenthal, Reyes Uranga.



Clerk

Approved: 6/10/08
(Date)


Mayor



City of Long Beach

Downtown PD 30

