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## MOTION

The City continues to see the proliferation of smoke shops, businesses that sell tobacco, nicotine, and related products—particularly in overburdened communities such as Wilmington in the Harbor Area. These shops too often operate near sensitive uses such as schools, parks, day-care centers, and churches, and frequently sell flavored tobacco and snack foods that attract youth visits.

Unlike cannabis businesses, smoke shops in the City may open *by-right* under existing zoning regulations, with minimal oversight beyond a ministerial Tobacco Retailer's Permit. Other cities, including Redondo Beach, have taken proactive steps to regulate smoke shops through Interim Control Moratoriums, strict zoning controls, distance buffers, and discretionary permitting. The City should adopt similar measures to protect youth, improve air quality, and ensure responsible land-use planning.

**I THEREFORE MOVE** that the Council instruct the Department of City Planning (DCP), in consultation with the City Attorney, and with the assistance of Department of Building and Safety (LADBS) and the Department of Cannabis Regulation (DCR) as needed, to prepare and process an Interim Control Ordinance (ICO) to prohibit the establishment or expansion of any retail business that permits the sale or on-site use of tobacco or nicotine products, 'Tobacco Retailer' as defined in Municipal Code Section 46.90 (l), and commonly referred to as 'smoke-shops', near sensitive uses within the geographical boundaries of Council District 15.

**I FURTHER MOVE** that the ICO include an Urgency Clause, making it effective upon publication, and consistent with California Government Code § 65858, the ICO shall run for 45 days, with a 10 month and 15 days extension by Council Resolution, and can be further extended by an additional 1 year, or until the adoption of the appropriate land use regulatory controls have been prepared by the Planning Department, adopted by the Council and become effective, whichever occurs first.

**I FURTHER MOVE** that the Council instruct the DCP, in consultation with the City Attorney, and with the assistance of LADBS and DCR as needed, to prepare a report with recommendations 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.

PRESENTED BY:

  
TIM McOSKER  
Councilmember, 15th District

SECONDED BY:



ORIGINAL

August 12, 2025

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