

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

ORDINANCE NO. 2025-XXX

**ORDINANCE TO TERMINATE AN EXISTING TEMPORARY ZONING MORATORIUM
(ORDINANCE NO. 2024-007 AND ORDINANCE NO. 2024-010) PROHIBITING THE SALE OF
TOBACCO-RELATED PRODUCTS AND ELECTRONIC CIGARETTE- RELATED PRODUCTS IN
NEW LOCATIONS, AS WELL AS NEW TOBACCONIST/ CIGARETTE STORES
THROUGHOUT THE CITY**

WHEREAS, on June 3, 2024, the San Leandro City Council enacted a Zoning Moratorium to prohibit the sale of tobacco-related products and electronic cigarette-products in new locations, as well as note Tobacconist/Cigarette Stores throughout the City for a 45-day period (Ordinance No. 2024-007); and

WHEREAS, on July 1, 2024, the San Leandro City Council adopted Ordinance No. 2024- 010 to make findings and extend the temporary Zoning Moratorium for a period of one (1) year, ten (10) months, and fifteen (15) days from the date that Ordinance No. 2024-007 would have otherwise expired; and

WHEREAS, in adopting Ordinance No. 2024-007 and Ordinance No. 2024-010, the City Council found that there was a current and immediate threat to the public health, safety and/or welfare and a need for immediate preservation of the public peace, health, or safety; and

WHEREAS, the City Council enacted the temporary Zoning Moratorium to (1) address the community concerns regarding the establishment and operation of businesses selling tobacco and electronic cigarette- related products, (2) study the potential impacts that tobacconist/ cigarette stores may have on the public health, safety, and welfare, (3) study and determine what local regulations may be appropriate or necessary for the regulation of tobacconist/ cigarette store, (4) study and determine the appropriate zoning and location for tobacconist/ cigarette store, and (5) determine appropriate controls for protection of public health and welfare; and

WHEREAS, staff studied the matter and prepared amendments to the Zoning Code to establish reasonable limitations on the sale of tobacco-related products and electronic cigarette-related products and facilitate effective enforcement; and

WHEREAS, the City Council considered the proposed Zoning Code amendments at a duly noticed public hearing on November 3, 2025, and voted to introduce Ordinance No. 2025-XXX to amend the Zoning Code as proposed; and

WHEREAS, the temporary Zoning Moratorium is no longer needed once the Zoning Code amendments become effective; and

WHEREAS, the City Council desires to terminate the temporary Zoning Moratorium on the effective date of the Zoning Code amendments.

NOW, THEREFORE, the City Council of the City of San Leandro does **ORDAIN** as follows:

Section 1. Recitals. The above recitals are true and correct and when applicable, incorporated herein by reference.

Section 2. Termination of temporary Zoning Moratorium. The City Council of the City of San Leandro does hereby terminate the temporary Zoning Moratorium enacted by Ordinance No. 2024-007 and extended by Ordinance No. 2024-010; and

Section 3. Effective Date. The Zoning Moratorium shall be terminated on the effective date of Ordinance No. 2025-XXX amending the Zoning Code.

Section 4. Publication. The City Clerk is directed to cause this ordinance to be published in a manner required by law.

Introduced by Councilmember _____ and passed and adopted this 3rd day of November, 2025, by the following vote:

AYES: _____ ()

NOES: _____ ()

ABSENT: _____ ()

ATTEST:

Sarah K. Bunting
Acting City Clerk