

BLUE FOLDER ITEM

Blue folder items are additional back up material to administrative reports and/or public comments received after the printing and distribution of the agenda packet for receive and file.

CITY COUNCIL MEETING November 18, 2025

- L.2 PUBLIC HEARING FOR INTRODUCTION AND FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AMENDING TITLE 10, CHAPTER 2, ARTICLE 1, TO ADD SECTION 10-2.402(A)(167.5); AMENDING TITLE 10, CHAPTER 5, ARTICLE 1, SECTION 10-5.402(A); AMENDING TITLE 10, CHAPTER 2, ARTICLE 4, TO ADD SECTION 10-2.1641; AMENDING TITLE 10, CHAPTER 5, ARTICLE 4, TO ADD SECTION 10- 5.1639; AMENDING TITLE 10, CHAPTER 2, ARTICLE 4, SECTION 10-2.1626(B); AMENDING TITLE 10, CHAPTER 5, ARTICLE 4, SECTION 10-5.1626(B); AMENDING TITLE 1, CHAPTER 2, SECTION 1-2.03; AMENDING TITLE 5, CHAPTER 9, ARTICLE 2, SECTION 5-9.204(A)(4) PERTAINING TO THE ZONING, REGULATION AND ENFORCEMENT OF SMOKE SHOPS AND TOBACCO SALES PROCEDURES: 1. Open the public hearing and take testimony; 2. Close the public hearing, deliberate; and 3. Introduce the following ordinance by title only. INTRODUCE BY TITLE ONLY ORDINANCE NO. 3310-25, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AMENDING TITLE 10, CHAPTER 2, ARTICLE 1, TO ADD SECTION 10-2.402(A)(167.5); AMENDING TITLE 10, CHAPTER 5, ARTICLE 1, SECTION 10-5.402(A); AMENDING TITLE 10, CHAPTER 2, ARTICLE 4, TO ADD SECTION 10-2.1641; AMENDING TITLE 10, CHAPTER 5, ARTICLE 4, TO ADD SECTION 10- 5.1639; AMENDING TITLE 10, CHAPTER 2, ARTICLE 4, SECTION 10-2.1626(B); AMENDING TITLE 10, CHAPTER 5, ARTICLE 4, SECTION 10-5.1626(B); AMENDING TITLE 1, CHAPTER 2, SECTION 1-2.03; AMENDING TITLE 5, CHAPTER 9, ARTICLE 2, SECTION 5-9.204(A)(4) PERTAINING TO THE ZONING, REGULATION AND ENFORCEMENT OF SMOKE SHOPS AND TOBACCO SALES

CONTACT: CHERYL PARK, ASSISTANT CITY ATTORNEY

- **Minor revisions to the definitions of “Flavored tobacco product” and “Tobacco product” in Sections 10-2.1641 and 10-2.1639 as noted below.**

Existing definition:

“Flavored tobacco product” shall mean any tobacco product that contains a constituent that imparts a characterizing flavor.

Modified definition:

“Flavored tobacco product” shall mean any tobacco product that contains a constituent that imparts a characterizing flavor. “Flavored tobacco product” includes any tobacco product, other than looseleaf tobacco, a premium cigar, or a shisha tobacco product, that is not listed on the Unflavored Tobacco List established and maintained by the Attorney General pursuant to Health and Safety Code Section 104559.1.

Existing definition:

“Tobacco product” shall mean (1) any product containing, made or derived from tobacco or nicotine, which is intended for human consumption of the tobacco or nicotine, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff; (2) an electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including an electronic cigarette, cigar, pipe, or hookah; (3) any component, part, or accessory of a tobacco product, whether or not sold separately. For the purposes of this chapter, the term “tobacco product” excludes any product that has been specifically approved by the United States Food and Drug Administration (FDA) for sale as a tobacco/smoking cessation product or for other medical purposes, where such product is marketed and sold solely for such an approved purpose.

Modified definition:

“Tobacco product” shall mean (1) any product containing, made or derived from tobacco or nicotine, which is intended for human consumption of the tobacco or nicotine, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff; (2) an electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including an electronic cigarette, cigar, pipe, or hookah; (3) any component, part, or accessory of a tobacco product, whether or not sold separately. For the purposes of this chapter, the term “tobacco product” does not include: (i) a nicotine replacement product approved by the United States Food and Drug Administration, or (ii) cannabis or a cannabis product, as those terms are defined in Section 26001 of the Business and Professions Code. Cannabis or a cannabis product that includes an ingredient, substance, chemical, or compound that contains or is made or derived from tobacco or nicotine is a “tobacco product” under this section.

ORDINANCE NO. 3310-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AMENDING TITLE 10, CHAPTER 2, ARTICLE 1, TO ADD SECTION 10-2.402(A)(167.5); AMENDING TITLE 10, CHAPTER 5, ARTICLE 1, SECTION 10-5.402(A); AMENDING TITLE 10, CHAPTER 2, ARTICLE 4, TO ADD SECTION 10-2.1641; AMENDING TITLE 10, CHAPTER 5, ARTICLE 4, TO ADD SECTION 10-5.1639; AMENDING TITLE 10, CHAPTER 2, ARTICLE 4, SECTION 10-2.1626(B); AMENDING TITLE 10, CHAPTER 5, ARTICLE 4, SECTION 10-5.1626(B); AMENDING TITLE 1, CHAPTER 2, SECTION 1-2.03; AMENDING TITLE 5, CHAPTER 9, ARTICLE 2, SECTION 5-9.204(A)(4) PERTAINING TO THE ZONING, REGULATION AND ENFORCEMENT OF SMOKE SHOPS AND TOBACCO SALES

WHEREAS, according to the federal Centers for Disease Control and Prevention, nicotine is highly addictive and can harm brain development, which continues until about 25 years of age and poses a unique risk to youth; and

WHEREAS, according to the 2023 National Youth Tobacco Survey conducted by the federal Centers for Disease Control and Prevention and the United States Food and Drug Administration, approximately 2,800,000 high school students and middle school students reported using a tobacco product in the past year, and nearly 90 percent of youth electronic cigarette users used flavored products; and

WHEREAS, sales data has shown a surge in illegal, unregulated flavored tobacco products, such as flavored disposable electronic cigarettes, being imported into the United States from foreign countries in recent years, and in December 2023, the United States Food and Drug Administration and the United States Customs and Border Protection announced the seizure of approximately 1,400,000 units of unauthorized electronic cigarette products worth over \$18,000,000 at Los Angeles International Airport; and

WHEREAS, the state has passed recent legislation strengthening tobacco oversight programs and expanding the seizure of illegal tobacco products which it has deemed essential to achieving the state's public health goal of lowering youth tobacco use; and

WHEREAS, the Redondo Beach Police Department has received complaints about the selling of illegal flavored tobacco and cannabis products throughout the City, which were confirmed through two recent inspections, conducted on March 6, 2025 of a smoke shop located in the 2400 block of 190th Street and on March 19, 2025 of a smoke shop on in the 2200 block of Artesia Boulevard; and

WHEREAS, on January 21, 2025, the City Council held a meeting to discuss potential updates to the City Municipal Code that would enhance the regulation of smoke shops and tobacco retailers, and directed staff to return with a draft ordinance; and,

WHEREAS, on April 15, 2025, staff presented a draft Ordinance to the City Council that includes a new requirement for a conditional use permit, limits the number and location of smoke shops, and includes operating standards and enforcement provisions and;

WHEREAS, a 45-Day Urgency Ordinance was adopted on May 6, 2025 and extended for an additional year on June 10, 2025 to be in effect while the City develops a permanent Ordinance; and

WHEREAS, on July 17, 2025 the Planning Commission reviewed the draft Smoke Shop Ordinance and adopted a resolution making recommendations to the City Council; and

WHEREAS, on August 19, 2025 staff presented the draft Smoke shop and tobacco sales ordinance to the City Council with the Planning Commission recommendations and received input on the proposed ordinance; and

WHEREAS, on October 21, 2025 staff presented the updated draft Smoke shop and tobacco sales ordinance to the City Council and was directed to move forward with scheduling it for introduction and first reading on November 18, 2025.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA DOES HEREBY FIND AS FOLLOWS:

SECTION 1. FINDINGS

1. In compliance with the California Environmental Quality Act of 1970, as amended (CEQA), and State and local guidelines adopted pursuant thereto, the zoning amendment is Categorically Exempt from further environmental review, pursuant to Section 15061(b)(3) of the Guidelines of the California Environmental Quality Act (CEQA) that refers to activities where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment (common-sense exemption), then the activity is not subject to CEQA.
2. The amendments to the Zoning ordinance are consistent with the General Plan.
 - a. Land Use Element Goal 1E: Ensure that the types of land uses developed in the City complement and do not adversely affect the quality of life and health of the City's residents, businesses, and visitors.
 - b. Land Use Element Goal 1H: Continue to enhance existing commercial districts which contribute revenue to the City and are compatible with adjacent residential neighborhoods.
 - c. Land Use Element Goal 1O: Ensure the compatibility among the various types and densities of land uses to be accommodated in the City.
 - d. Land Use Element Goal 1J: Provide for the continued use of the City's coastal-related recreational facilities as resources for the residents of Redondo Beach and surrounding communities; ensuring that these uses and activities are compatible with adjacent residential neighborhoods and commercial districts and maintain a high level of quality and safety.
 - e. Land Use Element Goal 1K: Provide for public uses which support the needs and functions of the residents and businesses of the City.

3. These amendments do not require a vote of the people under Article XXVII of the City Charter.

SECTION 2. RECITALS. The above recitals are true and correct, and the recitals are incorporated herein by reference as if set forth in full.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. AMENDMENT OF CODE. Redondo Beach Municipal Code Title 10, Chapter 2, Article 1, Section 10-2.402(a)(167.5) is hereby amended to insert a new definition for “Smoke shop and tobacco store” as follows:

“ 10-2.402(a)(167.5) “Smoke shop and tobacco store” shall mean any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco paraphernalia, excluding hookah and smokers' lounges as defined in California Labor Code § 6404.5; provided, however, that any grocery store, supermarket, convenience store or similar retail use that only sells conventional cigars, cigarettes, e-cigarettes, or tobacco as an ancillary sale shall not be defined as a “smoke shop and tobacco store” and shall not be subject to the restrictions in this chapter.”

SECTION 2. AMENDMENT OF CODE. Redondo Beach Municipal Code Title 10, Chapter 5, Article 1, Section 10-5.402(a) is hereby amended to insert a new definition for “Smoke shop and tobacco store” in the appropriate order of the existing definitions, which are listed alphabetically, as follows:

“ 10-5.402(a) “Smoke shop and tobacco store” shall mean any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco paraphernalia, excluding hookah and smokers' lounges as defined in California Labor Code § 6404.5; provided, however, that any grocery store, supermarket, convenience store or similar retail use that only sells conventional cigars, cigarettes, e-cigarettes, or tobacco as an ancillary sale shall not be defined as a “smoke shop and tobacco store” and shall not be subject to the restrictions in this chapter.”

SECTION 3. AMENDMENT OF CODE. Redondo Beach Municipal Code Title 10, Chapter 2, Article 4 is hereby amended to add a new Section 10-2.1641 as follows:

“10-2.1641 Smoke Shops and Tobacco Sales.

- (a) Purpose. The regulation of smoke shops and tobacco stores is necessary and in the interests of the public health, safety and general welfare as the expansion of smoke shops and tobacco stores in the city could result in undesirable impacts to the community. Among these impacts are increased potential for tobacco sales to minors along with greater opportunity for the sale of cannabis, illegal drugs and associated paraphernalia. These regulations address such negative impacts of smoke shops and tobacco stores while providing a reasonable number of locations and zones for such shops to locate within the city.

(b) Definitions. For the purpose of this section, unless the context clearly indicates otherwise, the words, terms, and phrases shall have the following meanings:

“Ancillary sale” includes grocery stores, supermarkets, convenience stores, vehicle service stations, and other similar retail uses in which tobacco product display and sales is secondary to the primary use of the business. To qualify as “ancillary sale” no more than two percent of the gross floor area, or fifty square feet of vertical display area, may be used for the sale and marketing of tobacco products. The Community Development Director may require reductions in display area, or approve minor exceptions, if necessary to ensure that the sale and display of tobacco products is ancillary. Businesses that include “ancillary sale” of tobacco products are not subject to the provisions of Section 10-2.1642, but must obtain and maintain at all times a valid Tobacco Retailer license pursuant to the requirements contained in Title 5, Chapter 9, Article 2 of the Redondo Beach Municipal Code.

“Characterizing flavor” means a taste or odor, distinguishable by an ordinary customer either prior to or during the consumption of a tobacco product, other than the taste or odor of tobacco, including but not limited to, tastes or odors relating to any fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, menthol, mint, wintergreen, herb, spice, or a cooling sensation distinguishable by an ordinary consumer during the consumption of a tobacco product.

“Constituent” means any ingredient, substance, chemical, or compound, other than tobacco, water or reconstituted tobacco sheet, that is added by the manufacturer to a tobacco product during the processing, manufacture, or packing of the tobacco product.

“E-cigarette” shall mean any electronic or battery-powered device, whether reusable or disposable, designed to deliver vaporized or aerosolized substances, including but not limited to nicotine, flavored solutions, or other chemical compounds, to the user through inhalation. This includes devices such as electronic cigarettes, vape pens, electronic cigars, cigarillos, pipes, hookahs, or any similar inhalation device, along with their components, parts, or accessories, like refillable tanks, pods, or cartridges, whether sold separately or not. E-cigarette also includes any solution, cartridge, or substance intended to be vaporized or aerosolized during use.

“Flavored tobacco product” shall mean any tobacco product that contains a constituent that imparts a characterizing flavor. “Flavored tobacco product” includes any tobacco product, other than looseleaf tobacco, a premium cigar, or a shisha tobacco product, that is not listed on the Unflavored Tobacco List established and maintained by the Attorney General pursuant to Health and Safety Code Section 104559.1.

“Nicotine” shall mean any form of the chemical nicotine, including any salt or complex, regardless of whether the chemical is naturally or synthetically derived, and includes nicotinic alkaloids and nicotine analogs.

“Smoke shop and tobacco store” shall mean any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco paraphernalia, excluding hookah and smokers' lounges as defined in California Labor Code § 6404.5; provided, however, that any grocery store, supermarket, convenience store, vehicle service station, or similar retail use that only sells conventional

cigars, cigarettes, e-cigarettes, or tobacco as an ancillary sale shall not be defined as a “smoke shop and tobacco store” and shall not be subject to the restrictions in this chapter.

“Tobacco” shall mean any preparation of the nicotine-rich leaves of the tobacco plant, which are cured by a process of drying and fermentation for use in smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body.

“Tobacco paraphernalia” shall mean any paraphernalia, equipment, device, or instrument that is primarily designed or manufactured for the smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body of tobacco, tobacco products, or other controlled substances as defined in California Health and Safety Code Section 11054 et seq. Items or devices classified as tobacco paraphernalia include but are not limited to the following: pipes, punctured metal bowls, bongs, water bongs, electric pipes, e-cigarettes, e-cigarette juice, buzz bombs, vaporizers, hookahs, and devices for holding burning material. Lighters and matches shall be excluded from the definition of tobacco paraphernalia.

“Tobacco product” shall mean (1) any product containing, made or derived from tobacco or nicotine, which is intended for human consumption of the tobacco or nicotine, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff; (2) an electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including an electronic cigarette, cigar, pipe, or hookah; (3) any component, part, or accessory of a tobacco product, whether or not sold separately. For the purposes of this chapter, the term “tobacco product” does not include: (i) a nicotine replacement product approved by the United States Food and Drug Administration, or (ii) cannabis or a cannabis product, as those terms are defined in Section 26001 of the Business and Professions Code. Cannabis or a cannabis product that includes an ingredient, substance, chemical, or compound that contains or is made or derived from tobacco or nicotine is a “tobacco product” under this section.

“Tobacco product flavor enhancer” shall mean a product designed, manufactured, produced, marketed, or sold to produce a characterizing flavor when added to a tobacco product.

(c) Zoning and land use standards.

1. Permitted Zones. For smoke shops and tobacco stores (hereinafter referred to as “smoke shops”) notwithstanding any other provision of this title to the contrary, smoke shops shall be a conditionally permitted use only in the following zones, subject to the regulations contained in this chapter:

- a. Smoke shops are only permitted in commercial zones, specifically limited to C-2, C-2A, C-2B, C-2PD, C-3, C-3A, C-3B, C-3PD, C-4, C-4A, C-4B, C-4PD, C-5A.
- b. Smoke shops are prohibited in any industrial, public-institutional zone or mixed-use zone, or zone where residential uses are permitted, or within any coastal commercial zones.

2. Conditional Use Permit. It shall be unlawful for any person to operate a smoke shop

within the above zones after the effective date of this Section without obtaining a Conditional Use Permit in accordance with Section 10-2.2506 of the Municipal Code. Conditional Use Permits shall be processed as first come first served, on the basis of the date the application is deemed complete. The Conditional Use Permit for a smoke shop is valid for a maximum of three (3) years from the date of approval of the permit, at which time the permit shall expire and be of no further force and effect unless renewed.

a. The Conditional Use Permit shall be processed in accordance with Section 10-2.2506 and shall include the following standard conditions:

1. No smoking shall be permitted on the premises at any time.
2. No sales may be solicited or conducted on the premises to minors.
3. No self-service tobacco, tobacco product, or tobacco paraphernalia displays shall be permitted.
4. No distribution of free or low-cost tobacco, tobacco products or tobacco paraphernalia, as well as coupons for said items, shall be permitted.
5. No advertising or signage indicating the availability of tobacco products shall be visible from the exterior nor from entry of the retail establishment to the maximum extent possible.
6. The sale of tobacco products and tobacco paraphernalia is subject to the conditions contained in in the Tobacco Retail Permits provisions contained in Title 5. Chapter 9, Article 2 of the Redondo Beach Municipal Code.

3. Locations. The permitted concentration and location of new smoke shops be as follows:

a. No smoke shop shall be established or located within 600 feet from any public or private high schools or youth centers, as defined in 10-2.1626, as measured from the nearest property lines of each of the affected parcels and shall not be located within 600 feet from another smoke shop.

4. Maximum allowed. A maximum of five (5) smoke shops are permitted city-wide, with the exception of legal nonconforming smoke shops established prior to the effective date of this Section for which the following applies:

a. Legal nonconforming smoke shops may continue to operate, at their existing location, in accordance with Section 10-2.2002 and must obtain a Conditional Use Permit within a period of five (5) years from the effective date of this Section or cease to operate.

b. A maximum of five (5) Conditional Use Permits may be issued on a first come first serve basis to existing legal nonconforming smoke shops and shall be counted against the maximum allowance of five (5) city-wide provided they comply with the requirements of this Section.

c. As legal nonconforming smoke shops abandon their use, either through change of use or expiration of operating permits, no new Conditional Use Permits shall be issued unless the City is below the maximum allowance of five (5) smoke shops city-wide.

(d) Additional requirements and standards.

1. Smoke shops are subject to Planning Commission Design Review pursuant to Section 10-2.2502.

2. Smoke shops must obtain and maintain at all times a valid Tobacco Retailer permit pursuant to the requirements contained in Title 5, Chapter 9, Article 2 of the Redondo Beach Municipal Code.
3. Smoke shops must obtain and maintain a valid business license at all times pursuant to the requirements contained in Redondo Beach Municipal Code Title 6, Chapter 1.
4. Smoke shops must remain in compliance with all local, State, and federal laws, regulations, and orders, as well as all conditions of approval imposed on the use.
5. No Smoke shop shall sell or distribute cannabis or cannabinoid products, drug paraphernalia not directly related to legal smoke and vapor products, nitrous oxide, flavored tobacco products, tobacco product flavor enhancers or other products prohibited by law.
6. Notice of Minimum Age for Purchase of Tobacco Products and Tobacco paraphernalia. Smoke shops shall post conspicuously, at each point of purchase, a notice stating that selling tobacco products and tobacco paraphernalia to anyone under 21 years of age is illegal and subject to penalties. Such notice shall be subject to the approval of the City.
7. Positive Identification Required. No Smoke shop shall sell or transfer a tobacco product or tobacco paraphernalia to another person who appears to be under 30 years of age without first examining the customer's identification to confirm that the customer is at least the minimum age under State law to purchase and possess the tobacco product and/or tobacco paraphernalia.
8. Flavored Tobacco Products/Tobacco product flavor enhancer. No smoke shop shall sell Flavored tobacco products or Tobacco product flavor enhancers. The prohibition in the preceding sentence shall not apply to a licensed hookah business that permits only patrons 21 years of age or older, to enter the location.

(e) Enforcement of smoke shops.

1. Inspections. All smoke shops shall be subject to routine unannounced inspections by City Officials to ensure compliance with this Section and any additional conditions of the Conditional Use Permit.
2. Criminal Penalties. Violations of provisions of this section are subject to Title 1, Chapter 2 of Redondo Beach Municipal Code and will be enforced accordingly.
3. Separate offense for each day. Any person who violates any provision of this section shall be guilty of a separate offense for each and every day during any portion of which any such person commits, continues, permits, or causes a violation thereof, and shall be penalized accordingly.
4. Use or activity prohibited by State law. Nothing in this section shall be deemed to permit or authorize any use or activity which is otherwise prohibited by State law.
5. Revocation. If verified that a smoke shop is in violation with either the provisions of this section, or the specific conditions of the Conditional Use Permit, that finding may be used as a basis for amending or revoking the Conditional Use Permit, pursuant to Section 10-2.2506(f) of the Redondo Beach Municipal Code and/or Business License pursuant to Section 6-1.26 and 6-1.27, or Tobacco Retail Permit pursuant to Section 5-9.201 et seq.”

SECTION 4. AMENDMENT OF CODE. Redondo Beach Municipal Code Title 10, Chapter 5, Article 4 is hereby amended to add a new Section 10-2.1639 as follows:

“10-2.1639 Smoke Shops and Tobacco Sales.

(a) Purpose. The regulation of smoke shops and tobacco stores is necessary and in the interests of the public health, safety and general welfare as the expansion of smoke shops

and tobacco stores in the city could result in undesirable impacts to the community. Among these impacts are increased potential for tobacco sales to minors along with greater opportunity for the sale of cannabis, illegal drugs and associated paraphernalia. These regulations address such negative impacts of smoke shops and tobacco stores while providing a reasonable number of locations and zones for such shops to locate within the city.

(b) Definitions. For the purpose of this section, unless the context clearly indicates otherwise, the words, terms, and phrases shall have the following meanings:

“Ancillary sale” includes grocery stores, supermarkets, convenience stores, vehicle service stations, and similar uses in which tobacco product display and sales is secondary to the primary use of the business. To qualify as “ancillary sale” no more than two percent of the gross floor area, or fifty square feet of vertical display area, may be used for the sale and marketing of tobacco products. The Community Development Director may require reductions in display area, or approve minor exceptions, if necessary to ensure that the sale and display of tobacco products is ancillary. Businesses that include “ancillary sale” of tobacco products are not subject to the provisions of Section 10-2.1642, but must obtain and maintain at all times a valid Tobacco Retailer permit pursuant to the requirements contained in Title 5, Chapter 9, Article 2 of the Redondo Beach Municipal Code.

“Characterizing flavor” means a taste or odor, distinguishable by an ordinary customer either prior to or during the consumption of a tobacco product, other than the taste or odor of tobacco, including but not limited to, tastes or odors relating to any fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, menthol, mint, wintergreen, herb, spice, or a cooling sensation distinguishable by an ordinary consumer during the consumption of a tobacco product.

“Constituent” means any ingredient, substance, chemical, or compound, other than tobacco, water or reconstituted tobacco sheet, that is added by the manufacturer to a tobacco product during the processing, manufacture, or packing of the tobacco product.

“E-cigarette” shall mean any electronic or battery-powered device, whether reusable or disposable, designed to deliver vaporized or aerosolized substances, including but not limited to nicotine, flavored solutions, flavored synthetic solutions, or other chemical compounds, to the user through inhalation. This includes devices such as electronic cigarettes, vape pens, electronic cigars, cigarillos, pipes, hookahs, or any similar inhalation device, along with their components, parts, or accessories, like refillable tanks, pods, or cartridges, whether sold separately or not. E-cigarette also includes any solution, cartridge, or substance intended to be vaporized or aerosolized during use.

“Flavored tobacco product” shall mean any tobacco product that contains a constituent that imparts a characterizing flavor. “Flavored tobacco product” includes any tobacco product, other than looseleaf tobacco, a premium cigar, or a shisha tobacco product, that is not listed on the Unflavored Tobacco List established and maintained by the Attorney General pursuant to Health and Safety Code Section 104559.1.

“Nicotine” shall mean any form of the chemical nicotine, including any salt or complex, regardless of whether the chemical is naturally or synthetically derived, and includes

nicotinic alkaloids and nicotine analogs.

“Smoke shop and tobacco store” shall mean any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco paraphernalia, excluding hookah and smokers' lounges as defined in California Labor Code § 6404.5; provided, however, that any grocery store, supermarket, convenience store, vehicle service station, or similar retail use that only sells conventional cigars, cigarettes, e-cigarettes, or tobacco as an ancillary sale shall not be defined as a “smoke shop and tobacco store” and shall not be subject to the restrictions in this chapter.

“Tobacco” shall mean any preparation of the nicotine-rich leaves of the tobacco plant, which are cured by a process of drying and fermentation for use in smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body.

“Tobacco paraphernalia” shall mean any paraphernalia, equipment, device, or instrument that is primarily designed or manufactured for the smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body of tobacco, tobacco products, or other controlled substances as defined in California Health and Safety Code Section 11054 et seq. Items or devices classified as tobacco paraphernalia include but are not limited to the following: pipes, punctured metal bowls, bong, water bong, electric pipes, e-cigarettes, e-cigarette juice, buzz bombs, vaporizers, hookahs, and devices for holding burning material. Lighters and matches shall be excluded from the definition of tobacco paraphernalia.

“Tobacco product” shall mean (1) any product containing, made or derived from tobacco or nicotine, which is intended for human consumption of the tobacco or nicotine, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff; (2) an electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including an electronic cigarette, cigar, pipe, or hookah; (3) any component, part, or accessory of a tobacco product, whether or not sold separately. For the purposes of this chapter, the term “tobacco product” does not include: (i) a nicotine replacement product approved by the United States Food and Drug Administration, or (ii) cannabis or a cannabis product, as those terms are defined in Section 26001 of the Business and Professions Code. Cannabis or a cannabis product that includes an ingredient, substance, chemical, or compound that contains or is made or derived from tobacco or nicotine is a “tobacco product” under this section.

“Tobacco product flavor enhancer” shall mean a product designed, manufactured, produced, marketed, or sold to produce a characterizing flavor when added to a tobacco product.

(c) Zoning and land use standards.

1. Permitted Zones. For smoke shops and tobacco stores (hereinafter referred to as “smoke shops”) notwithstanding any other provision of this title to the contrary, smoke shops shall be a conditionally permitted use only in the following zones, subject to the regulations contained in this chapter:

- a. Smoke shops are only permitted in commercial zones, specifically limited to C-2, C-2A, C-2B, C-2PD, C-3, C-3A, C-3B, C-3PD, C-4, C-4A, C-4B, C-4PD, C-5A.
- b. Smoke shops are prohibited in any industrial, public-institutional zone or mixed-use zone, or zone where residential uses are permitted, or within any coastal commercial zones.

2. Conditional Use Permit. It shall be unlawful for any person to operate a smoke shop within the above zones after the effective date of the Section without obtaining a Conditional Use Permit in accordance with Section 10-5.2506 of the Municipal Code. Conditional Use Permits shall be processed as first come first served, on the basis of the date the application is deemed complete. The Conditional Use Permit for a smoke shop is valid for a maximum of three (3) years from the date of approval of the permit, at which time the permit shall expire and be of no further force and effect unless renewed.

a. The Conditional Use Permit shall be processed in accordance with Section 10-5.2506 and shall include the following standard conditions:

1. No smoking shall be permitted on the premises at any time.
2. No sales may be solicited or conducted on the premises to minors.
3. No self-service tobacco, tobacco product, or tobacco paraphernalia displays shall be permitted.
4. No distribution of free or low-cost tobacco, tobacco products or tobacco paraphernalia, as well as coupons for said items, shall be permitted.
5. No advertising or signage indicating the availability of tobacco products shall be visible from the exterior nor from entry of the retail establishment to the maximum extent possible.
6. The sale of tobacco products and tobacco paraphernalia are subject to the conditions contained in the Tobacco Retail Permits provisions contained in Title 5, Chapter 9, Article 2 of the Redondo Beach Municipal Code.

3. Locations. The permitted concentration and location of new smoke shops be as follows:

a. No smoke shop shall be established or located within 600 feet from any public or private high schools or youth centers, as defined in 10-2.1626, as measured from the nearest property lines of each of the affected parcels and shall not be located within 600 feet from another smoke shop.

4. Maximum allowed. A maximum of five (5) smoke shops are permitted city-wide, with the exception of legal nonconforming smoke shops established prior to the effective date of this Section for which the following applies:

- a. Legal nonconforming smoke shops may continue to operate, at their existing location, in accordance with Section 10-2.2002 and must obtain a Conditional Use Permit within a period of five (5) years from the effective date of this Section or cease to operate.
- b. A maximum of five (5) Conditional Use Permits may be issued on a first come first serve basis to existing legal nonconforming smoke shops and shall be counted against the maximum allowance of five (5) city-wide provided they comply with the requirements of this Section.
- c. As legal nonconforming smoke shops abandon their use, either through change of use or expiration of operating permits, no new Conditional Use Permits shall be issued unless the City is below the maximum allowance of five (5) smoke shops city-wide.

(d) Additional requirements and standards.

1. Smoke shops are subject to Planning Commission Design Review pursuant to Section 10-2.2502.
2. Smoke shops must obtain and maintain at all times a valid Tobacco Retailer permit pursuant to the requirements contained in Redondo Beach Municipal Code Title 5, Chapter 9, Article 2.
3. Smoke shops must obtain and maintain a valid business license at all times pursuant to the requirements contained in Redondo Beach Municipal Code Title 6, Chapter 1.
4. Smoke shops must remain in compliance with all local, State, and federal laws, regulations, and orders, as well as all conditions of approval imposed on the use.
5. No Smoke shop shall sell or distribute cannabis or cannabinoid products, drug paraphernalia not directly related to legal smoke and vapor products, nitrous oxide, flavored tobacco products, tobacco product flavor enhancers or other products prohibited by law.
6. Notice of Minimum Age for Purchase of Tobacco Products and Tobacco paraphernalia. Smoke shops shall post conspicuously, at each point of purchase, a notice stating that selling tobacco products and tobacco paraphernalia to anyone under 21 years of age is illegal and subject to penalties. Such notice shall be subject to the approval of the City.
7. Positive Identification Required. No Smoke shop shall sell or transfer a tobacco product or tobacco paraphernalia to another person who appears to be under 30 years of age without first examining the customer's identification to confirm that the customer is at least the minimum age under State law to purchase and possess the tobacco product and/or tobacco paraphernalia.
8. Flavored Tobacco Products/Tobacco Product Flavor Enhancer. No smoke shop shall sell Flavored tobacco products or Tobacco Product Flavor Enhancers. The prohibition in the preceding sentence shall not apply to a licensed hookah business that permits only patrons 21 years of age or older, to enter the location.

(e) Enforcement of smoke shops.

1. Inspections. All smoke shops shall be subject to routine unannounced inspections by City Officials to ensure compliance with this Section and any additional conditions of the Conditional Use Permit. City Officials may inspect all areas of Smoke shops including, but not limited to, display areas, storage areas, office areas, and stock rooms.
2. Criminal Penalties. Violations of provisions of this section are subject to Title 1, Chapter 2 of Redondo Beach Municipal Code and will be enforced accordingly.
3. Separate offense for each day. Any person who violates any provision of this section shall be guilty of a separate offense for each and every day during any portion of which any such person commits, continues, permits, or causes a violation thereof, and shall be penalized accordingly.
4. Use or activity prohibited by State law. Nothing in this section shall be deemed to permit or authorize any use or activity which is otherwise prohibited by State law.
5. Revocation. If verified that a smoke shop is in violation with either the provisions of this section, or the specific conditions of the Conditional Use Permit, that finding may be used as a basis for amending or revoking the Conditional Use Permit, pursuant to Section 10-2.2506(f) of the Redondo Beach Municipal Code and/or Business License pursuant to Section 6-1.26 and 6-1.27, or Tobacco Retail Permit pursuant to Section 5-9.201 et seq."

SECTION 5. AMENDMENT OF CODE. Redondo Beach Municipal Code Title 10, Chapter 2, Article 4 Section 10-2.1626(b), is hereby amended to read as follows:

“10-2.1626(b) “Youth center” means any public or private facility that is primarily used. for recreational, social, educational, cultural, or wellness activities for persons under eighteen (18) years of age. “Youth Center” shall also include facilities that provide such services to both minors and young adults up to twenty-five (25) years of age, such as Allcove centers or similar programs. Examples of youth centers include, but are not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.”

SECTION 6. AMENDMENT OF CODE. Redondo Beach Municipal Code Title 10, Chapter 5, Article 4 Section 10-5.1626(b), is hereby amended to read as follows:

“10-5.1626(b) “Youth center” means any public or private facility that is primarily used. for recreational, social, educational, cultural, or wellness activities for persons under eighteen (18) years of age. “Youth Center” shall also include facilities that provide such services to both minors and young adults up to twenty-five (25) years of age, such as Allcove centers or similar programs. Examples of youth centers include, but are not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.”

SECTION 7. AMENDMENT OF CODE. Redondo Beach Municipal Code Title 1, Chapter 2, Section 1-2.03, is hereby amended to add Sections 10-2.1641 and 10-5.1639 as infractions.

SECTION 8. AMENDMENT OF CODE. Redondo Beach Municipal Code Title 5, Chapter 9, Article 2, Section 5-9.204(a)(4), is hereby amended to read as follows:

“5-9.204(a)(4) The application seeks authorization for tobacco retailing that is otherwise prohibited pursuant to this chapter, that is unlawful pursuant to this Code (including but not limited to, the Redondo Beach Zoning Ordinance, Sections 10-2.1641 and 10-5.1639, and business license regulations), or that is unlawful pursuant to any other law.”

SECTION 9. INCONSISTENT PROVISIONS. Any provisions of the Redondo Beach Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed.

SECTION 10. SEVERANCE. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council shall declare that it would have passed this ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 9. This ordinance shall be published by one insertion in the official newspaper of said city, or published in conformance with the alternative publication requirements pursuant to Redondo Beach City Charter §9.15 and same shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

PASSED, APPROVED AND ADOPTED this 2nd day of December, 2025.

James A. Light, Mayor

APPROVED AS TO FORM:

ATTEST:

Joy A. Ford, City Attorney

Eleanor Manzano, CMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF REDONDO BEACH)

I, Eleanor Manzano, City Clerk of the City of Redondo Beach, California, do hereby certify that the foregoing Ordinance No. 3310-25 was duly introduced at a regular meeting of the City Council held on the 18th day of November, 2025, and was duly approved and adopted by the City Council at a regular meeting of said City Council held on the 2nd day of December, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Eleanor Manzano, CMC
City Clerk