

## **EXTENSION OF URGENCY ORDINANCE NO. 3294-25**

### **A 10 MONTH AND 15 DAY EXTENSION OF URGENCY INTERIM ORDINANCE NO. 3294-25 OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, IMPOSING A MORATORIUM ON DEVELOPMENT OF SMOKE SHOPS IN THE CITY AND DECLARING THE URGENCY THEREOF AND FINDING THE EXTENSION IS CATEGORICALLY EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

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, the City Council reviewed the draft ordinance and made recommendations, and also directed staff to return with a urgency interim ordinance that would place a moratorium on new smoke shops while the permanent ordinance is being researched, drafted, prepared and adopted; and

WHEREAS, Government Code § 65858 provides that a city council may adopt by a four-fifths vote as an urgency measure an interim ordinance prohibiting any uses that may be in conflict with a general plan or zoning measures that the city is considering or studying or intends to study within a reasonable time; and

WHEREAS, on May 6, 2025, the City's Community Development staff fully evaluated the potential environmental effects of adoption of an interim ordinance temporarily barring entitlements for new developments of smoke shops on any property located within the City of Redondo Beach within the meaning of and pursuant to the California Environmental Quality Act, and the City Council, concurrently with consideration of Urgency Interim Ordinance No. 3294-25, confirmed the action was consistent with classes of projects that do not have a significant effect on the environment and thereby approved a Statutory Exemption and Categorical Exemptions certifying that Urgency Interim Ordinance No. 3294-25 was exempt from the requirement for the preparation of further environmental documents; and

WHEREAS, on May 6, 2025, the City Council unanimously adopted Urgency Interim Ordinance No. 3294-25 imposing a 45-day moratorium on the approval of any Business License, Planning Commission Design Review or approval of a development for a smoke shop on any property located within the City of Redondo Beach; and

WHEREAS, the City Council finds and declares that the adoption of this extension to Urgency Interim Ordinance No. 3294-25 is required while the permanent ordinance is being researched, drafted, and prepared and is necessary for the immediate protection of the public peace, health and safety and its urgency is hereby declared for the following reasons: the City of Redondo Beach would suffer potentially irreversible impacts during the period before an ordinance becomes effective; and

WHEREAS, potential development of smoke shops poses an immediate threat to the public health, safety, and welfare, for the stated reasons in the above recitals; and

WHEREAS, in order to protect the public health, safety and welfare, it is now necessary for the City to undertake action to review and revise applicable provisions of the City's Municipal Code and certified Local Coastal Program in order to provide for the reexamination within a reasonable time, of the development of smoke shops; and

WHEREAS, in order to protect the public health, safety and welfare, sufficient time is necessary to further develop the permanent ordinance, which includes incorporating the City Council's recommendations and scheduling for Planning Commission review; and

WHEREAS, notice and time and place of a public hearing, to be conduct on June 10, 2025, was given pursuant to Government Code sections 65090 and 65858 and by publication in the Easy Reader on May 29, 2025, and by posting and making available the written report referenced herein, which notified the public the City would be considering an extension of adopted Urgency Interim Ordinance No. 3294-25 imposing a moratorium on the development of smoke shops, issuing a written report describing measures taken to alleviate the condition which led to the adoption of the moratorium ordinance and considering the adoption of findings under the California Environmental Quality Act and findings pursuant to Government Code section 65858(c); and

WHEREAS, the City Council further relies upon, maintains and cites the adoption on May 6, 2025, of an exemption declaration pursuant to the California Environmental Quality Act. The City finds that the Statutory Exemption and Categorical Exemptions relied upon for the initial adoption of Urgency Interim Ordinance No. 3294-25 are also applicable to the action of extending the same Urgency Interim Ordinance temporarily barring the approval of any Business License, Planning Commission Design Review or approval of a development for a smoke shop on any property located within the City of Redondo Beach for an additional 10 months and 15 days.

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

SECTION 1. The City finds that the above recitals are true and correct and are incorporated herein by reference as set forth in full.

SECTION 2. The City has fully evaluated the potential environmental effects of adoption of the extension to Urgency Interim Ordinance No. 3294-25 temporarily barring entitlements for new development of smoke shops on any property located

within the City of Redondo Beach within the meaning of and pursuant to the California Environmental Quality Act, and the City Council has, concurrently with consideration of this Extension Urgency Ordinance, confirmed this action is consistent with classes of projects that do not have a significant effect on the environment and thereby approved a Statutory Exemption and Categorical Exemptions certifying that the Extension of Urgency Interim Ordinance No.3294-25 is exempt from the requirement for the preparation of further environmental documents.

SECTION 3. The City finds that a written report was issued by the City on June 9, 2025, ten days prior to the expiration of the Urgency Interim Ordinance No. 3294-25 describing measures taken to alleviate the condition which led to the adoption of Urgency Interim Ordinance No. 3294-25.

SECTION 4. The City finds the extension of Urgency Interim Ordinance No. 3294-25 is necessary for the immediate protection of the public peace, health and safety and its urgency is hereby declared for the following reasons: the City of Redondo Beach would suffer potentially irreversible impacts during the period before an ordinance becomes effective.

SECTION 5. The City finds the extension of Urgency Interim Ordinance No. 3294-25 is necessary because the potential development of smoke shops poses an immediate threat to the public health, safety, and welfare, for the reasons stated in the above recitals which have been incorporated herein.

SECTION 6. The City finds the extension of Urgency Interim Ordinance No. 3294-25 is necessary because in order to protect the public health, safety and welfare, it is now necessary for the City to undertake action to review and revise applicable provisions of the City's Municipal Code and certified Local Coastal Program in order to provide for the reexamination within a reasonable time, of the development of smoke shops.

SECTION 7. The City finds the extension of Urgency Interim Ordinance No. 3294-25 is necessary because sufficient time is necessary to further develop the permanent ordinance, which includes incorporating the City Council's recommendations and scheduling for Planning Commission review.

SECTION 8. There is hereby imposed a 10 month and 15-day extension of the moratorium (Urgency Interim Ordinance No. 3294-25) on the approval of any Business License, Planning Commission Design Review or approval of a development for a smoke shop on any property located within the City of Redondo Beach.

SECTION 9. It is the intent of the City Council that any proposal for the development of a smoke shop during the period of the moratorium shall be considered inconsistent with this Ordinance and with the City's land use policies

and zoning regulations for all purposes, and by all agencies charged with reviewing any application for such use.

SECTION 10. This Ordinance shall be of no further force and effect 10 months and 15 days from the expiration date of the original moratorium (Urgency Interim Ordinance No. 3294-25) unless timely extended by further action of the City Council.

SECTION 11. 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 hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that anyone or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 12. The City Clerk shall certify to the passage and adoption of this Ordinance, and shall make a minute of the passage and adoption thereof in the records and proceedings of the City Council at which the same is passed and adopted. This Ordinance shall be published by one insertion in the Easy Reader, the official newspaper of said City, and the same shall go into effect and be in full force and operation immediately.

PASSED, APPROVED, AND ADOPTED this 10<sup>th</sup> day of June, 2025.

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James A. Light, Mayor

ATTEST:

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 10 Month and 15 Day Extension of Urgency Interim Ordinance No. 3294-25, Urgency Ordinance No. 3294-25 was duly introduced, approved and adopted at a regular meeting of the City Council held on the 10th day of June, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Eleanor Manzano, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Joy A. Ford, City Attorney