



**CITY OF SALINAS  
COUNCIL STAFF REPORT**

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**DATE:** June 30, 2026

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

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

**TITLE:** URGENCY INTERIM ORDINANCE PROHIBITING  
THE ISSUANCE OF TOBACCO RETAILERS' LICENSES FOR  
THE PERIOD NOT TO EXCEED FORTY-FIVE (45) DAYS

RECOMMENDED MOTION:

A motion to adopt an Urgency Interim Ordinance prohibiting the issuance of Tobacco Retailers' Licenses citywide. A four-fifths vote (i.e., five affirmative votes) is required in order for the proposed ordinance to immediately take effect for an initial period of forty-five (45) days.

EXECUTIVE SUMMARY:

The intent of this interim ordinance is to place a temporary moratorium on the issuance of additional Tobacco Retailers' Licenses in order to provide the City time to study and to develop a more comprehensive regulatory framework for tobacco retailers that better protects public health and prevents youth exposure in accordance with the City's strategic goals. This interim ordinance would not affect existing licenses or the renewal of existing licenses. If adopted by the City Council, it would have an initial effective period of forty-five (45) days and may be extended thereafter by the City Council upon notice for an additional ten months and fifteen days and then for an additional one year.

BACKGROUND:

On January 6, 2015, the City of Salinas adopted an ordinance requiring all tobacco retailers to obtain a Tobacco Retailers' License to ensure that retailers comply with tobacco control laws and City business standards (Ord. No. 2555(NCS), § 1, 1-6-2015; Salinas Municipal Code section 16-119.1). The ordinance requires all retailers operating within city limits to obtain a license from the Monterey County Health Department. The ordinance also includes several provisions that are enforced by the Monterey County Health Department, the Salinas Police Department, and the

Salinas City Attorney's Office. The ordinance does not set any limits on the number of tobacco retailers' licenses that can be issued. As of March 2026, there are 124 active tobacco retailers operating within City limits.

Salinas residents have shared growing concerns about the negative health impacts and the increased youth access that tobacco retailers present when operating in residential, high-density neighborhoods. While many tobacco retailers in the City operate as grocery stores, liquor stores, gas stations, convenience stores, in recent years the City has seen an increase in the number of standalone "Smoke Shop" tobacco retail stores. These smoke shops, along with vape shops, tend to have the highest statewide violation rates as it relates to unlawful sale of tobacco products to minors. 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 Urgency Interim Ordinance