

5. What is the immediate threat to public health, safety or welfare such that tobacco regulations cannot be amended through the normal code amendment process?

In addition, DCP was instructed to prepare a report back, with support from the City Attorney, and other relevant departments, within 45 days on best practices from other jurisdictions, such as but not limited to Redondo Beach, Long Beach, San Francisco, and New York City, on zoning, licensing, buffer zones, youth-access controls, and permitting related to tobacco and smoke-shop businesses.

CITY OF LOS ANGELES CURRENT REGULATIONS ON TOBACCO PRODUCTS AND SALES

The City of Los Angeles requires all businesses selling tobacco, tobacco products, or tobacco paraphernalia to obtain and annually renew a Tobacco Retailer's Permit. The Tobacco Retailer's Permit ordinance number 187,525 became effective in 2000. Pursuant to Article 6.9 of Chapter IV (Public Welfare) of the Los Angeles Municipal Code LAMC, section 46.92 (Application Process) and 46.93 (Issuance of Permits), Tobacco Sales Permits are overseen by the Office of Finance and enforced by the City Attorney's Office.

Office of Finance

The Office of Finance has a role in collecting payments from businesses that are approved by the Office of the City Attorney. The Office of Finance functions as a cashier of sorts for requisite fees and thus the Office tracks the annual fees paid by each Tobacco Retail business that receives a permit to operate in the City.

City's Attorney's Office, Tobacco Enforcement Operations Unit (TEO)

The Tobacco Enforcement Operations (TEO) unit within the Office of Los Angeles City Attorney is responsible for developing citywide tobacco-control policies and enforcing tobacco-related laws.

The unit is the lead agency responsible for issuing tobacco sale permits across the City. This includes investigating and prosecuting tobacco retailers who operate without a valid permit or fail to maintain it, and conducting necessary compliance inspections. Any tobacco retailer found to have violated any state or local law concerning the sale, advertisement, or display of tobacco products is subject to permit suspension. Violations of the Tobacco Retailer's Permit ordinance are treated as a misdemeanor, and may result in permit suspension, fines, and/or jail.

Additionally, a key focus of TEO is on youth-focused initiatives, such as Decreasing Adolescent Tobacco Access (DATA), and Responsible Retailer. TEO also partners with the Los Angeles Unified School District (LAUSD) to prevent minors from accessing cigarettes, e-cigarettes (vapes), and other tobacco products. In addition, the City Attorney's Office provides free online training for tobacco retailers. The course provides details on tobacco-related laws and sales within the City of Los Angeles. The Standardized Tobacco E-Training for Los Angeles Responsible Retailers (STELARR) course educates retailers on tobacco laws and how to support the City's effort to protect minors from the harmful effects of tobacco use.

Tobacco Retailers Permit Application Process

Tobacco Sales permit applications can be filed online, in person, or by mail with the Office of Finance. Thereafter, the application will be uploaded to the LA Tax online portal. The City Attorney's Office reviews tobacco sale permit applications to determine permit approval or denial. Permits are valid until December 31st, and businesses must reapply annually to maintain the ability to sell tobacco, tobacco products, or tobacco paraphernalia. Upon approval by the City Attorney's Office, a hard copy will be mailed to the applicant by the Office of Finance.

Complaints & Investigation

The TEO unit maintains the complaint intake system for tips related to underage sales, flavored tobacco, and unpermitted tobacco sales. Complaints are reviewed and referred to TEO investigators and/or the Los Angeles Police Department (LAPD) Tobacco Enforcement unit, as deemed necessary. City investigations are conducted at random or through legal complaints. Investigations may involve site visits, warning letters, and notices to comply. Following an investigation, a criminal complaint and police report may be sent to TEO for prosecution or other appropriate actions.

Additionally, revenue generated from tobacco sale permits allows the City to fund a contract with the State's Stop Tobacco Access to Kids Enforcement (STAKE) Act. STAKE provides an additional enforcement entity to conduct undercover investigations to verify that retailers properly check customer IDs who appear to be under the age of 21 and report violations. STAKE conducted 363 investigations in 2023, 333 in 2024, and 325 in 2025 across the City.¹

Compliance & Prosecution

The tobacco permit suspension process involves four phases, ultimately leading to revocation for a specific number of violations within a five-year period. The City will suspend a tobacco retailers permit for:

- Selling tobacco products to a minor
- Allowing smoking in an enclosed workplace
- Conviction for violating any law related to the sale of tobacco and tobacco products

Selling tobacco products without a valid tobacco permit is classified as a misdemeanor, which carries a penalty of up to six months in jail/ and or a \$1,000 fine.

CITY OF LOS ANGELES CURRENT REGULATIONS ON TOBACCO RETAILERS

Zoning Review

The Los Angeles Municipal Code Chapter I General Provisions and Zoning does not regulate tobacco products or sales. Tobacco shops or smoke shops are typically categorized as commercial retailers and are not a distinct, defined use under LAMC Chapter I. For the most part, commercial retail use is a by-right use in the City's Commercial Zone. It is important to note that various commercial establishments, such as grocery or convenience stores, can also be tobacco retailers. If these commercial uses move into a space that already has a retail certificate of occupancy, a new building permit or change of use is generally not required. However, a tobacco

¹ Tobacco Enforcement Operations Unit, Citywide Tobacco Retailer Data, December 16, 2025.

retailers permit is mandatory for any business that desires to sell tobacco products, which must be secured through the Office of Finance and the City Attorney's Office through the application process described above.

LADBS Permit Data

Planning requested citywide building permit data from LADBS for the years 2023, 2024, and 2025. Data includes building permits specifically for tobacco or smoke shop uses including those with tobacco sales in the work description. Within the 3-year period, only one building permit for a change of use from restaurant to commercial which included tobacco shop use in the work description, in Council District 13, was issued.

City Attorney Data For Tobacco Retailer Permits, Citywide

Attached to this report, Appendix I (TEO, Citywide Tobacco Retailer Data) outlines that in 2023, the City had a total of 3,366 tobacco retailer permits, with 260 being new permits and 136 resulting in suspension. In 2024, the City had a total of 3,181, which included 268 new permits, yet saw 68 suspensions. In 2025, the City had a total of 3,016 which included 253 new permits yet saw 18 suspensions. The overall number of active tobacco retailer permits in the City has shown a steady decline over the three-year period. While the total number of permits decreased, the issuance of new tobacco retailer permits remained relatively consistent throughout the same time period.

California Tobacco Health Assessment Tool, Citywide

Although not defined in LAMC Chapter I, sensitive uses typically denote locations where vulnerable populations may be exposed to other uses that may affect health, safety, or the environment. Examples of sensitive uses include schools, parks, churches, and daycare centers. The California Tobacco Health Assessment Tool reported that in 2025, the City of LA had over 3,000 tobacco retailers. Of the total retailers located near schools, approximately 17% were within 500 feet and 41% were within 1000 feet of a school. The City comprises 815 public schools (K-12), including 211 high schools, 145 middle/ junior high schools, and 459 elementary schools. Of these schools, the proximity to tobacco retailers is a concern for the majority of the city, approximately 46% have a tobacco retailer within 500 feet and 71% are within 1,000 feet. Demographically, the population under age 5 is approximately 5%, 14% between ages 5 through 17 and about 23% under 21.²

COUNCIL QUESTIONS

1. What is unique about the 15th Council District regarding tobacco or nicotine sales?

CD 15's motion expresses concern about the increasing number of smoke shops and businesses that sell tobacco, nicotine, and other tobacco related products within the City of LA, and its proximity to sensitive uses, particularly in communities already facing significant challenges, like Wilmington in the Harbor Area. CD 15's geographic boundaries include portions of Southeast Los Angeles, Harbor Gateway, Wilmington, Harbor City, and San Pedro.

² Stanford, California Health Assessment Tool, City of LA Tobacco Retailer Statistics, 2025.

The Harbor communities which encompass Wilmington, Harbor City, and Harbor Gateway have faced several challenges over the decades. These communities provide a vital link from the core of the City to the Port of Los Angeles. Historically, the communities have functioned as part of the City's main economic industries for heavier industrial uses but are also home to many Angelenos. The harbor communities contribute significantly to the City's economy through the activities connected to the adjacent harbor. While these industries have contributed greatly to the City and the economy, it has also caused some adverse public health, safety, and environmental concerns. The communities are already overburdened by other complex land use challenges that impact residents' quality of life, health, and safety.

Tobacco Retailer Permits in Council District 15

In Appendix I, in 2023, CD 15 citywide ranking for permits and suspensions was 9th highest for new permits (17), 11th highest for total permits (192), and 8th highest for suspensions (7). In 2024, the City issued 17 new permits in CD15, ranking 7th highest. It was 11th highest with total permits with 182, and tied for the 15th lowest, reporting 0 suspensions. Lastly, in 2025, the City issued 21 new permits, placing it 5th highest in the City. It ranked 10th for total permits (177) and was one of several council districts that reported the lowest number of suspensions, with 0. In January 2026, the TEO unit reported one tobacco retailer site located at 1403 N. Wilmington Boulevard received a 30-day suspension.

Schools Near Tobacco Retailers in Council District 15

Planning conducted an analysis on five high schools in CD 15 (Appendix III) to determine the proximity to tobacco retailers within 500 feet and 1,000 feet of the school. Data from the California Health Assessment Tool states the total population within the vicinity of these schools' range between 8,000 to 21,000. Of that population approximately 4-6% are under the age of 5, 8-21% are between the ages of 5-17, and 15-27% are under age 21.³ From the sample of schools in CD 15, there are between 0-5 tobacco retailers within 500 feet from the schools and 1-12 tobacco retailers within 1000 feet of the schools.

Despite not being among the council districts with the highest number of permits, suspensions, or new tobacco retailers permit issuance, CD 15 faces issues with tobacco retailers and is challenged by the close proximity of retailers near schools, which the office has deemed as problematic and an over proliferation. Additionally, note that uniqueness in the Council District is not a prerequisite to initiating an ICO.

2. How will a buffer zone around sensitive uses be applied and enforced?

If the Council were to pursue an ICO that established a buffer zone around sensitive uses, several factors would need to be considered for feasible application and enforcement. As there is no unified definition of a "sensitive use" in the LAMC, it would be important to clarify what specific types of uses would trigger the buffer, whether it be limited to schools only or expanded to include other uses such as parks, churches, and day-care centers, among others.

³ Stanford, California Health Assessment Tool, City of LA Tobacco Retailer Statistics, 2025.

The buffer distance would also need to be clarified. It is important to note that such a buffer, if adopted, would be applicable to new construction, change of use, and/or tenant improvement project applications related to land use and building projects, and would not apply retroactively to existing permit holders. Importantly, there is also no *use* definition of a “tobacco/smoke shop” in Chapter I of the LAMC, as such all retail permits would require review by Planning and LADBS to determine if the retail use is tobacco related and if so, that use would then be flagged for compliance with the established buffer from a “sensitive use”.

Once the buffer parameters were clearly defined and adopted, implementation and enforcement would require significant coordination between the Office of Finance, the TEO unit of the City Attorney’s Office, and DCP, as the existing Tobacco Retailer’s Permit process is not currently set up in a manner that would review for compliance with a buffer. As such, applicants would likely have to start providing additional information or documentation, such as radius maps, to demonstrate compliance as part of their permit applications. Additionally, either the LA Tax portal for permit applications would need to be modified to incorporate a radius map requirement and/or the TEO Unit would need upgrades to allow for integrated mapping systems that could review applications for compliance with a buffer. These would be the minimum considerations for implementation of a buffer under a temporary ICO; if the Council were to pursue the adoption of a buffer beyond an ICO, additional resources and procedures would need to be developed to ensure efficient and consistent implementation on a permanent basis.

3. How will the Department of Finance determine whether an applicant is within a buffer zone, or whether a business is being expanded?

As described earlier in the report, the approval process for Tobacco Retailer’s Permits are coordinated between the Office of Finance and the TEO Unit of the City Attorney’s Office. These permit applications can be filed online, in person, or by mail with the Office of Finance. Thereafter, the application is uploaded to the LA Tax online portal and the City Attorney’s Office reviews tobacco sale permit applications to determine permit approval or denial based on the regulations and standards outlined in Article 6.9 of Chapter IV of the LAMC. Upon approval by the City Attorney’s Office, the applicant is referred to the Office of Finance to pay the permit fee and a hard copy is subsequently mailed to the applicant. Under the current system, the Office of Finance is essentially the cashier for the permit transaction and has no role in approval or denial for any reason other than payment. As such, the application of a buffer, which would be a new category of compliance review, would require collaboration between the City Attorney’s Office and the Office of Finance to modify the existing permit approval workflow and update the LA Tax online portal.

4. What resources are needed to develop, implement and enforce a ban on tobacco and nicotine sales near sensitive uses?

Depending on the scope, significant resources could be needed to develop, implement, and enforce a ban on tobacco and nicotine sales near sensitive uses with land use regulations. These would primarily include City staff time and capacity, LA TAX systems infrastructure upgrades, and funding for implementation and enforcement. Additionally, given the staff and budget constraints, an ICO to institute a temporary ban would inevitably impact existing work programs even if in the short term. The project team that would be assigned to prepare for the ICO consists of one City Planner and one Planning Assistant.

In order to develop and implement a permanent ban, the City Council would have to adopt an ordinance amending one or more Chapters of the LAMC to add a definition of smoke shops and add a buffer zone requirement to smoke shops. While land use regulations, such as what types of uses are allowed and in which zones, are generally located within Chapters I and 1A of the Los Angeles Municipal Code (LAMC), regulations pertaining to tobacco and nicotine sales - commonly referred to as smoke shops - are further specified in Article 6.9 of Chapter IV Public Welfare of the LAMC. As defined and detailed in LAMC Section Article 6.9, any establishment engaging in tobacco sales must procure a Tobacco Retailer's Permit from the City and renew it annually, as well as complying with additional requirements. Therefore, any changes to LAMC regulations regarding tobacco sales would have to be developed and prepared with staff resources from the Office of the City Attorney and involve close coordination with the Office of Finance for implementation, supported by DCP.

5. What is the immediate threat to public health, safety or welfare such that tobacco regulations cannot be amended through the normal code amendment process?

In the United States the leading cause of preventable death is tobacco use, which has killed over 490,000 Americans, annually. It costs the nation over \$241 billion in health care expenses each year.⁴ In California, 40,000 adults are killed annually from smoking, about 22.3% of those deaths are attributed to cancer related deaths caused by smoking.⁵ In 2025, the California Department of Public Health (CDPH) reported about 6.4% of high school students used tobacco products, 5.0% used vapes (e-cigarettes), 1.5% used oral nicotine pouches, and 1.3% used cigarettes. Vapes and oral nicotine were determined to be leading products used by high school students.⁶

Despite years of progress through local and state initiatives that have reduced tobacco use, it continues to be a significant public health issue across the state. The accessibility of tobacco products continues to exacerbate the problem. Tobacco companies invest billions in product promotion. In California, nearly half of all youth have reported exposure to advertisements for tobacco products like vapes and cigarettes. These ads are typically seen at convenience stores and gas stations.

⁴ Tobacco Free Kids, The Toll of Tobacco in the U.S, December 30, 2025.

⁵ Tobacco Free Kids, The Toll of Tobacco in California, December 15, 2025.

⁶ CDPH, California Tobacco Facts and Figures 2025, August 2025.

Los Angeles County has a high density of tobacco retailers. There are 75.4 licensed tobacco retailers for every 100,000 residents, selling tobacco products⁷. The City of LA has over 3,000 active, licensed tobacco retailers in operation.⁸ This figure only includes businesses operating with a tobacco license. From 2023 to 2025, the number of permitted retailers selling tobacco products ranged between approximately 150 and 300 per Council District. Although existing laws prohibit tobacco sales to minors, retailers across the state continue selling products to underage youth. Los Angeles County had the state's second-highest tobacco sales violation rate, with about 22.5% of licensed retailers selling to underage decoys.⁹

Tobacco use poses a significant public health, safety, and welfare concern for the city, disproportionately affecting vulnerable populations and contributing to environmental impacts. Tobacco use severely diminishes an individual's quality of life and carries a high risk of addiction and long-term dependency, leading to serious physical health concerns such as lung and heart disease, various cancers, gum disease, and accelerated aging. Early exposure to tobacco is particularly harmful, dramatically increasing the risk of addiction and long-term dependence, negatively affecting brain development, and compromising attention and impulse control.

TOBACCO REGULATIONS IN OTHER JURISDICTIONS AND BEST PRACTICES

The Department of City Planning conducted research on how other municipalities regulated tobacco retailers. The cities of Long Beach, Redondo Beach, San Francisco, and New York collectively have certain commonalities in permitting at the state and local levels, prohibitions on unauthorized sales of certain paraphernalia, flavored tobacco, and selling to minors. Regulatory approaches limit tobacco retailers vary amongst each jurisdiction.

Redondo Beach allows smoke shops in most commercial zones, but the city imposes a strict limit of five smoke shops city-wide, with the exception of legal nonconforming shops established prior to the effective date of Redondo Beach's Smoke Shop Ordinance No.120225. Smoke Shops are required to be distanced 1000 feet from other smoke shops, 600 feet from schools, daycare facilities, or youth centers, and 150 feet from Dale Page Park. Legal nonconforming smoke shops must obtain a Condition Use Permit (CUP) within 5 years of the effective date of the Smoke Shop Ordinance. A maximum of ten CUPs may be issued on a first come first serve basis, this is counted against the citywide max of five. In addition to compliance with the regulations set forth in the Smoke Shop ordinance, tobacco retailers must obtain a retailer's license from California Department of Tax and Fee Administration (CDTFA).

The City of San Francisco requires tobacco retailers to obtain a tobacco sales permit through the city and retailer's license from CDTFA. The city imposed a density cap of 45 Tobacco Sales Establishments per supervisorial district and minimum distance requirement of 500 feet from schools and other tobacco shops. The density cap is to be reviewed every two years to assess the need for modification. New permits will not be issued in any supervisorial district where the number of current tobacco sales permits exceeds the established density cap.

⁷ CDPH, California Tobacco Facts and Figures 2025, August 2025.

⁸ CDPH, California Tobacco Facts and Figures 2025, August 2025.

⁹ CDPH, California Tobacco Facts and Figures 2025, August 2025.

New York City (NYC) requires tobacco and e-cigarette retailers to obtain a dealer license from the NYC Department of Consumer and Worker Protection and valid registration from the NY State Department of Taxation and Finance. NYC controls retailer density with a community district cap, limiting new licenses to 50 percent of a community district's total, though this does not apply to pharmacies. Additionally, tobacco advertisements are prohibited within 500 feet of a school. In October 2025, a retailer dealer license lottery system was established for community districts with license availability.

The City of Long Beach treats smoke shops as general retail, like the City of LA, unless they include a lounge or involve cannabis. This use is generally permitted in mixed-use commercial, neo-industrial, and some multi-family zones. Long Beach only imposes distance requirements from a sensitive use if the tobacco use involves a lounge. To operate, tobacco retailers must secure a tobacco permit from the city and a retail license from the State.

As shown in the examples above, municipalities can effectively control the number of tobacco retailers within their jurisdiction by utilizing a multi-pronged approach and maintaining strong enforcement. A key strategy is the use of tobacco retailer density cap, which limits the total number of tobacco retailers permits or licenses in an area. Additionally, incorporating minimum distance requirements from certain uses or other tobacco retailers would aid in preventing clustering of tobacco uses, and would protect vulnerable populations. Regulating tobacco uses may require several strategies to be effective in addressing tobacco related issues

CONCLUSION

Los Angeles City Planning recognizes the negative impacts of tobacco retailers in proximity to sensitive uses may be a citywide concern and not limited to Council District 15. Citywide data shows the issue's prevalence throughout all Council Districts, though not necessarily all neighborhoods, and may warrant a comprehensive discussion of a multipronged citywide strategy.

The implementation of an ICO to regulate new and existing tobacco retailers presents some challenges. Today, Chapter I does not define "tobacco shops" or "smoke shops". And while the ZA use list memo provides a determination for "tobacco shops" in specific zones, applicants do not always come to LADBS seeking a permit for that exact use, in some cases applicants strictly seek a retail permit. To capture new uses in an ICO, it will require that all retail permits be reviewed by Planning and LADBS to determine if the retail use will be tobacco related. Existing "tobacco shops" or "smoke shops" with a valid retail permit from LADBS will not be subject to review by Planning or LADBS. Should ownership of one of these existing shops transfer, the new owner is able to bypass the Planning Department and LADBS process completely, provided they retain an existing retail permit issued by LADBS. The new owner would proceed directly to the Office of Finance for a Tobacco Retailers Permit. Thus, effective implementation of the ICO will require additional support and collaboration from the Office of Finance and the City Attorney's Office to enforce a moratorium on new tobacco retail permits.

To address citywide issues related to tobacco retailers and public health and safety challenges, development of a citywide strategy could include amending Article 6.9, Section 46 (Tobacco Retailer's Permit Ordinance) to impose stricter regulations for tobacco retailers (e.g. cap on number of licenses per district and distancing separation between shops) and increasing enforcement. This would require coordination with the Office of Finance and City Attorney's Office, as these departments are responsible for issuing and enforcing the tobacco retailer permits.

In the past, a comparable tobacco related issue affecting minors in the city occurred in 2013. Council introduced a motion requesting the City's Attorney's Office to establish a moratorium on the sale of electronic cigarettes (e-cigarettes) to minors or extend the City's current restrictions on the sale of cigarettes and tobacco products to the sale of e-cigarettes. This resulted in Ordinance No. 182823 prepared by the City Attorney's Office that amended Article 6.9 (Tobacco Retailers Permit) and Article 7 (Self-Service Display of Tobacco Products) of the LAMC to include products containing biologically active amounts of nicotine to the definition of tobacco products and other changes to the tobacco retailers permits and self-service display tobacco product regulations. The ordinance was prepared to address council concerns about the proliferation of new tobacco products. These emergent products, which were easily accessible and popular among minors, were not adequately covered by the Tobacco Retailers Permit ordinance. Although state law at the time prohibited the sale of electronic cigarettes to minors, there were no existing regulations governing who could legally sell these products or where such sales could occur. The code amendment also modernized the tobacco permit process creating an online portal and modified the administrative violation triggered when retailers illegally sell tobacco products to minors. The City Attorney's Office was able to codify new tobacco regulations that applied citywide to aid in addressing council concerns and reduce minors' accessibility to increasingly new tobacco products.

From a land use and zoning standpoint, the City is moving in the direction to aid in the reduction of certain tobacco retailers near schools and/ or sensitive uses. This is partially evident in recent/ upcoming Community Plan Updates, like Downtown Los Angeles and Boyle Heights, where the "Smoke & Vape Shop" use was introduced, defined, and regulated. Several Community Plans within Council District 15 have recently been updated or in the process of being updated. The plan updates provide an opportunity to further regulate Tobacco uses like Smoke & Vape Shops.

Southeast Los Angeles (SELA) Community Plan

In 2018, the SELA Community Plan and SELA Community Plan Implementation Overlay (CPIO) became effective. The SELA CPIO regulates Smoke/ Vape Shops in industrial areas designated as Hybrid Industrial, Hybrid, Compatible Industrial, and Light Innovation. The CPIO requires that no more than one Smoke/ Vape Shop establishment is permitted within 1 ½ mile (2,640 linear foot) radius of another Smoke/ Vape Shop use. There are two Hybrid Industrial areas within the Watts neighborhood where the Smoke/ Vape Shop regulations apply.

Harbor LA Community Plan Updates

The Wilmington-Harbor City and Harbor Gateway Community Plans, commonly referred to as the 'Harbor LA Plans', were adopted by Council on September 9, 2025, and instructed to be reviewed by the City Attorney's Office for compliance and consistency with state laws. Currently, the plans are progressing through the form and legality stage in coordination with the City Attorney's Office. Final adoption and effectuation by the Council are anticipated later this year.

The Harbor LA Plans represent the third batch of community plans to implement the New Zoning Code (Chapter 1A), following the adoption of the Downtown Los Angeles and Boyle Heights Community Plans.

Chapter 1A defines Smoke & Vape Shops *"a retail use primarily involving the sale of tobacco products, substances intended for smoking, or smoking accessories, including but not limited to cigars, pipes, vaporizing devices, or other smoking paraphernalia. The use may include an enclosed smokers' lounge that is solely dedicated to smoking tobacco products. This use does not include medicinal or recreational cannabis establishments, for such uses see the Department of Cannabis Regulation."*

Notably, the Harbor LA Plans regulate the Smoke & Vape Shop use in the plan areas. The use is prohibited in Open Space, Agricultural, Residential, and Residential-Mixed Use Districts. The use may be permitted by-right or conditionally in Commercial-Mixed, Industrial-Mixed, and Industrial use districts provided compliance with a 500-foot use separation from schools K-12.

San Pedro Zoning Code Update (ZCU)

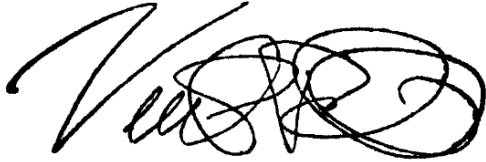
In 2019, Planning initiated the San Pedro ZCU to implement the New Code. The program applies new zoning and land use designation that closely align with intent of the 2018 plan update and CPIO. The San Pedro ZCU is scheduled for a public hearing in February and will present to the City Planning Commission later this spring. The San Pedro ZCU incorporates Smoke & Vape Shop regulations similar to those used in the Harbor Plans and introduces comparable standards within new use districts created under the program.

Permanent regulations for Smoke & Vape Shops (Chapter 1 and Chapter 1A) will be established across all Community Plan Areas within Council District 15 following the adoption/ effectuation of the Harbor LA Plans and the San Pedro NZC.

Recommendation

If the PLUM committee were in support of a CD15-specific ICO, a consideration would be for a moratorium on new smoke and vape shops in the interim until the Community Plans are in effect with the new zoning code and will define the uses and limit their proximity to sensitive uses such as schools.

Sincerely,

A handwritten signature in black ink, appearing to read 'Vincent P. Bertoni', with a large, circular flourish at the end.

VINCENT P. BERTONI, AICP
Director of Planning

VPB:SMMB:ms:ja

Enclosures

- Appendix I:** Tobacco Enforcement Operations, Citywide Tobacco Retailers Data
- Appendix II:** Schools near Tobacco Retailers in Council Districts with the Highest/ Lowest number of Tobacco Retailers
- Appendix III:** Schools Near Tobacco Retailers in Council District 15
- Appendix IV:** Department of Cannabis Regulation

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Appendix I. Tobacco Enforcement Data, Citywide Tobacco Retailers Data

Council Districts	STAKE Investigations by FY*			Permit Suspensions			Permits Totals			New Permits		
	FY23	FY24	FY25	2023	2024	2025	2023	2024	2025	2023	2024	2025
1	8	22	15	12	2	1	208	193	186	23	7	16
2	13	35	30	0	9	1	231	234	214	19	22	17
3	40	20	25	11	6	0	217	201	194	17	13	18
4	15	17	15	2	2	0	202	198	176	8	14	8
5	20	15	25	3	2	4	168	154	148	7	10	13
6	20	15	41	1	8	2	204	194	186	16	16	10
7	25	30	20	5	7	1	181	171	169	11	8	11
8	29	25	37	13	10	1	251	235	225	24	33	31
9	25	18	25	15	1	5	291	278	253	23	31	22
10	25	35	17	19	7	2	268	245	236	25	21	27
11	30	16	10	6	1	0	183	157	150	9	9	6
12	35	20	15	13	2	0	182	174	164	10	13	10
13	30	15	10	5	0	1	271	256	243	21	17	15
14	30	30	25	24	11	0	317	309	295	30	37	28
15	18	20	15	7	0	0	192	182	177	17	17	21
Totals	363	333	325	136	68	18	3366	3181	3016	260	268	253

Appendix II. Schools near Tobacco Retailers in Council Districts with the Highest/Lowest number of Tobacco Retailers

Schools Near Tobacco Retailers

The citywide data from TEO, as previously noted, detailed the distribution of tobacco retailers across each council district. Planning examined eight schools located in the two council districts (CD 14 & CD 9) that had the highest total number of tobacco retailer permits. Appendix II presents data from a sample of eight schools located within CD 14 and CD 9 and their proximity to tobacco retailers. Specifically, Appendix II indicates the total number of tobacco retailers situated within both 500 and 1,000 feet of these selected schools. The California Health Assessment Tool reports that the total population located near these selected schools ranges between 600-18000. Of that population, 5-8% are under age 5, 8-25% are age 5-17, and 17-37% are under 21.¹⁰ CD 14 has between 4-11 retailers within 500' of a high school and between 6-19 within 1000' of a high school. CD 9 has between 3-8 tobacco retailers within 500' of a high school and 7-13 retailers within 1000' of a high school.

Planning also examined council districts with the lowest total number of tobacco retailer permits. CD 5 ranked the lowest total number of tobacco retailer permits for three consecutive years from 2023 to 2025. In 2023, CD 5 had a total of 168 tobacco retail permits, it decreased to 154 in 2024 and further dropped to 148 in 2025. CD 11 ranked second lowest total number of retailers permits between 2024 to 2025. In 2024, CD 11 had 157, and dropped to 150 retailer permits in 2025.¹¹ Appendix II, also illustrates a sample of 4 schools within CD 5 and CD 11 and their proximity to tobacco retailers. As reported by the California Health Assessment Tool, the total population located near these selected schools ranges from 8,000-20,000. Of that population, 2-5% are under age 5, 4-15% are age 5-17, and 8-21% under 21.¹² CD 5 has between 2-5 tobacco retailers within 500' and 3-9 within 1000' of a high school. CD 11 has between 0-1 tobacco retailers within 500' of a high school and 2-8 retailers within 1000' of a high school.

Planning looked at tobacco retailers in proximity to schools at the 500-foot range and at 1000 foot range. Council Districts 14 and 9 compared to Council District 5 and 11 do have a slightly higher number of tobacco retailers near schools within 500 to 1,000 feet. Specifically, within 500 feet of a school, CD 14 has the highest range (4-11 retailers), followed by CD 9 (3-8), CD 5 (2-5), and CD 11 (0-1). Within 1,000 feet of a school, CD 14 still has a higher number (6-19 retailers), followed by CD 9 (7-13), CD 5 (3-9), and CD 11 (0-1).

¹⁰ Stanford, California Health Assessment Tool, City of LA Tobacco Retailer Statistics, 2025.

¹¹ Tobacco Enforcement Operations Unit, Citywide Tobacco Retailer Data, December 16, 2025.

¹² Stanford, California Health Assessment Tool, City of LA Tobacco Retailer Statistics, 2025.

Council Districts with the highest number of tobacco retailer permits

Council District	Schools	Retailers within 500 feet	Retailers within 1,000 feet
14	Abraham Lincoln Senior High School	4	6
14	Woodrow Wilson High School	0	0
14	Theodore Roosevelt High School	11	19
14	Central High School Los Angeles	5	10
9	Thomas Jefferson High School	8	13
9	Manual Arts Senior High School	8	13
9	Santee High School	6	10
9	John C. Fremont High School	3	7

Council Districts with the lowest number of tobacco retailer permits

Council District	Schools	Retailers within 500 feet	Retailers within 1,000 feet
5	Fairfax High School	5	9
5	Cheviot Hills High School	2	3
11	University High School	0	8
11	WISH Academy High School	1	2

Appendix III. Schools Near Tobacco Retailers in Council District 15

Community	Schools	Retailers within 500 feet	Retailers within 1,000 feet
Harbor Gateway	Gardena Senior High School	0	1
Harbor City	Narbonne High School	0	2
Wilmington	Phineas Banning High School	5	10
Southeast LA	Jordan High School	2	3
San Pedro	San Pedro Senior High School	2	12

Appendix IV: Department of Cannabis Regulation

Department of Cannabis Regulation (DCR)

The Department of Cannabis Regulation is responsible for overseeing the City's commercial cannabis licensing and regulatory program. DCR processes license applications, makes licensing decisions and/ or recommendations to the Cannabis Commission, and regulates licensed businesses.

Article 4 and Article 5 of the LAMC

Commercial Cannabis Activity is governed by Article 4 and Article 5 of the LAMC. Article 4 (Cannabis Procedures) of the LAMC provides the framework for licensing procedures, compliance and enforcement for commercial cannabis activity in the city. Article 5 (Commercial Cannabis Activity) of the LAMC, provides regulations for all commercial cannabis activities within the city. It requires all cannabis businesses to obtain both local and state licenses, restricts operations to C and M zones and certain zones within various Specific Plans, and enforces a 700-foot separation requirement from sensitive uses such as Public Schools, Public Parks, Public Libraries, Day Care Center, Recovery or Treatment Facility, and/ or Permanent Supportive Housing and other cannabis retailers.

In addition, the city also limits cannabis retail licenses through an "undue concentration" rule. Under this regulation, the city will not issue new cannabis storefront retailer (type 10) licenses in a Community Plan Area once the ratio exceeds one license per 7,500 residents; for manufacturing (type 7) licenses a ratio of one per 7,500 residents in the plan area; and for cultivation (types 1A, 1C, 2A, 3A, 5A) is limited to one license for every 2,500 square feet of allowable cultivated area in the plan area.

Application Procedure

Prior to filing a Temporary Approval or Annual License Application, an applicant must submit a Pre-Application Record to the DCR via the online portal and pay a review fee. DCR will then verify whether the business complies with location and distancing requirements by using official state agency lists. If the proposed business location complies meets sensitive use distancing from sensitive uses available to DCR on the verification date, it is eligible to move forward, the applicant can submit a Temporary Approval Application or Annual License Application through the DCR Licensing Portal within one calendar year of pre-application record eligibility. To obtain an Operating Permit, a business must demonstrate to DCR that the business has an active Public Health Permit (LA County Department of Health), a Certificate of Occupancy (LADBS), and all other necessary licenses, permits, and clearances from local, state, or public agencies.

Inspections & Compliance

Licensed cannabis businesses are subject to regular inspection, investigation or audit at any time without notice to ensure compliance with local regulations. Inspections can be done at random, and annually for compliance by DCR and other governmental agencies (e.g., LAPD, DBS, LAFD, Office of Finance, etc.), which may be scheduled or unannounced depending on the history of complaints. During an inspection, the inspector will verify the business holds a valid license (e.g. state, local, BRTC, Emblem Placard), adheres to zoning and operation requirements, and maintains proper security, signage, and operating hours. If a business is found to be in violation, DCR may suspend and/ or revoke the license. DCR may issue a Notice to Correct, Notice of Violation or Notice to Suspend to any business for failure to comply with commercial cannabis retailer regulations.