



City of Arts & Innovation

Land Use Committee

TO: LAND USE COMMITTEE MEMBERS **DATE: APRIL 13, 2026**

FROM: COMMUNITY & ECONOMIC DEVELOPMENT **WARDS: ALL**
DEPARTMENT

SUBJECT: PLANNING CASE PC-2025-01190 – ZONING CODE AMENDMENT FOR
STANDALONE TOBACCO RETAIL USES (SMOKE SHOPS)

ISSUE:

Review and provide feedback on proposed amendments to Title 19 (Zoning) of the Riverside Municipal Code (RMC) updating regulations for standalone tobacco retail uses (smoke shops).

RECOMMENDATION:

That the Land Use Committee review and provide feedback on proposed amendments to Title 19 (Zoning) of the RMC updating regulations for standalone tobacco retail uses (smoke shops) as recommended by the City Planning Commission.

BACKGROUND:

On August 6, 2024, the City Council adopted a Resolution supporting the Blue Zones Certification initiative within the City of Riverside. Following stakeholder engagement and a Tobacco Policy Summit, Blue Zones published the Riverside Blueprint in May 2025. The Blueprint provides for certification criteria, including objectives, strategies, and measures to achieve its overarching goals regarding well-being, longevity and overall health. Three Tobacco Policy objectives are provided for in the Blue Zones Blueprint for the City of Riverside:

1. Eliminate Exposure to Secondhand Smoke
2. Prevent Initiation of Tobacco Use Among Youth and Young Adults
3. Promote Quitting Tobacco Among Adults and Youth

Concerns have arisen regarding illegal activity and impacts on public health and safety associated with tobacco retail establishments. Illegal sales of illicit substances, increased calls for police service, and operations in excess of activity allowed under the valid permit have been observed in association with Smoke Shop presence. Violations investigated by RPD regarding the operation of permitted and unpermitted Smoke Shops include illegal sale of narcotics and paraphernalia, illegal sale of cannabis products, illegal sale of psilocybin mushroom products, illegal sale of nitrous oxide gas, and sale of illegal and/or untaxed tobacco products.

According to Riverside Police Department (RPD) Data from August 2025, there are 226 known locations selling tobacco in the City of Riverside, of which 31 meet the definition of Smoke Shops per the Zoning Code. Eight of these are believed to be operating without the required Tobacco

Retail Permit and may be subject to enforcement action.

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, 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 (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 3-year amortization period for existing smoke shops to comply with said distance requirements either through relocation or closure (Attachment 6).

DISCUSSION:

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.

The draft Zoning Code Amendments recommended by the Planning Commission would establish new use-based regulations and location requirements for smoke shops (Attachment 7). 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 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 600 feet from a public park, K-12 school, childcare facility, or assembly of people – non-entertainment use; and
- Minimum 1,000 feet from another smoke shop.

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 three 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.

FISCAL IMPACT:

There is no fiscal impact related to receiving this report.

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Approved by:	Mike Futrell, City Manager
Approved as to form:	Rebecca Mckee-Reimbold, Interim City Attorney

Attachments:

1. Ordinance O-7733
2. Ordinance O-7741
3. Land Use Committee Report – December 8, 2025
4. Land Use Committee Minutes – December 8, 2025
5. Planning Commission Report – February 12, 2025
6. Planning Commission Minutes – February 12, 2025
7. Draft Zoning Code Amendments
8. Presentation