

**Policy Committee
Government Center Complex
Large Conference Room, Building A**

Nov. 1, 2012 - 4 p.m.

- 1. Roll Call**
- 2. Old Business**
- 3 New Business**
 - a. Pawnshops (Materials)
- 4. Adjournment**

MEMORANDUM

DATE: November 1, 2012
TO: Policy Committee
FROM: Jason Purse, Senior Planner II
Christy Parrish, Acting Zoning Administrator
SUBJECT: Pawn Shops

On September 12, 2012, the Acting Zoning Administrator received a zoning verification request for a pawn shop in a shopping center zoned LB, Limited Business. At that time, the Acting Zoning Administrator determined that though pawn shops were not specifically listed as a use in the zoning ordinance, they were consistent with "retail and service stores." Retail and service stores is a use allowed in LB, so therefore the use was permitted in the shopping center.

Specific business activities of pawn shops included in this verification request were:

1. Pawnbroker-A pawnbroker shall be deemed to mean any person who lends or advances money or other things for profit on the pledge and possession of personal property, or other valuable things, other than securities or written or printed evidences of indebtedness, or who deals in the purchasing of personal property or other valuable things on the condition of selling the same back to the seller at a stipulated price. (Defined in Section 12-72 Licenses of the James City County Code)
2. Retailer-the buying and selling of projects such as jewelry, electronics, computers, musical instruments, audio and video equipment, etc.
3. Precious metals buyer-the purchase of items containing gold, silver, platinum and other precious metals.

In summary, pawn shops both buy and sell retail items, as well as provide a service of lending money in exchange for personal property as collateral.

The definition of retail and service includes the sale of many different items, including jewelry, clothing, used goods, etc. However, in the specific case that the Acting Zoning Administrator reviewed, the retail service/pawn shop does not include the sale of firearms, which is a specially permitted use in the LB and B-1 zoning districts.

Staff has included a list of other localities and how they address pawn shops in their ordinances. A number of adjacent localities have them specifically referenced (Newport News, Hampton, York) in the zoning ordinance and require Special Use Permits as a part of the approval process. The City of Williamsburg and New Kent County do not address them at all in their zoning ordinances.

Staff requests that the Policy Committee discuss how pawn shops should be addressed in the zoning ordinance. Specifically, staff requests that the Policy Committee consider whether or not a definition for pawn shops be added to the zoning ordinance and whether the use should be included as a permitted or specially permitted use in certain zoning districts.



Jason Purse, Senior Planner II



Christy Parrish
Acting Zoning Administrator

Attachment:

1. Adjacent locality pawn shop summary

Locality	County or City Code	Zoning Ordinance	If not allowed how would the locality handle the request
City of Williamsburg	Not mentioned	Not allowed	If an individual wishes to open a pawn shop they would be advised that a change would need to be made to the Zoning Ordinance
York County	Addresses the licensing procedure	Allowed by Special Use Permit in the General Business District only. Performance standards state the pawn shops shall not be located on property that is within 1/2 mile of property occupied by a place of worship, a public, parochial, or private school (K-12), a public library, or a public park or athletic facility.	
City of Hampton	Addresses the licensing procedure	Permitted in the limited Commercial and General Commercial Districts with a conditional privilege. All of the overlay districts specially call out that this use is not permitted.	
City of Newport News	Addresses the licensing procedure	Permitted with a conditional use permit (CUP) in the Retail Commercial, General Commercial, and Regional Business Districts.	

Locality	County or City Code	Zoning Ordinance	if not allowed how would the locality handle the request
Henrico County	No more than 10 allowed in the County, and these establishments cannot be located within one mile of each other.	Permitted as a by-right use in all business and industrial districts. Pawn shops are not listed as a use, but are viewed as a small loan institution / other retail use. Not permitted in residential districts.	
City of Richmond	Not mentioned	Permitted as a by-right in the B-3 Business District and the Industrial Districts. Viewed as a personal loan and finance service.	
New Kent County	Not mentioned	Not specially allowed	There has not been an inquiry. They do however have dealers in gold and silver and these are by-right in the business districts.
Albemarle County	Does not specifically reference pawn brokers, but treats them like sellers of precious metals, which is mentioned	Permitted as a by-right use in the business and industrial districts as a retail use	