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July 24, 2026

The Honorable City Council
City of Los Angeles
City Hall, Room 395
Los Angeles, California 90012

Dear Honorable Members:

REPORT RELATIVE TO EXTENSION OF SMOKE AND VAPE SHOP INTERIM CONTROL ORDINANCE; CF 25-0916

On July 1, 2026, the City Council adopted an Interim Control Ordinance (ICO) (Ordinance No. 188977, effective July 10, 2026) to temporarily prohibit the processing of any by-right land use permits for "Smoke & Vape Shop" uses and the issuance of any related tobacco retailer permits for these uses within the geographical boundaries of Council District 15 (CD 15). The Ordinance is effective for 45 days and will expire on August 24, 2026. Pursuant to Government Code Section 65858, the City Council may extend the Interim Control Ordinance for ten months and 15 days and subsequently extend it for an additional year. Because the ICO was adopted as an urgency measure, any future extension will also require a four-fifths vote by City Council. Ten days prior to the expiration of the Interim Control Ordinance or any extension, the City Council shall issue a written report describing the measures being taken to alleviate the conditions which led to its adoption.

Background

The adoption of Ordinance 188977 was necessary to address land use issues and the increasing risk to public health, safety, and welfare across CD 15. Tobacco use is a major concern for the city, particularly for CD 15, as it disproportionately impacts marginalized and at-risk populations, including youth, individuals from lower-income backgrounds, and communities of color. This ordinance serves as an essential interim measure while a comprehensive long-term solution is finalized for Chapter 1A (New Zoning Code). The Harbor Los Angeles Community Plans and the San Pedro Zoning Code Update (ZCU) introduce separation requirements from uses like schools for Smoke and Vape Shops uses in the new zoning districts.

The ICO was adopted in response to a motion initiated on March 24, 2026 by the City Council. The motion instructed the Department of City Planning, alongside the City Attorney, and in consultation with the Office of Finance, Building and Safety, and the Department of Cannabis, to

prepare an ICO as an immediate measure to reduce the sale of tobacco and pause Tobacco Retailer Permits within the boundaries of CD 15. Due to the concentration of tobacco retailers situated in close proximity to schools, there has been an increase in the accessibility of tobacco products for sale to minors within those neighborhoods. The negative impacts of smoking are widely known and the most adversely affected communities are at a greater risk of experiencing the harsh public health side effects.

Since the initiation of Ordinance No. 188977, the Department has continued to work on the Harbor LA Plans and San Pedro ZCU, which provides permanent regulations for Smoke & Vape Shops. Both programs require a use separation for Smoke & Vape Shops to be distanced away from schools. Imposing minimum distance requirements is a strategy aimed at reducing youth exposure and access to tobacco products. The Harbor LA Plans are a multi-year long process that took a multitude of community meetings, feedback, and local support to create a community driven plan that primarily focuses on environmental justice and equity, creating new green jobs, and rectifying incompatible uses. On September 9, 2025, the City Council adopted the Harbor LA Plans, and the related ordinances are currently moving through Form & Legality with the City Attorney's Office. The Department anticipates returning to City Council for final adoption/effectuation later this year. The adoption process for the San Pedro ZCU program is also underway. Following a virtual information session and public hearing held in February 2026, the City Planning Commission recommended its approval in June 2026. The San Pedro ZCU anticipates presenting to the Planning and Land Use Management (PLUM) Committee later this year.

The ICO is necessary to temporarily prohibit new Smoke & Vape Shop uses so permanent regulations are not undermined while they're being finalized. Without it, additional shops will continue to burden these communities and increase youth exposure. The ICO safeguards the communities, while upcoming permanent solutions are finalized.

Recommended Action

The Department is recommending the extension of Ordinance No. 188977 for 10 months and 15 days. While the Department finalizes a proposed permanent solution to the issues discussed above, additional time is required to complete the adoption process for the Harbor LA Plans and San Pedro ZCU, as both programs are currently at different stages of the adoption process.

Sincerely,

VINCENT P. BERTONI, AICP
Director of Planning



Michelle Singh,
Principal City Planner