

According to RPD data from June 2026, there are 214 known locations selling tobacco in the City of Riverside, of which 41 meet the definition of Smoke Shops per the Zoning Code. At least 24 of these are believed to be operating in violation of, or without, the required Tobacco Retail Permit and may be subject to investigation or enforcement action up to and including permit revocation and nuisance abatement.

On September 16, 2025, the City Council adopted an urgency ordinance establishing a 45-day moratorium on the issuance of new Tobacco Retail Establishment Permits within the City (Attachment 1) to allow the City an opportunity to develop a comprehensive approach to address the negative impacts to public health, safety, and welfare from activities associated with smoke shops. On October 20, 2025, the Council adopted an urgency ordinance extending the moratorium for an additional 10 months and 15 days (Attachment 2).

On December 8, 2025, staff presented several policy options to the City Council Land Use Committee (Committee) (Attachment 3). Following discussion, a majority of Committee Members directed staff to develop an ordinance prohibiting smoke shops Citywide to present to the Planning Commission for a recommendation before returning to the Committee for final review before proceeding to City Council for adoption (Attachment 4).

On February 12, 2026, the Planning Commission held a public hearing to consider draft amendments to the Zoning Code prepared at the direction of the Committee (Attachment 5). After discussion, the Commission voted to recommend that the Council amend the Zoning Code to: 1) establish minimum distance requirements for standalone tobacco retail uses (smoke shops) from sensitive receptors including schools, parks, childcare facilities and other tobacco retailers; and 2) establish a 2-year amortization period for existing smoke shops to comply with said distance requirements either through relocation or closure (Attachment 6).

On April 13, 2026, the Committee reviewed the recommendation from the Planning Commission (Attachment 7) and concurred with their recommendations, directing staff to bring a full ordinance to the City Council for consideration with modifications to recommended minimum separation requirements for sensitive receptors and a shorter amortization period (Attachment 8).

DISCUSSION:

Existing regulations

The Zoning Code currently defines smoke shops as “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.” The Zoning Code, however, does not include any requirements, procedures, or land use permits specific to smoke shops or tobacco retail. Rather, smoke shops are included under the umbrella definition of “retail sales,” meaning they are permitted by right in all commercial and mixed-use zones. The University Avenue Specific Plan (2003) prohibits the establishment of new smoke shops, as defined in the Zoning Code, in all subdistricts of the Specific Plan area; all other Specific Plans treat smoke shops as general retail sales uses.

Proposed amendments

The draft Zoning Code Amendments recommended by the Planning Commission and Committee would establish new use-based regulations and location requirements for smoke shops (Attachment 9). Table 19.150.020.A would be amended to identify standalone tobacco retail (smoke shops) as an individually regulated use (as opposed to a general retail use as under the current Code), permitted by right in all zones where retail uses are permitted, and subject to the permitting requirements of Chapter 6.24. A new chapter, 19.405 (Tobacco Retail [Smoke Shop]) would be created to establish specific location requirements for the siting of new smoke shops, modeled on existing location requirements that apply to off-sale of alcoholic beverages, including:

- Minimum 100 feet from a residential zone or use;
- Minimum 1,000 feet from a public park, K-12 school, childcare facility, assembly of people – non-entertainment use (places of worship and meeting halls), and other smoke shops.

Chapter 19.405 would also create operational requirements for smoke shops including:

- Minimum lighting and visibility for storefronts and parking areas;
- Preparation of a security plan; and
- Trespass authorization for the Police Department.

19.405 would also establish a policy and procedures for amortization of existing smoke shops that do not comply with new standards. An amortization period of two years from the effective date of the ordinance would be created for smoke shops that no longer comply with Zoning requirements, during which time existing, legally established smoke shops could continue operating and renewing tobacco retail permits. At the conclusion of the amortization period, noncompliant smoke shops must relocate to a compliant location or cease operations. This amendment would also provide a mechanism for extensions to the amortization deadline based on financial hardship.

Analysis and alternatives

Based on a geospatial analysis of tobacco retail permit data provided by RPD, implementation of the recommendations would result in:

- 22 existing smoke shop locations not meeting the 1,000-foot separation from public parks, K-12 schools, childcare facilities, and assembly of people – non-entertainment uses;
- 17 existing smoke shop locations not meeting the 1,000-foot separation from another smoke shop; and
- Six existing smoke shop locations meeting all proposed location requirements (Attachment 10).

As a result, a total of 35 smoke shop locations may be subject to amortization under the proposed amendments and would be required to relocate or cease operation within the two-year amortization period.

With respect to existing smoke shop locations that are located within 1,000 feet of one another but that otherwise comply with required separation from sensitive uses, Staff would review tobacco retail permits, business tax certificate records, building permits, and other available data to determine which location was established first. The later-established location would be subject to amortization, unless the earlier-established location voluntarily relocates or ceases operation.

Given the substantial number of business relocations or closures that would precipitate from the proposed amendments, staff can work with businesses subject to amortization with location selection and relocation consultation through the Economic Development Division. In addition, Blue Zones Project Riverside has indicated support for the development of a potential program to help affected businesses transition from a business model that meets the Zoning definition of a smoke shop to alternatives that may include convenience retail, healthy food markets or similar operations that would not be subject to the proposed provisions. Alternatively, the Council could adopt amendments to the Municipal Code that reduce required separation distances, exclude certain sensitive uses from separation requirements, or other modifications that reduce the overall number of affected businesses.

PUBLIC OUTREACH AND COMMENT:

Notice was published in the Press Enterprise on June 10, 2026. Additionally, on June 11, 2026, staff mailed notification letters to record permittees, business owners, and property owners of smoke shops advising of the proposed changes and notifying of the opportunity to participate in this Hearing (Attachment 11). As of the writing of this report, Staff have not received public comments regarding these proposed regulations.

FISCAL IMPACT:

Adoption of the proposed amendments will have the effect of reducing business tax, sales tax, and tobacco retail permit fee revenues from businesses subject to amortization that choose to cease operations rather than relocate. It is unknown at this time how many businesses would cease operating and how many would seek to relocate, and so the total fiscal impact cannot be estimated at this time.

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Attachments:

1. Urgency Moratorium Ordinance No. 7733 – September 16, 2025
2. Moratorium Ordinance No. 7741 – October 20, 2025
3. Land Use Committee Report – December 8, 2025
4. Land Use Committee Minutes – December 8, 2025
5. Planning Commission Report – February 12, 2026
6. Planning Commission Minutes – February 12, 2026
7. Land Use Committee Report – April 13, 2026
8. Land Use Committee Minutes – April 13, 2026
9. Draft Ordinance
10. Map of Existing Smoke Shops and Proposed Separation Requirements
11. Notification Letter
12. Presentation