

DISCUSSION AND POSSIBLE ACTION
REGARDING UPDATES TO THE REDONDO
BEACH MUNICIPAL CODE TO REGULAGE
SMOKE SHOPS AND REVIEW OF THE
EXISTING TOBACCO RETAIL PERMIT
REQUIREMENTS

City Council

PRESENTATION OUTLINE

1. Background
2. Initial Council Direction
3. Draft Ordinance – Permitting and Operations
4. Draft Ordinance – Concentration and Location
5. Draft Ordinance – Enforcement Provisions
6. Planning Commission Recommendations
7. Concentration and Location
8. Tobacco Retail Permit/License
9. Enforcement History

Background

- Tobacco is highly harmful to health poses a unique risk to youth
- Track record of compliance issues
- Increase in number of smoke shops (16)
- April 15 CC Meeting
 - Reviewed draft Ordinance and provided input
 - Directed preparation of an Urgency ordinance
 - Moratorium on smoke shops through June 2026

Initial Council Direction

1. Included a process to allow a max of 5, city-wide, with the exception of the legal nonconforming businesses, in which 10 would initially be allowed and reduce to 5 over time through attrition.
2. Do not set the cap based on City Council District.
3. Include a three-year expiration for conditional use permits.
4. Include a requirement for design review and updated signage standards.
5. Ensure that e-cigarettes are addressed in the Ordinance.

Draft Ordinance Permitting and Operation Provisions

- Creates a definition of Smoke Shop/Tobacco Retailer
- Requires a CUP for any existing or new smoke shop
- Requires existing smoke shops to obtain a CUP within 5 years
- Establishes initial cap of 10 smoke shops that will be phased down to 5 over time as uses are abandoned
- Includes new operational standards



Draft Ordinance

Concentration and Location Standards

- No smoke shop shall be established or located within 600 feet from public or private schools, day cares, and youth centers
- Smoke shops shall not be located within 1000 feet, measured property line to property line, from another smoke shop.
- No retailer shall be established or located within 150 feet of Dale Page Park, measured from the nearest property lines of each of the affected parcels.

Draft Ordinance Enforcement Provisions

1. Inspections
2. Criminal Penalties
3. Separate Offenses for Each Day
4. Uses or Activity Prohibited by State Law
5. Revocation of Business License and/or CUP



Planning Commission Recommendations

PC Review – July 17th

- Limit the hours, through the CUP, from 10:00 a.m. to 9:00 p.m.
- 150 ft. from all parks and residential
- Flexibility in display for convenience and grocery stores
- Exclude smoker/cigar lounges from regulations
- Enhance enforcement through fines and requirement to post bond

Concentration and Location

Use Type	Percentage Nonconforming
600 ft. Middle/High School:	56%
600 ft. Elementary School	56%
600 ft. Youth Center	44%
600 ft. Daycare	56%
150 ft. Residential	100%
150 ft. Park	25%
1000 ft. Other smoke shops	81%

Tobacco Retail Permit/License

- Chapter 5 – Article 2 (Sanitation and Health)
- Local ordinance that regulates the sale of tobacco in the City
- Includes requirement for a Tobacco Retail Permit
- In addition to business license and CUP
- Proof of State licensing
- Enforcement Process
- Renewed annually



Enforcement History 2025

PD in coordination with the California Department of Tax and Fee Administration (CDTFA) conducted multiple inspections of smoke shops to address the sale of prohibited products

March

- Inspections of business on 190th Street and Artesia Boulevard resulted in the seizure of flavored tobacco, nicotine products, and illegal cannabis items
- Cases are currently under review by CDTFA

April

- Code Enforcement Division inspected 15 smoke shops Citywide
- Correction notices issued to 7 businesses for selling prohibited products and one business was unlicensed

July

3 businesses inspected and 1 found in violation

RECOMMENDATION

Provide direction to staff on the standards to be included in the final Smoke Shop Ordinance and prepare for introduction and first reading.

Permitting

- 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 ordinance.
- b) A maximum of ten (10) 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 article.
- 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 at or below the maximum of allowance of five (5) smoke shops city-wide. Business permits may be transferred or issued to another owner, at the same location whether wholly or as a co-owner, for the period remaining on the then existing business permit. For example, if the current owner has three months left on his business license and transfers it to a new owner, the new owner shall only have three months left on the business license. Business licenses must be renewed each year. Notwithstanding the above, in no event shall a business license issued for a legal nonconforming business location be valid for longer than five (5) years from the effective date of this ordinance. If a business license's annual term extends beyond the five (5) year period, the business license term shall be coterminous with the five (5) year period and terminate accordingly.

CUP 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 by 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. Smoke shops may be open for access to the public between the hours of 8:00 a.m. and 9:00 p.m., Monday through Sunday, unless modified by the Planning Commission.

Standard Operational Requirements

1. Smoke shops must obtain a Conditional Use Permit pursuant to Section 10-2.2506 and are subject to Planning Commission Design Review pursuant to Section 10-2.2502.
2. A smoke shop must obtain and maintain at all times a valid Tobacco Retailer license as required pursuant to Redondo Beach Municipal Code Title 5, Chapter 9, Article 2.
3. It is unlawful for a smoke shop to knowingly allow or permit minor, not accompanied by his or her parent or legal guardian, to enter or remain within any smoke shop.
4. Smoke shops shall post clear signage stating that minors may not enter the premises unless accompanied by a parent or legal guardian. At least one such sign shall be placed in a conspicuous location near each public entrance to the smoke shop and tobacco store. It shall be unlawful for a smoke shop to fail to display and maintain, or fail to cause to be displayed or maintained, such signage.
5. The Smoke Shop 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. This includes compliance with annual City business license fees. In the event of non-compliance, the smoke shop operator shall be given written notice by the City and opportunity to cure the violation. Failure to cure the violation can result in the revocation of the business license, tobacco retailer license and conditional use permit if applicable.
6. 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, or other products prohibited by law.