



Zoning Text Amendment: Minor Revisions to Tobacco Use Regulations

August 27, 2025
City Council Meeting



Background

Tobacco Zoning Text Amendments



Background

- Recent changes to State and County tobacco regulations have required changes to the City's tobacco-related ordinances
- Tobacco use in South San Francisco regulated through several different municipal code chapters:
 - Title 6 (Business Regulations)
 - Title 8 (Health and Welfare)
 - **Title 20 (Zoning)**

Background

- **2023:** SMC enacted a new Tobacco Retailer Permit ordinance
 - Cities that want County Health to administer the tobacco retailer permit within their jurisdiction must pass an ordinance adopting the County's newly adopted ordinance verbatim, or in its entirety by reference
- **March 2025,** City Council adopted the County's updated Tobacco Retailer Permit ordinance by reference to maintain consistency
- Today's item – Zoning Ordinance update, to be consistent with Council's previous action

Background

Flavored Tobacco

- State law:
 - Subdivision of SB 793: allows a hookah tobacco retailer to sell flavored hookah tobacco products if the hookah tobacco retailer does not permit any person under 21 years of age to be present or enter the premises at any time.
- SMC's Tobacco Retailer Permit specifically prohibits any person or tobacco retailer from selling or offering to sell any flavored tobacco product or tobacco product flavor enhancer. Flavored tobacco products include hookah pipes.
- County regulations **more strict** than state law

Background

Hookah Tobacco

- Hookah tobacco is typically flavored, but there are unflavored varieties
- Unflavored hookah products could be allowed under County / City ordinance
- There are no permitted hookah bars / smoking lounges currently operating in the City



Proposed Amendments

Tobacco Zoning Text Amendments

Proposed Zoning Text Amendments

Purpose

- Correct cross-references to updated code sections
- Clarifying intent and language to ensure consistency with existing policy, practice and enforcement
- Promote the public health and welfare with regard to tobacco usage

Proposed Zoning Text Amendments

Remove Hookah Bar / Smoking Lounge from Use Classifications*

~~**Hookah Bar/Smoking Lounge.** Businesses serving flavored tobacco or other products for on-site smoking.~~

Table 20.100.002: Use Regulations - Non-Residential Zoning Districts							
Use Classification	CC	BPO	BTP-M & GMP	BTP-H & OPSP	MIM	MIH	Additional Regulations
<i>"P" = Permitted; "M" = Minor Use Permit; "C" = Conditional Use Permit; "—" = Use Not Allowed</i>							
Commercial Uses							
Eating and Drinking Establishments							
<i>Bar/Night Club/ Lounge</i>	C	—	—	—	—	—	
<i>Coffee Shop/Cafe</i>	P	P	P	P	P	P	See Chapter 20.350, Outdoor Seating
<i>Hookah bar/Smoking Lounge</i>	—	—	—	—	€	€	
<i>Restaurant, Full Service</i>	P	P	P	P	P	P	See Chapter 20.350, Outdoor Seating
<i>Restaurant, Limited Service</i>	P	P	P	P	P	P	See Chapter 20.350, Outdoor Seating

***Carve out for Use Permit applications submitted prior to August 27, 2025**

Environmental Review

- Proposed zoning text amendments are exempt from CEQA, as the revisions are minor in nature and are not considered a project per CEQA Guidelines Section 15378



Recommendation

Tobacco Zoning Text Amendments

Recommendation

Staff recommends that the City Council follow the Planning Commission's recommendation and:

1. Determine that the proposed Zoning Ordinance Amendment is exempt from CEQA
2. Introduce an ordinance amendment Title 20 of the South San Francisco Municipal Code, to make minor revisions related to tobacco use.