



CITY OF LONG BEACH

H-1

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 4th Floor Long Beach, CA 90802 Phone: 570.6428 Fax: 570.6205

January 6, 2009

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to receive supporting documentation into the record, conclude the hearing; adopt an urgency ordinance extending a temporary limitation (moratorium) on all check cashing uses citywide for six months; and declare ordinance read the first time and laid over to the next regular meeting of City Council for final reading. (Citywide)

DISCUSSION

On July 8, 2008, the City Council adopted a six-month moratorium prohibiting all check cashing uses citywide (Exhibit A – Ordinance No. 08-0013). The moratorium is set to expire on January 8, 2009.

In response to the moratorium, staff held several meetings with advocates and opponents of check cashing businesses, as well as representatives of various community groups in the City. On December 4, 2008, the Planning Commission reviewed the proposed changes to check cashing regulations suggested by staff, which consisted of changes to the definition of check cashing, limitations on where check cashing uses can be located, and additional performance standards for these uses (Exhibit B – Planning Commission Staff Report).

After hearing staff recommendations, the Planning Commission determined that the issue required more analysis, particularly with respect to the proposed limitations on the location of check cashing businesses, and voted to continue the item to a date uncertain. Staff was directed to provide additional information regarding where check cashing uses could be located and recommend that the City Council extend the moratorium for six months while the additional analysis is done.

This letter was reviewed by Assistant City Attorney Michael Mais on December 15, 2008 and by Budget Management Officer Victoria Bell on December 19, 2008.

TIMING CONSIDERATIONS

City Council action on this matter is requested on January 6, 2009 as the Interim Ordinance is set to expire on January 8, 2009.

FISCAL IMPACT

There is no fiscal impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



CRAIG BECK
DIRECTOR OF DEVELOPMENT SERVICES

CB:DB:sv
P:\Planning\City Council Items (Pending)\Council Letters\2009-01-06\01.06.09 Check Cashingv2.doc

Attachments: Exhibit A – Ordinance No. 08-0013
 Exhibit B – Planning Commission Staff Report
 City Council Ordinance Check Cashing

APPROVED:



PATRICK H. WEST
CITY MANAGER

ORDINANCE NO. ORD-08-0013

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 CITYWIDE; 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.

A. 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 or Building Codes of the City of Long Beach involving 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.

B. Check cashing facilities cash payroll, government, personal, and other types of checks, among other related services, while taking a commission from the face-value of the check.

C. Payday lender businesses (also known as deferred deposit transaction businesses and advanced payday lenders) provide small cash loans based on a borrower's personal check held for future deposit or on electronic access to a borrower's bank account. Generally, the borrower must include the fee for the loan in the face value of the personal check.

D. According to the Consumer Federation of America, because of the

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 high fees paid for these short term loans and check cashing services, some borrowers
2 may pay the equivalent of more than 900% annual percentage rate interest on their loan.
3 In California, the fee for a payday loan can be up to \$17.50 for every \$100 borrowed, up
4 to the maximum of \$300. The annual percentage rate for such a transaction is 911% for
5 a one week loan, 456% for a two-week loan, and 212% for a one-month loan. Since
6 payday loans were legalized in California in 1997, more than 3,500 payday loan
7 businesses have opened in the state.

8 E. According to the California Reinvestment Coalition ("CRC"), check
9 cashing and payday lender businesses have grown over 1100% nation-wide between
10 1996 and 2003 and are estimated to be growing at a rate of 15% a year. The growth of
11 check cashing and payday lender businesses appears to be focused in lower income
12 neighborhoods where full service financial institutions are removing their branch offices.
13 A recent study by The Progressive Policy Institute revealed that a traditional bank
14 account is the first step toward giving low-income Americans access to the mainstream
15 tools for wealth creation now taken for granted by the middle-class. The unchecked
16 proliferation of check cashing and payday lender businesses in the commercial districts
17 of lower income neighborhoods leads to the displacement of full service banking
18 institutions, making access to traditional banking services even more difficult in lower
19 income neighborhoods. Without appropriate controls, a result of the continuing high
20 growth of check cashing and payday lender businesses will be a reduction or
21 displacement of needed financial services and other commercial benefits in these
22 neighborhoods.

23 F. The City Council specifically finds that the existing regulations
24 contained in the Zoning and Building regulations of the City may be in conflict with the
25 zoning and/or building regulations that are or will be studied by Development Services
26 and the Planning Commission pursuant to the City Council's direction. The City Council
27 further finds that this interim moratorium ordinance shall not conflict with the California
28 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 moratorium
3 ordinance shall take Development Services and the Planning Commission approximately
4 six (6) months to complete.

5 Section 3. Prohibition - "Check cashing facilities." During the six (6)
6 month interim period including the term of any extension(s) of this ordinance, no
7 application shall be approved for a building permit, business license, conditional use
8 permit, administrative use permit or other development or land use entitlement for a
9 "check cashing facility" as that term is used in Long Beach Municipal Code Section
10 21.15.475. Said prohibition shall apply to primary and accessory land uses and shall be
11 effective citywide.

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

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

19 Section 6. Declaration of Urgency. This ordinance is an emergency
20 measure, and it is urgently required for the reason that, pending completion of the
21 necessary planning and zoning studies, and a determination relative to the potential need
22 to amend the Zoning or Building regulations of the City, it is necessary to limit
23 construction, development, or use of "check cashing facilities" in order to avoid the
24 adverse impacts that would arise if the pending study or potential revisions to the Zoning
25 or Building regulations of the City are inconsistent with the City's current regulation
26 governing "check cashing facilities."

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

1 immediately. The City Clerk shall certify to a separate roll call and vote on the question
2 of the emergency of this ordinance and to its passage by the vote of five members of the
3 City Council of the City of Long Beach, and cause the same to be posted in three
4 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 July 1, 2008, the ordinance was declared to be an
15 emergency by the following vote:

16	Ayes:	Councilmembers:	<u>B. Lowenthal, S. Lowenthal,</u>
17			<u>Schipske, Reyes Uranga,</u>
18			<u>Gabelich, Lerch.</u>
19	Noes:	Councilmembers:	<u>DeLong, O'Donnell, Andrews.</u>
20			<u></u>
21	Absent:	Councilmembers:	<u>None.</u>
22			<u></u>

24 //

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OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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I further certify that thereafter, at the same meeting, upon a roll call and vote on adoption of the ordinance, it was adopted by the City Council of the City of Long Beach by the following vote:

Ayes:	Councilmembers:	<u>B. Lowenthal, S. Lowenthal,</u>
		<u>Schipske, Reyes Uranga,</u>
		<u>Gabelich, Lerch.</u>
Noes:	Councilmembers:	<u>DeLong, O'Donnell; Andrews.</u>
		<u></u>
Absent:	Councilmembers:	<u>None.</u>
		<u></u>

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 July 8, 2008, by the following vote:

Ayes:	Councilmembers:	<u>B. Lowenthal, S. Lowenthal,</u>
		<u>O'Donnell, Schipske, Andrews.</u>
		<u></u>
Noes:	Councilmembers:	<u>Lerch.</u>
		<u></u>
Absent:	Councilmembers:	<u>DeLong, Reyes Uranga, Gabelich.</u>
		<u></u>


Clerk


Mayor

Approved: 7/10/08
(Date)



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

December 4, 2008

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Recommend that the City Council approve amendments to the Zoning regulations governing check cashing uses to prohibit check cashing uses in neighborhood commercial zones (CNR, CNA, CNP) and Downtown Planned Development Districts (PD 29 and PD 30), and to require a 500 feet separation of all check cashing uses from: 1) other check cashing uses; 2) liquor stores; 3) banks, savings and loans and credit unions, and 4) schools. The proposal includes modifications to the definition of check cashing and adding performance standards for these uses.

APPLICANT:

City of Long Beach
Department of Development Services
(Application No. 0810-13 and CE 08-070)

DISCUSSION

On July 1, 2008, the Long Beach City Council adopted an emergency ordinance prohibiting all check cashing uses citywide for six months in response to City Council concerns regarding the proliferation of check cashing businesses in commercial corridors and low income neighborhoods, and the perception that check cashing businesses lead to the displacement of full service banking services.

In response to those concerns, staff studied check cashing amendments in other jurisdictions, met with both advocates and opponents of check cashing to get a clearer understanding of the check cashing business, and discussed proposed amendments to the Zoning Ordinance.

Defining Check Cashing

Check cashing is defined in the Long Beach Municipal code (Exhibit A- Check Cashing Definition) as 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

financial services including cashing of checks, warrants, drafts, money orders, or other commercial paper serving the same purpose and deferred deposit of personal checks. The definition also includes the issuance of money orders, payment of utility bills, sales of phone cards, and distribution of food stamps and governmental checks. State law defines check cashing as a person or entity that for compensation engages in whole or in part, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. Both definitions apply to payday advance and check cashing businesses because both services require a check (personal check, payroll check, social security check). To clarify the definition and allow for easier interpretation, staff is proposing to eliminate the issuance of money orders, payment of utility bills, sales of phone cards, and distribution of food stamps and governmental checks from the definition of check cashing and add those uses as an accessory use to grocery stores, markets and supermarkets, in Table 32-1 of the Commercial zoning ordinance. This revision will be beneficial to the community because many of the services offered provide important amenities to the neighborhood.

Proliferation of check cashing uses and proposed amendments

According to the map attached, there are approximately 143 licensed and unlicensed check cashing businesses citywide (Exhibit B – Check Cashing Map). A majority of these businesses are located in PD-29, PD-30, and PD-6. Some of the licensed facilities are regulated under the Long Beach Municipal Code when defined as check cashing; others are either unlicensed or legal nonconforming uses.

Those businesses defined as check cashing are required to obtain Conditional Use Permits in all commercial zones of the City, except for the Commercial Storage (CS) zone. Administrative Use Permits are required in all sub areas of PD-29. In PD-30 check cashing is prohibited in all sub areas, except the Downtown Mixed Use and East Village District, where check cashing is only allowed as an accessory use to a grocery store at least 10,000 square feet in floor area.

Through the Conditional Use Permit and Administrative Use Permit process, conditions may be imposed to regulate nuisance-causing activities that have the potential for creating major adverse impacts, such as loitering, forgery, and drug dealing. With current Conditional Use Permit controls in place, staff regulates the placement of check cashing uses on a case-by-case basis. However, staff feels that additional measures are necessary to ensure customer safety; therefore the following changes are proposed:

- No more than 30% of the window shall be covered by the placement of signs, dark window tinting, shelving, racks or similar obstructions.
- A lighting plan shall be approved to the satisfaction of the Director of Development Services and the Chief of Police.
- Graffiti shall be removed within 24 hours.

Although there are current regulations in effect, the regulations do not control the

proliferation of check cashing in certain areas of the city. Proliferation often results in a reduction of available commercial space in prominent commercial shopping areas and can lead to loitering or forgeries.

To stop the proliferation of check cashing uses citywide, while protecting retail uses from less active uses, staff is proposing a 500-foot separation of check cashing businesses from other check cashing businesses, schools, liquor stores, and banks (Exhibit C – Proposed Amendments). The 500-foot separation will allow existing licensed check cashing facilities to remain, but will require new businesses to separate, which will control design issues, blight, and foster better security for patrons. The separation from schools will create a buffer from crime, thus allowing students to walk to or from schools in areas where many check cashing businesses are located. All unlicensed facilities will be required to obtain a Conditional Use Permit.

To further separate check cashing uses, staff is proposing to prohibit check cashing uses in neighborhood commercial zones (CNR, CNP, CNA) and Downtown mixed use areas (PD-6, PD-29 sub areas 1-3, PD-30), and will require the approval of a Conditional Use Permit, instead of an Administrative Use Permit in PD-29, sub areas 1, 2, and 3. Prohibiting check cashing in these areas will be a benefit to the City's economic base, help guide future development, and will allow for the placement of needed goods and services that compete for prominent commercial spaces.

Summary

In conclusion, staff recommends the following modifications to the ordinance:

- Prohibit check cashing in neighborhood commercial zones (CNR, CNP, CNA).
- Prohibit check cashing in Downtown areas (PD-29, PD-6).
- Modify PD-29 to require a Conditional Use Permit in sub areas 1, 2, and 3 and prohibit in sub areas 2 and 5.
- Require that the Chief of Police and Director of Development Services approve lighting plan.
- No more than 30% of the window shall be covered by the placement of signs, dark window tinting, shelving, racks or similar obstructions.
- Require that Graffiti be removed within 24 hours.

PUBLIC HEARING NOTICE

A Notice of Public Hearing was published in the November 13, 2008 edition of the Long Beach Press-Telegram, as required by the Long Beach Municipal Code. Notices were also emailed to all neighborhood groups citywide. No responses have been received at this time.

ENVIRONMENTAL REVIEW

State CEQA Guidelines Section 15051 (b)(3), the general rule states that, where it can be seen with certainty that there is no possibility that the project will not have a significant effect on the environment, it is not subject to environmental review. The proposed amendment would apply to minor changes in the use of land that could not significantly affect the environment, thus this project has been determined to be exempt (CE 08-070) (Exhibit D).

Respectfully submitted,



CRAIG BECK *fa*
DIRECTOR OF DEVELOPMENT SERVICES

CB:DB:sv
P:\Planning\PC Staff Reports (Pending)

- Attachments Exhibit A – Check Cashing Definition
 Exhibit B – Check Cashing Map
 Exhibit C – Proposed Amendments
 Exhibit D – Categorical Exemption 08-070

EXHIBIT A

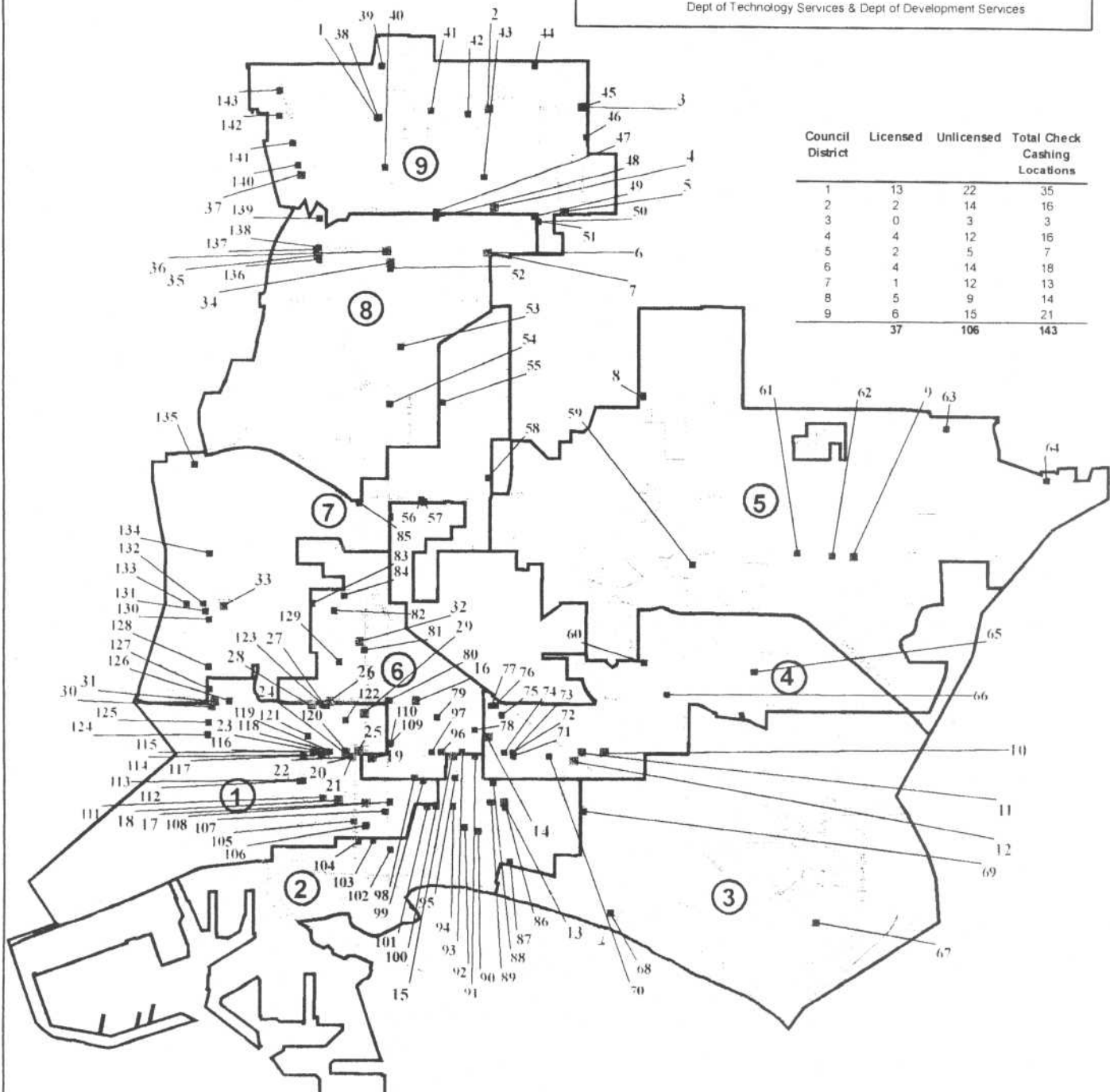
21.15.475 Check cashing Definition.

"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.



City of Long Beach Check Cashing Facilities

Dept of Technology Services & Dept of Development Services



Council District	Licensed	Unlicensed	Total Check Cashing Locations
1	13	22	35
2	2	14	16
3	0	3	3
4	4	12	16
5	2	5	7
6	4	14	18
7	1	12	13
8	5	9	14
9	6	15	21
	37	106	143

Legend

- Check Cashing Facilities**
- Licensed
 - Not Licensed

Zoning Classifications

- Residential
- Commercial
- Industrial
- Institutional
- Park
- Public Right-of-Way
- Planned Development

Council Districts



Data Source:
Department of Justice, Department of Corporations, and
City of Long Beach Development Services Department 9/25/08

City of Long Beach Planning & Public Works, Spring 2008, Check Cashing, August 9, 2008

EXHIBIT C

Proposed Amendments the Check Cashing Ordinances

21.52.212 Check cashing.

The following conditions shall apply to check cashing 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.

B. If established in an existing shopping center, off street parking shall be provided as required for a shopping center by chapter 21.41.

C. ~~Windows~~ No more than 30% of the window shall be covered by the ~~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.

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

G. A lighting plan shall be approved to the satisfaction of the Director of Development Services and the Chief of Police.

H. Graffiti shall be removed within 24 hours.

I. Check cashing facilities shall be located at least 500 feet from the following (The distance shall be measured from the nearest property line of the proposed "check cashing" facility to the nearest property line of a an existing State or federally chartered bank, savings and loan, or other check cashing use):

1. Check Cashing Uses
2. Liquor Stores
3. State or federally chartered banks, savings and loans or credit unions.
4. Schools

(Ord. C-7663 § 40, 1999).

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.

(Ord. C-7663 § 33, 1999).

EXHIBIT C

Table 32-1
Uses In All Other Commercial Zoning Districts

	Neighborhood			Community				Regional	Other	
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Financial Services (continued)										
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 21.45.130.
Money orders; Payment of utility bills; Issuance of bus passes and tokens; Sale of phone cards; and similar uses	A	A	A	A	A	A	A	A	N	Accessory to retail store, such as a supermarket, grocery store, liquor store, and check cashing business.
Bank, credit union, savings and loan	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 21.52.208.
Check cashing	GN	GN	GN	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	C	C	C	C	C	C	C	C	N	
PD-29 Use Table										
	Sub Area 1	Nodes Sub Area 2 & 5		Sub Area 3	Sub Area 4		Comments			
Check Cashing	APC	AP Sub Area 2 C Sub Area 5 N		APC	APN					

PD- 30 TABLE 1 - Uses in the Commercial and Mixed Use Districts				
	Promenade District	Downtown Core District	Downtown Mixed Use District	East Village Mixed Use District
Check Cashing	N	N	A-(k) <u>N</u>	A-(k) <u>N</u>

K.—Permitted as an accessory use only to a grocery store of 10,000 square feet or greater



CITY OF LONG BEACH NOTICE OF EXEMPTION

DEPARTMENT OF DEVELOPMENT SERVICES
333 W. OCEAN BLVD., 5TH FLOOR, LONG BEACH, CA 90802
(562) 570-6194 Fax: (562) 570-6068
lbds.longbeach.gov

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

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

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

Categorical Exemption CE- 08-070

Project Location/Address: Citywide

Project/Activity Description: Amendments to the zoning regulations to prohibit check cashing uses in neighborhood commercial zones (CNR, CNP, CNA) and PD-29 and PD-30, to require 500' separation of check cashing from other uses, and modifications to the definition of check cashing.

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

Applicant Name: City of Long Beach, Dept. of Development Services

Mailing Address: 333 W. Ocean Blvd., 5th floor, Long Beach, CA 90802

Phone Number: (562) 570-6194 Applicant Signature: _____

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 0810-13 Planner's Initials: SV

Required Permits: Zoning Amendment

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH STATE GUIDELINES SECTION 15321, Class 21, Enforcement Actions by Regulatory Agencies

Statement of support for this finding: Action by local legislative entity to modify land use regulations

Contact Person: Craig Chaffint

Contact Phone: 562-570-6368

Signature: [Handwritten Signature]

Date: 11/26/08

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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ORDINANCE NO.

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
CITYWIDE; 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. Section 3 of Ordinance No. ORD-08-0013 adopted as an
emergency ordinance on July 1, 2008, is amended to read as follows:

Section 3. Prohibition – “Check cashing facilities.” During the term of
the initial six (6) month interim period between July 8, 2008 and January 8,
2008, and the additional six (6) month interim period between January 6,
2008 and July 6, 2009, no application shall be approved for a building
permit, business license, conditional use permit, administrative use permit
or other development or land use entitlement for a “check cashing facility”
as that term is used in Long Beach Municipal Code Section 21.15.475. Said
prohibition shall apply to primary and accessory land uses and shall be
effective citywide.

Section 2. Declaration of Urgency. This ordinance is an emergency
measure, and it is urgently required for the reason that, pending completion of the
necessary planning study, and a determination relative to the potential need to amend

1 the Code, it is necessary to limit construction or development in order to avoid the
2 adverse impacts associated with said construction that might be inconsistent with the
3 pending revisions to the zoning or building regulations of the City being considered
4 during the interim period.

5 Section 3. This ordinance is an emergency ordinance duly adopted by
6 the City Council by a vote of five of its members and shall take effect immediately. The
7 City Clerk shall certify to a separate roll call and vote on the question of the emergency
8 of this ordinance and to its passage by the vote of five members of the City Council of
9 the City of Long Beach, and cause the same to be posted in three conspicuous places
10 in the City of Long Beach.

11 This ordinance shall also be adopted by the City Council as a regular
12 ordinance, to the end that in the event of any defect or invalidity in connection with the
13 adoption of this ordinance as an emergency ordinance, the same shall, nevertheless, be
14 and become effective on the thirty-first day after it is approved by the Mayor.

15 The City Clerk shall certify to the passage of this ordinance by the City
16 Council of the City of Long Beach and shall cause the same to be posted in three
17 conspicuous places in the City of Long Beach.

18 I hereby certify that on a separate roll call and vote which was taken by
19 the City Council of the City of Long Beach upon the question of emergency of this
20 ordinance at its meeting of _____, 2008, the ordinance was declared
21 to be an emergency by the following vote:

22	Ayes:	Councilmembers:	_____
23			_____
24			_____
25	Noes:	Councilmembers:	_____
26			_____
27	Absent:	Councilmembers:	_____
28			_____

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I further certify that thereafter, at the same meeting, upon a roll call and vote on adoption of the ordinance, it was adopted by the City Council of the City of Long Beach by the following vote:

Ayes:	Councilmembers:	_____

Noes:	Councilmembers:	_____

Absent:	Councilmembers:	_____

I further certify that the foregoing ordinance was thereafter adopted on _____, 2008, by the following vote:

Ayes:	Councilmembers:	_____

Noes:	Councilmembers:	_____

Absent:	Councilmembers:	_____

Clerk

Approved: _____
(Date)

Mayor