

## Definitions:

### 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 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) as a service to its customer that is incidental to its main purpose or business.

### 21.15.2009 - Pay Day Loans.

"Pay Day Loans" is 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 Sections 23035. Personal check includes the electronic equivalent of a personal check.

Pay Day ~~Advance Loans~~ (Deferred Deposit) a business are regulated by the State of California, Department of Corporations and does not include Consumer Loans or Commercial Loans.

### 21.15.2015 – Pawnbroker (Secondhand dealer).

"Secondhand dealer," means and includes any person, copartnership, firm, or corporation whose business includes buying, selling, trading, taking in pawn, accepting for sale on consignment, accepting for auctioning, or auctioning secondhand tangible personal property. A "secondhand dealer" does not include a "coin dealer" or participants at gun shows or events, as defined in Section 478.100 of Title 27 of the Code of Federal Regulations, or its successor, who are not required to be licensed pursuant to Sections 26700 to 26915, inclusive, of the Penal Code, who are acting in compliance with the requirements of Sections 26500 to 26585, inclusive, and 27545 of the Penal Code, and who are not a "Gun Show Trader," as described in Sections 16620 and 26525 of the Penal Code.

### 21.15.635 - Consumer Loans.

"Consumer loan" means a loan, whether secured by either real or personal property, or both, or unsecured (i.e. signature loan), the proceeds of which are intended by the borrower for use primarily for personal, family, or household purposes. For purposes of determining whether a loan is a consumer loan, the lender may rely on any written statement of intended purposes signed by the borrower. The statement may be a separate statement signed by the borrower, or may be contained in a loan application or other document signed by the borrower. The lender shall not be required to ascertain that the proceeds of the loan are used in accordance with the statement of intended purposes. Nothing in this section shall authorize the taking of real property as security, except as specified in Section 22330. In addition to the definition of consumer loan in Section ~~22203~~22230, a "consumer loan" also means a loan of a principal

amount of less than five thousand dollars (\$5,000), the proceeds of which are intended by the borrower for use primarily for other than personal, family, or household purposes.

#### **21.15.562 - Commercial Loans.**

"Commercial loan" means a loan of a principal amount of five thousand dollars (\$5,000) or more, or any loan under an open-end credit program, whether secured by either real or personal property, or both, or unsecured, the proceeds of which are intended by the borrower for use primarily for other than personal, family, or household purposes. For purposes of determining whether a loan is a commercial loan, the lender may rely on any written statement of intended purposes signed by the borrower. The statement may be a separate statement signed by the borrower or may be contained in a loan application or other document signed by the borrower. The lender shall not be required to ascertain that the proceeds of the loan are used in accordance with the statement of intended purposes.

#### **21.15.335 – Bank.**

"Bank" means any national bank 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 (as defined in this section); 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.

#### **21.15.442 - Car Title Loans.**

"Car Title Loan" means a short-term loan in which the borrower's car title is used as collateral. The borrower must be the lien holder (i.e. own the car outright). Car title loans can be regulated as both consumer and commercial loans by the State of California.

This does not include loans for automobiles regulated by the Federal Trade Commission (FTC).

#### **21.15.792 - Money Orders.**

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

#### **21.15.795 - Money Transfers.**

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

#### **21.15.2225 – Realtor.**

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

#### **21.15.1975 - Mortgage Brokers.**

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

### 21.15.2515 - Signature Loan.

“Signature Loan” is a personal loan offered by banks and other finance companies that uses only the borrower’s signature (unsecured loan) and promise to pay as collateral. Signature loans are regulated as both either consumer and-or commercial loans by the State of California, depending on the amount of the loan.

### 21.52.212 - Check Cashing, Pay Day Loans, Car Title Loans, Consumer and Other Financial Services.

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

- A. ~~Off street parking for check cashing businesses shall be the same as for banks and savings and loans as required by chapter 21.44.~~ A Conditional Use Permit shall be required for check cashing, pay day loans, car title loans, and consumer loans. Alternative and 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 2.1.44.~~ Check cashing, pay day loans, car title loans, and consumer loans as defined by the Long Beach Municipal Code shall not be placed within a 500-foot radius of an approved check cashing, pay day loan, car title loan, consumer loan, or other financial service business, or within the CNA, CNP, CNR, PD-6, PD-29 or PD-30 zoning districts. This includes other financial services and alternate types of lending services at the discretion of the Zoning Administrator. All previously approved businesses, which obtained a conditional use permit or business license, prior to this ordinance are considered grandfathered uses and do not need to obtain a new CUP.
- 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, and any existing pay phones shall be removed.
- 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 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.~~
- F. The hours of operation shall be stated in the application and shall be subject to review by the Planning Commission.
- G. Lighting shall be added or improved onsite and glare shields included to the satisfaction of the Chief of Police.
- H. ~~Fees shall be written in English, Spanish, Tagalog, Khmer and posted in a visible location near the cashier.~~ Each check casher shall also post a list of fees in English, Spanish, Tagalog, and Khmer. The fees required by this section shall be clear, legible, and in

letters not less than one-half inch in height. The information shall be posted in a conspicuous, ~~location in the~~ unobstructed ~~are~~view of the public within the check cashier's premises. Failure to post information about fees or posting identifying requirements contrary to the information posted on fees, shall constitute an unfair business practice within the meaning of Section 17200 of the California Business and Professions Code.

- I. 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.
- J. ~~The All~~ building façade~~s~~ shall be improved with new paint, roofing materials, and windows to the satisfaction of the ~~Director of Development Services~~Site Plan Review Committee.
- ~~K.~~ K.—New canopies or architectural projections shall be incorporated to the satisfaction of the Planning Commission and/or Site Plan Review ~~Committee-Committee~~ or ~~Director of Development Services~~.
- L. 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 ~~provide full view of any areas where the~~ operator provides parking for its patrons. The cameras shall record video for a minimum of 30 days and be accessible via the Internet by the LBPD. 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..

	Neighborhood			Community				Regional	Other	
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
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 Section <a href="#">21.45.130</a>
Bank, credit union, savings and <del>loan</del> - <del>loan</del> , <del>commercial and industrial loan businesses</del>	AP	Y	Y	Y	Y	Y	Y	Y	N	Bank, credit union, and savings and loan in the CNP zone subject to standards in Section <a href="#">21.52.208</a> .  <u>*This does not include car title loans or <del>consume</del> signature loan businesses <del>loans</del> as a primary use.</u>
<a href="#">Bus Token issuance, Payment of Utility Bills, Distribution of Government Checks and Food Stamps, Sale of Phone Cards</a>	<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>	
Car Title Loans	<u>GN</u>	<u>GN</u>	<u>GN</u>	C	C	C	C	C	N	
Check cashing	<u>NC</u>	<u>GN</u>	<u>GN</u>	C	C	C	C	C	N	
<del>Consumer Loans</del> <u>Signature Loans</u>	<u>GN</u>	<u>GN</u>	<u>GN</u>	C	C	C	C	C	N	

Money Orders, <u>Money Transfers</u>	Y	Y	Y	Y	Y	Y	Y	Y	N	
Pay Day Loans	<u>CN</u>	<u>CN</u>	<u>CN</u>	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>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>N</u>	

Table 32-1A

Uses In All Other Commercial Zoning Districts

Financial Services

<u>USE</u>	<u>CO</u>	<u>CH</u>	<u>CT</u>
Banks, savings and loans with drive-up windows, <u>including commercial/industrial loans businesses</u>	C	Y	C
Banks, savings and loans without drive-up windows, <u>including commercial/industrial loans businesses</u>	Y	Y	Y
Bus Token issuance, Payment of Utility Bills, Distribution of Government Checks and Food Stamps, Sale of Phone Cards	<u>Y</u>	<u>Y</u>	<u>Y</u>
All Other financial services	<u>YC</u>	<u>APC</u>	<u>YC</u>
Stock or bond broker	Y	Y	Y
Car Title Loans	C	C	C
Check cashing	C	C	C

<del>Consumer and Commercial Loans</del> <u>Signature Loans</u>	C	C	C
Money Orders, Money Transfers	Y	Y	Y

PD 25

Car Title Loans	C
Check cashing	<u>CAP</u>
<del>Consumer and Commercial Loans</del> <u>Signature Loans</u>	C
<del>Bus Token issuance, Payment of Utility Bills, Distribution of Government Checks and Food Stamps, Sale of Phone Cards</del>	<u>Y</u>
Money Orders, Money Transfers	Y