

# WORKSHOP – SMOKE SHOPS AND TOBACCO RETAIL

Community & Economic Development Department

Land Use Committee

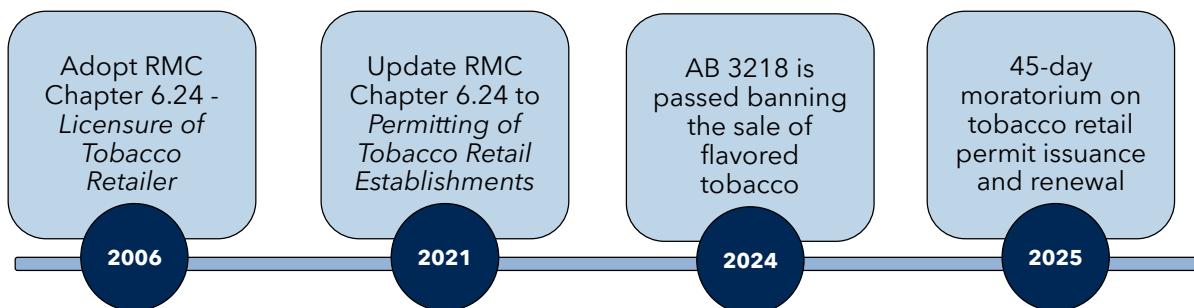
December 8, 2025

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## BACKGROUND



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## BACKGROUND

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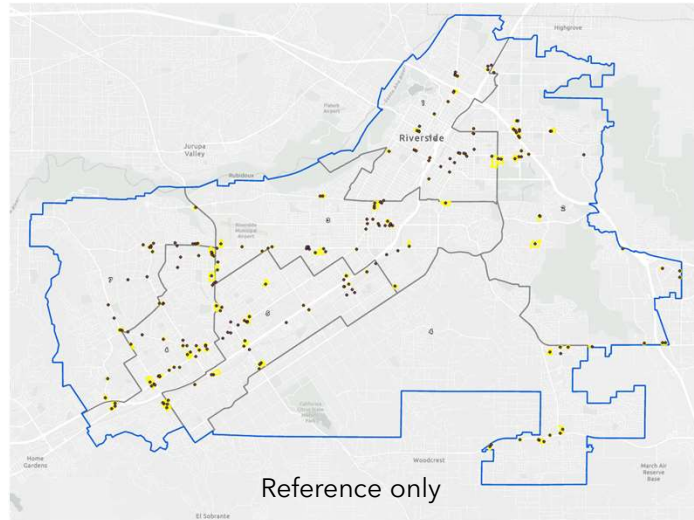
Known locations with active tobacco retail use

20

Locations operating without a valid Tobacco Retail Establishment Permit

13

Of the 20 businesses are smoke shops



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## RMC CHAPTER 6.24

### Tobacco Retail Establishment Permit

- Required for all tobacco retailers
- Nontransferable
- Renewed every 2 years
- Must obey all applicable local, state, and federal laws
- No sales between the hours of 2:00am and 6:00am
- Permits may be revoked if violation is determined
- Operators without necessary permits are subject to closure of the facility



Image source: pa-tobaccomerchantid.org

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## RMC TITLE 19 – ZONING CODE

Tobacco retail considered “retail sales”

- Retail sales permitted all commercial and mixed-use zones
- No operating standards, site standards, or land use permits specific to tobacco retail



RMC Smoke Shop Definition:

*A business with sales of tobacco, either loose or prepared as cigarettes and products for the smoking of tobacco constituting more than 30 percent of gross sales and/or 30 percent of net lease area*

RMC Retail Sales Definition:

*A commercial enterprise that provides goods and/or services directly to the consumer. Where such goods are normally available for immediate purchase and removal from the premises by the purchaser*



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## PEER CITY COMPARISON

Approach 1:  
Tobacco Sales  
= Retail Sales

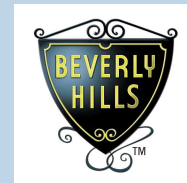


Approach 2:  
Distance  
Requirements

Approach 3:  
Discretionary Review



Approach 4:  
Prohibited,  
phases out  
tobacco licenses  
citywide



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## APPROACH 1 – STATUS QUO

## **Treat Smoke Shops as Retail Sales**

- 2 cities do not define or regulate smoke shops in Zoning Code.
- Riverside defines smoke shops but regulates as retail sales.
- Tobacco retail primarily regulated through State, Federal law and municipal code
- No standards regulating where smoke shops may be located in permitted zones

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## APPROACH 2 – DISTANCE REQUIREMENTS

- Pasadena: 1000-foot distance from arcades, internet cafes, libraries, daycare, parks, schools and theaters.
- Moreno Valley:
  - 600 feet from another smoke shop, adult business, emergency shelter, rehab center, civic institution, or sober living facility
  - 400 feet from higher education institutions
  - 200 feet from churches, indoor/outdoor recreation facilities



**Pros:** Can be tailored to protect specific uses, aligns with Blue Zones Strategy 2.1.

**Cons:** Must establish procedures for existing compliant smoke shops that may not meet distance requirement

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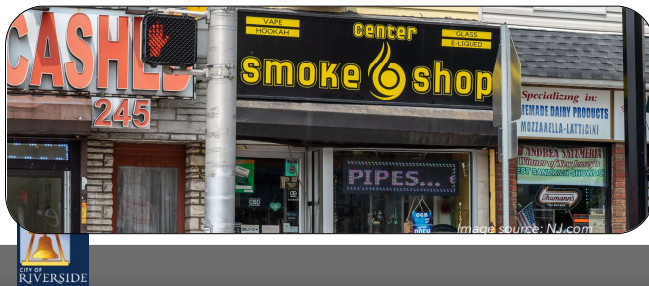
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## APPROACH 3 – DISCRETIONARY REVIEW

- Pasadena: CUP is required in addition to distance requirements
- Moreno Valley: In addition to distance requirements, CUP is required when:
  - Within 600 feet of a school, daycare, park, nonprofit youth facility; or
  - Within 300 feet of residential



### Pros

- Allows for more regulatory oversight on a case-by-case basis
- Is an inherent time/cost investment for applicants

### Cons

- Entitlements mean a vested development right
- Difficult to revoke
- May not limit smoke shops, and instead allow the use under any operator on a given property

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## APPROACH 4 - PROHIBIT

### Prohibit Tobacco Sales Citywide

- Phase out tobacco retail permits completely over the course of 1.5 years
- Considerations for impacts to stakeholders
- Would require outreach and engagement with business/property owners.
- Would need to establish legal amortization/termination procedures



Image source: City of Beverly Hills



Image source: PNGkey.com



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# RIVERSIDE BLUEPRINT & PUBLIC HEALTH



## BLUE ZONES PROJECT®

**Strategy 1.1** Adopt comprehensive tobacco-free outdoor space policies, including signage.

**Strategy 1.2** Adopt restrictions on smoking and vaping at outdoor bars and restaurants.

★ **Strategy 2.1** Limit the location of tobacco and vape retail outlets in proximity to youth-oriented places, such as schools and parks.

**Strategy 2.2** Prohibit the sale of the flavored tobacco and nicotine products, including menthol products.

**Strategy 3.1** Integrate tobacco treatment systems change within all types of healthcare settings, including behavioral health.

**Strategy 3.2** Require retail outlets that sell tobacco and vape products to post graphic warning and cessation messages near tobacco-product displays and/or at the point of sale.



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## RECOMMENDATIONS

That the Land Use, Sustainability, and Resilience Committee:

- 1. Receive and file** Workshop on the existing Tobacco Retail regulations within Chapter 6.24 and Title 19 of the Riverside Municipal Code (RMC); and
- 2. Provide staff direction** to maintain current code or explore any potential changes to policies or regulations.



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