**CITY OF SALINAS**
**COUNCIL STAFF REPORT**

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**DATE:** AUGUST 4, 2026

**DEPARTMENT:** ADMINISTRATION
OFFICE OF THE CITY ATTORNEY
COMMUNITY DEVELOPMENT

**FROM:** ERNESTO LIZAOLA, ASSISTANT TO THE CITY MANAGER

**THROUGH:** CHRISTOPHER A. CALLIHAN, CITY ATTORNEY
LISA BRINTON, DIRECTOR

**TITLE:** EXTENSION OF THE URGENCY INTERIM ORDINANCE PROHIBITING THE ISSUANCE OF TOBACCO RETAILERS' LICENSES FOR THE PERIOD NOT TO EXCEED 10 MONTHS AND 15 DAYS

RECOMMENDED MOTION:

A motion to extend Urgency Interim Ordinance No. 2697(NCS) prohibiting the issuance of Tobacco Retailers' Licenses citywide for an additional 10 months and 15 days. A four-fifths vote (i.e., five affirmative votes) is required in order for the proposed extension to take effect.

EXECUTIVE SUMMARY:

The proposed extension of Urgency Interim Ordinance No. 2697(NCS) will prolong the temporary moratorium on the issuance of Tobacco Retailers' Licenses citywide for an additional 10 months and 15 days, to allow the City additional time to study best practices and develop a more comprehensive regulatory framework for tobacco retailers. The extension would not affect existing licenses or the renewal of existing licenses. The proposed extension is pursuant to California Government Code Section 65858, which allows for extension of such urgency interim ordinance. If adopted by the City Council, the moratorium on the issuance of Tobacco Retailers' Licenses will be extended from August 14, 2026 to June 29, 2027. This staff report serves as the 10-day report required by California Government Code Section 65858(d).

BACKGROUND:

On June 30, 2026, pursuant to California Government Code Section 65858, the Salinas City Council adopted Urgency Interim Ordinance No. 2697(NCS) prohibiting the issuance of Tobacco

Retailers’ Licenses for a period of 45 days. The current 45-day temporary moratorium expires on August 14, 2026.

During this initial 45-day period, City staff identified key actions the City can undertake to alleviate the threat to public health, welfare, and safety posed by the adverse effects associated with tobacco products and retailers, especially as it relates to access and exposure to minors. This includes, but not limited to, addressing licensing enforcement; reviewing best practices from other jurisdictions; analyzing police data from crime and violation patterns; and compiling and analyzing list of existing tobacco retailers in relation to population density and proximity to youth-populated areas. The proposed extension will allow the City additional time to study best practices and develop a more comprehensive regulatory framework for tobacco retailers.

If approved, the proposed extension of 10 months and 15 days for the moratorium on the issuance of Tobacco Retailers’ Licenses will take effect from August 14, 2026 to June 29, 2027. If needed, pursuant to California Government Code Section 65858, the ordinance can be extended a second time for an additional year prior to June 29, 2027.

City staff have started to engage community partners and other stakeholders as we evaluate possible changes to the issuance and the regulation of the Tobacco Retailers’ Licenses. Thus far, we have engaged with the Monterey County Health Department, Monterey County Office of Education, California Fuels & Convenience Alliance (CFCA), and other local municipalities to gather information and feedback. In the coming months, we will continue to engage these and other stakeholders to inform and guide possible changes to our existing process and policies.

This extension of the Urgency Interim Ordinance No. 2697(NCS) directly responds to concerns Salinas residents have shared about public health, neighborhood safety, and youth exposure in areas with high concentration of tobacco retailers and smoke shops. The City does not currently have any restrictions on the proximity of tobacco retail sales to youth-populated areas such as schools, parks, recreation centers, and/or childcare centers. To address these problems, many municipalities across California have enacted limits on the number of retailers’ licenses that can be issued based on per capita and/or geographical factors.

The City is in the process of reviewing and updating its General Plan (Visión Salinas 2040) and Zoning Code (Chapter 37 of the Salinas Municipal Code), as well as its regulations on commercial cannabis businesses and tobacco retail businesses. This presents an opportunity to evaluate and to address the foregoing concerns with which the uses currently authorized by tobacco retailers’ licenses may be in conflict.

CEQA CONSIDERATION:

**Not a Project**. The City of Salinas has determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) (CEQA Guidelines Section 15378). In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines section 15378, this matter is not a project. Because the matter does not cause a direct or foreseeable indirect physical change on or in the environment, this matter is not a project. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

CALIFORNIA GOVERNMENT CODE §84308 APPLIES:

No.

STRATEGIC PLAN INITIATIVE:

The City Council's adoption of this urgency interim ordinance does not directly address any of the City Council's Strategic Goals; however, the urgency interim ordinance would provide measures that help prevent youth access to tobacco products.

DEPARTMENTAL COORDINATION:

The City Manager's Office coordinated with the Community Development Department and the City Attorney's Office on the preparation of this urgency interim ordinance and this Report.

FISCAL AND SUSTAINABILITY IMPACT:

Adopting this urgency interim ordinance will have no direct fiscal impact on the General Fund.

ATTACHMENTS:
Draft Extension of Urgency Interim Ordinance