

City Council Hearing

June 29, 2021



*Planning, Building and
Code Enforcement*

Item 10.2

PP21-005: Pawnbroker Zoning Ordinance Update

Presenter: Jared Hart, PBCE

Background

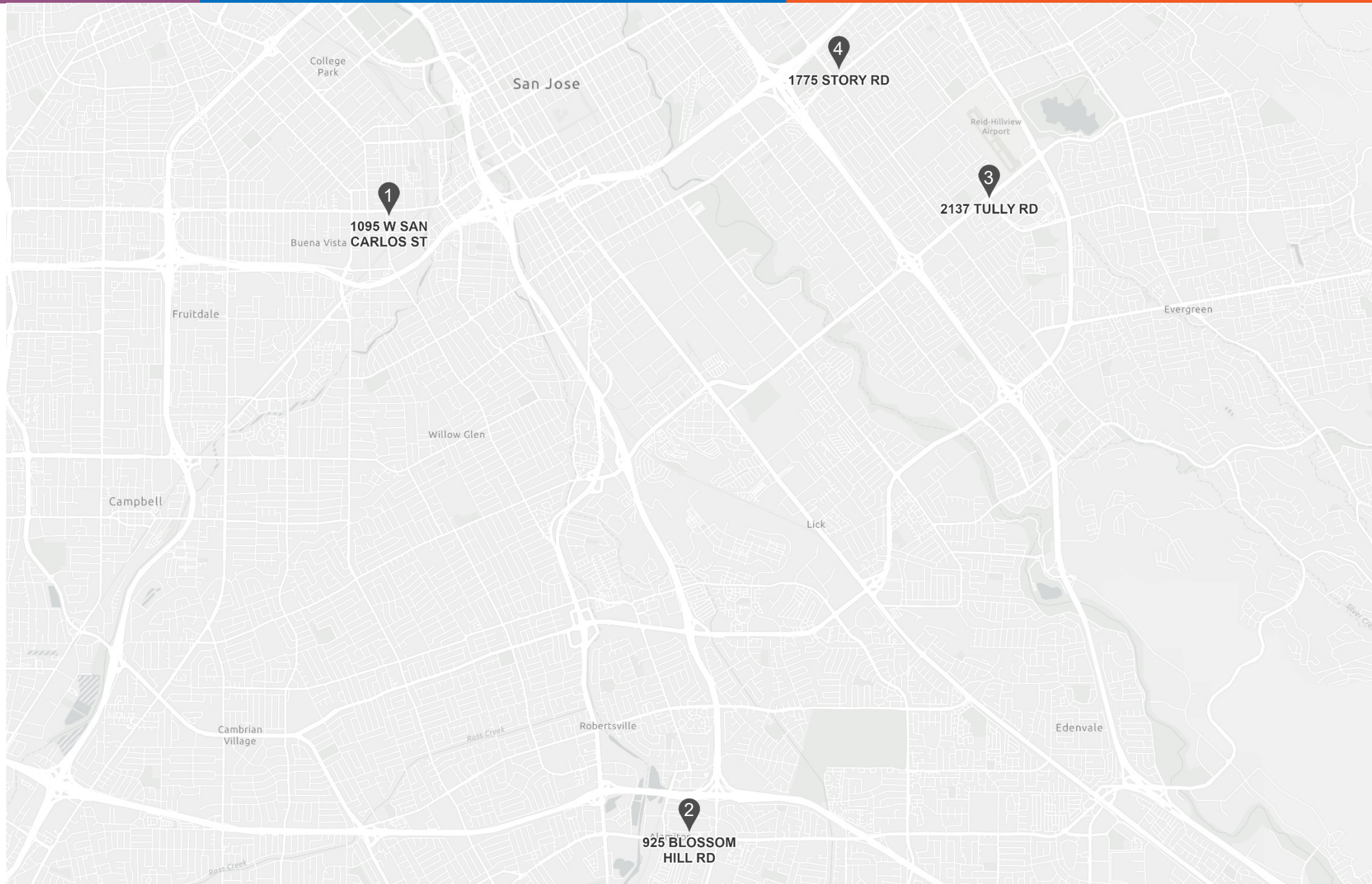
- October 2020 – Rules and Open Government Committee directed staff to align the pawnbroker Conditional Use Permit process with the Determination of Public Convenience or Necessity for off-sale of alcohol process
- Purpose is to address the concentration of Pawnbrokers near sensitive uses and/or in communities with high crime rates

Existing Ordinance

- Title 6 limits the number of Pawnbroker Businesses to no more than six (6) in the City
- Conditional Use Permit needed to operate pawnbroker business
- The Conditional Use Permit findings do not specifically address issues of concentration or proximity to sensitive uses

Pawnbroker Locations

1. Buy Sell Loan
2. Dynasty Jewelers
3. Best Collateral
4. R&J Jewelry and Loan;
Schnitzel Inc.; The
Gold Mart



Proposed Ordinance

- No change to limit of six (6) pawnbroker businesses in City
- Maintain the need for a Conditional Use Permit
- Require additional findings under the Conditional Use Permit process to address concentration and proximity to sensitive uses
 - Modeled after the findings for off-sale of alcohol Determination of Public Convenience or Necessity process

Analysis

- Most of City would require the need for additional findings under the proposed Ordinance
 - Approximately 400 parcels may support a pawnbroker business without the need for further review under the proposed Ordinance
- Proposed pawnbroker businesses would be reviewed by SJPD to provide additional analysis on the new findings
- Ordinance should not affect existing pawnbroker businesses' ability to relocate or significantly prohibit future pawnbroker licensing

Public Outreach

- Dedicated project webpage with staff contact information
- Emailed and called a list of interested groups and individuals
 - Including the 6 existing businesses and tentative licensees
- Notice for public hearing posted to City's website and published in San José Post-Record
- Staff has been available to respond to questions/comments

Planning Commission Recommendation

Planning Commission recommended to not adopt the proposed Zoning Ordinance amendments that would:

Modify sections of Title 20 (Zoning Ordinance or Zoning Code) to amend Chapter 20.80 Specific Use Regulations to add Part 11.5 to add criteria for issuing a Conditional Use Permit for pawnshops and pawnbrokers that meet certain distance criteria from sensitive uses, and to make other technical, non-substantive, or formatting changes within those sections of Title 20 of the San José Municipal Code.

End