

URGENCY ORDINANCE NO. 3294-25

**AN URGENCY INTERIM ORDINANCE 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**

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

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 an Urgency Interim Ordinance that would place a moratorium on new smoke shops while the permanent ordinance is being prepared and adopted; and

WHEREAS, 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, the City Council finds and declares that the adoption of this Urgency Interim Ordinance is required while the permanent ordinance is being 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 above stated reasons; 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 development of smoke shops; 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, City's Community Development staff have fully evaluated the potential environmental effects of adoption of the Interim Ordinance temporarily barring entitlements for new development of a smoke shop 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 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 Interim Ordinance is exempt from the requirement for the preparation of further environmental documents.

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

SECTION 1. There is hereby imposed a 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.

Section 2. It is the intent of the City Council that any proposal for 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 3. This Ordinance shall be of no further force and effect 45 days from its date of adoption unless timely extended by further action of the City Council.

SECTION 4. 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 5. 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 6th day of May, 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 Urgency Interim Ordinance No. 3294-25 was duly introduced, approved and adopted at a regular meeting of the City Council held on the 6th day of May, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Eleanor Manzano, CMC
City Clerk