



Administrative Report

L.2., File # 25-1598

Meeting Date: 11/18/2025

To: MAYOR AND CITY COUNCIL

From: MARC WIENER, COMMUNITY DEVELOPMENT DIRECTOR

TITLE

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

EXECUTIVE SUMMARY

On April 15, 2025, the City Council reviewed and provided policy direction on a draft Smoke Shop Ordinance. On July 17, 2025, the Planning Commission reviewed the draft and adopted a Resolution recommending that the City Council approve a Smoke Shop Ordinance with modifications. The revised draft Ordinance was presented to City Council on August 19, 2025 along with the Planning Commission's recommendations. The City Council requested additional modifications, which were incorporated into an updated draft that was presented at the October 21, 2025 City Council meeting.

The Council provided further revisions and asked staff to return with a final version of the Smoke Shop Ordinance for consideration of introduction and first reading on November 18, 2025.

BACKGROUND

The proposed Ordinance would create a definition for smoke shops and tobacco retailers in the Redondo Beach Municipal Code (RBMC) and provide regulations for these types of businesses. All new smoke shops would be required to obtain a Conditional Use Permit (CUP), which would provide the City with more discretion and authority over business permitting and operations. A maximum of five smoke shops would be permitted City-wide, with the exception of legal nonconforming smoke shops, which may continue to operate for a maximum of five years from the adoption of the Ordinance, even if the cap is exceeded.

To support enforcement efforts, RBMC Title 1, Chapter 2, Section 1-2.03 would also be amended to make violations of the Smoke Shop Ordinance an infraction, which would allow the City to more readily fine stores found to be in violation.

Below is a summary of the outstanding items requested by the City Council at the October 21, 2025 meeting (the most recent discussion) for follow up, with a response on how they have been addressed in the proposed Ordinance. All other Council directed Ordinance modifications have been incorporated in the attached draft.

- *Evaluate whether the City can prohibit minors from entering smoke shops and tobacco retail businesses.*

Response: State Law prohibits the sale of tobacco to minors, but does not specifically prohibit minors from entering stores that sell tobacco. The Smoke Shop Ordinance could include a requirement prohibiting minors from store entry, however, the City Council first considered this at the August 19, 2025 meeting, and expressed some concern with the City's ability to monitor and enforce this requirement along with the practicality of the store operator being able to comply. The operator would be required to check the identification of patrons upon store entry and could potentially be penalized, which may include revocation of the license or CUP, if there are violations. The draft prepared for first reading does not include a prohibition on minors entering the store, however, if the City Council decides that it should be included, the Ordinance (Hearing) could be continued to a future date to allow for incorporation.

- *Evaluate whether the City should prohibit the sale of non-tobacco products.*

Response: The City Council discussed whether smoke shops and tobacco retailers should be prohibited from selling non-tobacco items such as snack food and beverages, but did not provide any specific direction on whether it should be included in the Smoke Shop Ordinance. Staff has some concern with the City's ability to continuously monitor and enforce this, and that it may take resources and focus away from the enforcement of other more serious code violations. For these reasons, the draft Smoke Shop Ordinance does not include a prohibition on the sale of non-tobacco products, however, if the City Council decides that it should be included, the Ordinance (Hearing) could be continued to a future date to allow for incorporation.

- *Ensure that the sale of synthetic flavored tobacco products is adequately addressed.*

Response: The definitions section has been modified to clarify the prohibition of flavored tobacco products. The following provision in the Smoke Shop Ordinance prohibits the sale of flavored tobacco products in addition to other illegal substances: *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.*

If the Ordinance is approved for first reading and introduction it will be presented (along with a corresponding Resolution for associated Local Coastal Program amendments) to City Council for consideration of adoption on December 2, 2025 and would become effective (in inland areas) on January 1, 2026.

ENVIRONMENTAL STATUS

Staff has determined that the proposed Zoning Ordinance amendments are Categorically Exempt from further environmental review, pursuant to Section 15060(c)(2), as the project is not expected to result in a reasonably

foreseeable change in the environment, and Section 15061(b)(3) 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), as per the Guidelines of the California Environmental Quality Act (CEQA).

COORDINATION

The Community Development Department coordinated the preparation of the proposed Ordinance with the City Attorney's Office.

FISCAL IMPACT

Funding for the preparation of this report and the Ordinances is available in the FY 2025-26 Operating Budgets for the participating Departments.

APPROVED BY:

Mike Witzansky, City Manager

ATTACHMENTS

- Ord - No. 3310-25 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