



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: AUGUST 11, 2026**

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

SUBJECT: ADOPT ORDINANCE - PLANNING CASE PC-2025-01190 (AMD): ZONING TEXT AMENDMENTS FOR STANDALONE TOBACCO RETAIL ESTABLISHMENTS (SMOKE SHOPS)

ISSUE:

Adopt an ordinance amending Title 19 (Zoning) of the Riverside Municipal Code (RMC), including, but not limited to, Articles V (Base Zones and Related Use and Development Provisions) and VII (Specific Land Use Provisions) to implement the direction of the City Council Land Use Committee and City Planning Commission to establish new regulations for stand-alone tobacco retail businesses (smoke shops).

RECOMMENDATIONS:

That the City Council adopt an Ordinance amending Title 19 (Zoning) of the Riverside Municipal Code.

ORDINANCE INTRODUCTION:

On July 14, 2026, the City Council introduced an ordinance amending Title 19 (Zoning) of the Riverside Municipal Code (RMC), including, but not limited to, Articles V (Base Zones and Related Use and Development Provisions) and VII (Specific Land Use Provisions) to implement the direction of the City Council Land Use Committee and City Planning Commission to establish new regulations for stand-alone tobacco retail businesses (smoke shops). The motion carried with Councilmembers Falcone, Cervantes, Robillard, and Mill voting aye, Councilmember Conder voting no, Councilmember Hernandez abstaining, and Councilmember Hemenway absent.

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 exceeding activity allowed under the valid permit have been observed in association with smoke shop presence. Violations investigated by Riverside Police Department (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 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:

Prior regulations

The Zoning Code previously defined 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, did not include any requirements, procedures, or land use permits specific to smoke shops or tobacco retail. Rather, smoke shops were 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.

Approved amendments

The Zoning Code Amendment approved by the Council will establish new use-based regulations and location requirements for smoke shops (Attachment 9). Table 19.150.020.A will 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]) will 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 will 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 will 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 will be created for smoke shops that no longer comply with Zoning requirements, during which time existing, legally established smoke shops may 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 will 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.

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. No written comments were received.

FISCAL IMPACT:

There is no fiscal impact related to this report.

Prepared by:	Matthew Taylor, Principal Planner
Approved by:	Miranda Evans, Community & Economic Development Director

Attachment:	Ordinance
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