

Attachment B

Report on Interim Activity To Alleviate the Conditions Which Led to the Adoption of Temporary Zoning Moratorium to Prohibit in *New Locations* the Sale of Tobacco-Related Products and Electronic Cigarette-Related products, as well as New Tobacconist/Cigarette Stores Throughout the City

On June 6, 2024, the City Council adopted an urgency ordinance establishing a 45-day moratorium on approval of: 1) new tobacconist/cigarette stores anywhere in the City, and 2) businesses selling tobacco-related products or electronic-cigarette related products in a new location where such products are not sold as of June 3, 2024. The moratorium will not impact the ability of any existing legal business to continue operating and selling tobacco-related products or electronic cigarette-related products. Additionally, the moratorium will not prevent any new business that sells such products, other than a tobacconist/cigarette store, from being established if the business is established in a location where such products are currently sold.

California Government Code Section 65858(d) requires that 10 days prior to the expiration of the urgency ordinance, the San Leandro City Council must issue a written report describing the measures taken to alleviate the condition which led to the adoption of the ordinance. The conditions that led to the adoption of the ordinance were listed in Ordinance No. ##### and are still extant as of the date of this report. The following is a report of the measures and actions that have been taken by the City since June 3, 2024:

- The City Council has directed City staff to continue studying the issue of the regulation of retail tobacco stores.
- City staff has begun initial review of related ordinances from other jurisdictions throughout California, as well as model ordinances for retail tobacco sales. City staff is also beginning the process of evaluating draft standards applicable to retail tobacco stores for incorporation into the City's Zoning Ordinance, including but not limited to, reviewing definitions of tobacco products; increasing penalties for violations of local laws; reviewing licensing fees and licensee restrictions; and, studying whether other restrictions for tobacconist/cigarette stores will be effective within the City.
- It has only been approximately three weeks since the zoning moratorium was adopted, and staff anticipates making significant progress on new regulations in the coming months.