

WORKSHOP – SMOKE SHOPS AND TOBACCO RETAIL

Community & Economic Development Department

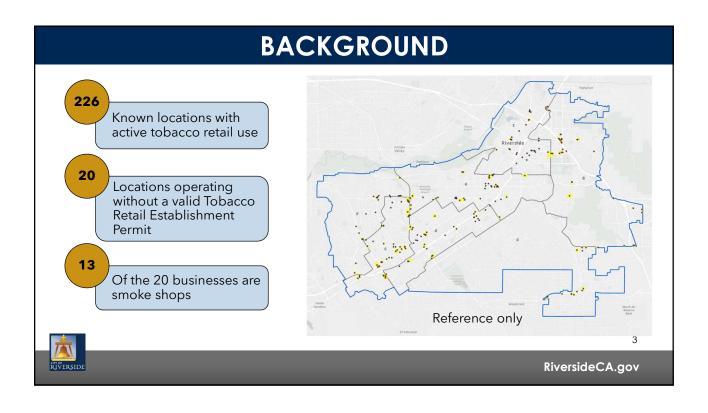
Land Use Committee

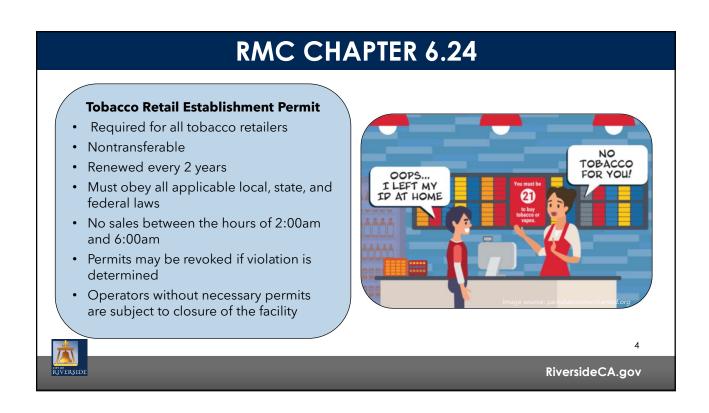
November 10, 2025



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BACKGROUND Adopt RMC **Update RMC** 45-day AB 3218 is Chapter 6.24 -Chapter 6.24 to moratorium on passed banning Licensure of Permitting of the sale of tobacco retail Tobacco Řetail permit issuance Tobacco flavored Retailer Establishments tobacco and renewal 2006 2021 2025 2024 2 RiversideCA.gov





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 form the premises by the purchaser

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PEER CITY COMPARISON

Approach 1: Tobacco Sales = Retail Sales







Approach 2:
Distance
requirements
and/or
discretionary
review





Approach 3:
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 2A – 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

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



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APPROACH 2B - 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 3 - 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





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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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