

ORDINANCE NO. 2012-384

AN ORDINANCE OF THE LOS ALTOS CITY COUNCIL AMENDING THE LOS ALTOS MUNICIPAL CODE, TITLE 14, ZONING, ARTICLE 2, ENTITLED "DEFINITIONS" TO ADD A DEFINITION OF "BANKS" AND AMENDING THE DEFINITION OF "OFFICE" TO PROHIBIT THE ESTABLISHMENT, EXPANSION, OR RELOCATION OF PAYDAY LENDING AND CHECK CASHING BUSINESSES WITHIN THE CITY OF LOS ALTOS

WHEREAS, the Ordinance amendments set forth below further the goals and policies of the City's General Plan and are necessary to promote the health, safety and welfare of the City; and

WHEREAS, the Ordinance amendments set forth below have been reviewed and considered by the City Council in accordance with the provisions of the California Environmental Quality Act of 1970, as amended ("CEQA"), and the guidelines promulgated thereunder and, further, the Council finds that it can be seen with certainty that there is no possibility that said amendments may have a significant adverse effect on the environment and said amendments are therefore exempt from the requirements of the CEQA pursuant to the provisions of Section 15061(b)(3) of Division 6 of Title 14 of the California Code of Regulations.

THE CITY COUNCIL OF THE CITY OF LOS ALTOS ORDAINS AS FOLLOWS:

SECTION 1. AMENDMENT OF CODE: Los Altos Municipal Code, Title 14, Zoning, Article 2, entitled "Definitions" is hereby amended to add the definition of "Banks" and to amend the definition of "Office" to read as follows:

"Banks. (Commercial) Financial institutions including federally-chartered banks, savings and loan associations, industrial loan companies, and credit unions providing retail banking services to individuals and businesses. This classification does not include payday lending businesses or check cashing businesses, and as a result, the establishment, expansion, or relocation of such businesses is prohibited. The term 'payday lending business' as used herein means retail businesses owned or operated by a 'licensee' as that term is defined in California Financial Code section 23001(d), as amended from time to time. The term 'check cashing business' as used herein means a retail business owned or operated by a 'check cashier' as that term is defined in California Civil Code section 1789.31 as amended from time to time."

"Office uses' means uses that predominantly sell professional and/or business services. The contact with the general public is not as frequent as with retail businesses or personal services, and a significant portion of the business may take place at other locations. Examples include banks, law offices, accountants, medical, advertising, and computer support."

SECTION 2. CONSTITUTIONALITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

