DISCUSSION AND POSSIBLE ACTION REGARDING MODIFICATIONS TO THE REDONDO BEACH MUNICIPAL CODE PERTAINING TO THE PERMITTING AND OPERATION OF COMMERCIAL SMOKE SHOPS

City Council – April 15, 2025



Background

- 15 smoke shops in Redondo Beach
- Document compliance issues locally and statewide
- City Council discussion in January 2025
- Directed staff to return with a draft ordinance that would more effectively regulate
- Recommending that City Council review and provide policy direction





Draft Ordinance

- Creates a definition of Smoke Shop/Tobacco Retailer and other related definitions
- Requires a CUP for any existing or new smoke shops
- Limit to 2 per CC District, maximum 10 citywide
- 1,000 feet between businesses, 600 feet from schools
- Express prohibition on sale of illegal products





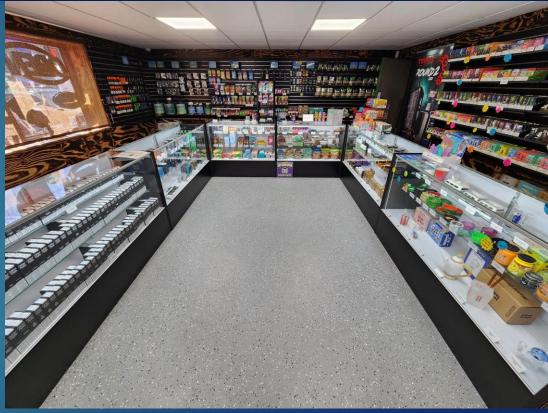
Smoke Shop Amortization

- Allows existing legal nonconforming smoke shops to continue operating
- No CUPs may be issued for smoke shop at a new location until the City is below the cap (no new smoke shops may open)
- Existing legal nonconforming smoke shops must obtain a CUP within 5 years from the effective date of ordinance
- Upon change of business ownership a new tobacco retail permit shall not be issued unless below the cap



Smoke Shop Enforcement

- Subject to unannounced inspections
- Subject to criminal penalties in Title 1, Chapter 2
- May be guilty of offense each day for continued violation
- Revocation of CUP and/or business license





Blue Folder Modifications

 c(3)(b). A maximum of 10 smokes shops are permitted city-wide and no Conditional Use Permits shall be processed <u>unless the City below this numerical cap</u>, for a <u>smoke shop with the exception of legal nonconforming</u> <u>smoke shops operating at locations prior to the effective</u> <u>date of this ordinance and seeking to come into</u> <u>compliance.</u> <u>unless the City below this numerical cap</u>.



Blue Folder Modifications

 (f) Smoke shops and tobacco stores that are legally existing on the effective date of the ordinance may continue to operate as legal nonconforming uses in accordance with Section 10-2.2002 and shall be required to obtain a Conditional Use Permit within a period of five (5) years from the effective date of this ordinance. A maximum of 10 Conditional Use Permits shall be granted in accordance with the location and concentration provisions.



Blue Folder Modifications

 C(3)(d) <u>No retailer shall be established or located within</u> <u>150 feet of Dale Page Park, measured from the nearest</u> <u>property lines of each of the affected parcels.</u>



Urgency Ordinance

- Urgency Ordinance placing a moratorium on new smoke shops
- Pursuant to Government Code Section 65858, the City may adopt an Urgency Ordinance when deemed necessary to protect public health, safety and welfare.
- Requires a four-fifths vote of the City Council and would go into effect immediately



Recommended Action

- 1. PROVIDE POLICY DIRECTION ON DRAFT ORDINANCE; AND
- 2. DIRECT STAFF TO PREPARE AN URGENCY ORDINANCE ESTABLISHING A MORATORIUM ON THE APPROVAL OF NEW COMMERCIAL SMOKE SHOPS IN THE CITY AND TO SCHEDULE A PUBLIC HEARING FOR MAY 6, 2025 TO CONSIDER ADOPTION OF THE URGENCY ORDINANCE