



## Legislation Details (With Text)

**File #:** Ord 17-17      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**In control:** City Council

**Final action:** 12/13/2017

**Title:** Amending Chapter 65 of the Legislative Code pertaining to Alternative Financial Establishments.

**Sponsors:** Russ Stark

**Indexes:**

**Code sections:**

**Attachments:** 1. NPC memo to planning commision 5-5-2017, 2. AlternativeFinancialEstab. ZoningTextAmend 05-05-17

Date	Ver.	Action By	Action	Result
12/15/2017	1	Mayor's Office	Signed	
12/13/2017	1	City Council	Adopted	Pass
12/6/2017	1	City Council	Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption	Pass
11/15/2017	1	City Council	Laid Over to Third Reading/Public Hearing	
10/18/2017	1	City Council	Laid Over to Second Reading	Pass

Amending Chapter 65 of the Legislative Code pertaining to Alternative Financial Establishments.

WHEREAS, the Saint Paul Zoning Code, found in chapters 60 through 69 of the Saint Legislative Code, is established to promote and protect the public health, safety, morals, aesthetics, economic viability and general welfare of the community; and

WHEREAS, Zoning Code § 61.801 calls for the periodic review of the code to reflect current city policies, and provides that amendments to the Zoning Code may be initiated by the City Council; and

WHEREAS, the City Council passed resolution 15-2044 initiating a study to consider amendments to the Zoning Code regarding alternative financial establishments; and

WHEREAS, on April 21, 2017, the Saint Paul Planning Commission held a duly noticed public hearing on proposed zoning text amendments regarding alternative financial establishments; and

WHEREAS, on May 5, 2017, the Saint Paul Planning Commission forwarded its recommendation for amendments to the zoning code pertaining to alternative financial establishments, along with an April 26, 2017 memorandum from its Neighborhood Planning Committee containing their recommendations and rationale for the proposed text amendments, to the City Council for review and adoption; and

WHEREAS, a public hearing before the City Council having been conducted at which all interested parties were given an opportunity to be heard, the Council having considered all the facts and recommendations concerning the proposed zoning amendments, pursuant to the authority granted by and in accordance with the procedures set forth in Minnesota Statutes Sec. 462.357;

WHEREAS, the Council has reviewed the findings and recommendation contained in the Planning Commission report which the Council finds persuasive and, accordingly, hereby incorporates them by reference for the specific purpose of articulating the Council's reasons and rationale for enacting the following amendment to the Legislative Code as set forth in Section 1 below;

NOW THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

## SECTION 1

Sec. 65.511 of the Saint Paul Legislative Code is hereby amended to read as follows:

### **Sec. 65.511. Alternative financial establishment.**

~~A business person, firm, association, corporation or partnership engaged in the business or service of check-cashing or making loans to be repaid in one (1) lump sum or in installments over a set period of time, either collateralized or not, for which there is a fee or service charge, or interest received, including but not limited to loans collateralized by personal check, payroll check, wage assignment or personal property title, or collateralized with the promise to relinquish possession of any personal property upon default. Alternative financial establishment includes but is not limited to defined and licensed by the Minnesota Department of Commerce as a consumer small loan companies, currency exchanges, industrial loan and thrifts, and or regulated loan companies, as defined and licensed by the Minnesota Department of Commerce. Alternative financial establishment does not include federal or state chartered banks, credit unions, or savings banks, nor does it include a person, firm, association, corporation or partnership that provides the service of cashing checks, drafts, money orders, or travelers checks for a fee, incidental to the person's primary business and the charge for cashing a check or draft does not exceed one dollar (\$1.00) or one (1) percent of the value of the check or draft, whichever is greater~~ makes consumer small loans, or makes consumer short-term loans.

#### *Standards and conditions:*

- (a) The alternative financial establishment shall be located at least one hundred fifty (150) feet from any lot in a residential district or lot occupied with a one-, two-, or multiple-family dwelling, measured in a straight line from the closest point of the building in which the business is or is to be located to the closest point of the residential property line.
- (b) ~~The No~~ alternative financial establishment shall be located within at least two thousand six hundred forty (2,640) feet ~~of from any another~~ alternative financial establishment and one thousand three hundred twenty (1,320) feet from any pawnshop, measured from the nearest building wall of the existing establishment to the nearest building wall of the proposed use, ~~or if there is no building, to the nearest lot line of the proposed use.~~
- (c) ~~No~~ alternative financial establishment shall be located within one thousand three hundred twenty (1,320) feet of any pawnshop, measured from the nearest building wall of the existing establishment to the nearest building wall of the proposed use, ~~or if there is no building, to the nearest lot line of the proposed use.~~

## SECTION 2

This Ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.