

Zoning Code Text Amendment

Amend Section 20-70.020 Definitions of specialized terms and phrases as follows:

1. Modify definition of “Tobacco or Smoke Shop”:

Tobacco or Smoke Shop. Any store, stand, booth, or concession that devotes 30% or more of its display floor area to tobacco products, or to the display and sale of tobacco, electronic smoking devices, or drug paraphernalia to purchasers for consumption or use. This classification of use does not include medical cannabis dispensaries which are defined separately and regulated by Chapter 10-40 (Medical Cannabis Dispensaries) in the Santa Rosa City Code.

1. Modify title and definition of “Tobacco or Drug Paraphernalia”:

Tobacco, Electronic Smoking Device, or Drug Paraphernalia. (1) Any device intended or designed primarily for use by individuals for the smoking or ingestion of tobacco, notwithstanding that the device may also be used for the smoking or ingestion of marijuana, hashish, hashish oil, cocaine or any other “controlled substance,” as that term is defined in the Health and Safety Code; examples of such devices include but are not limited to: “pipes,” “bongs,” “hookahs,” “vaporizers,” “roach clips,” “electric pipes,” “buzz bombs,” “blunts” or similar devices; (2) or any equipment, product, or material that is modified for making, using, or concealing illegal drugs such as cocaine, heroin, marijuana, and methamphetamine; (3) cartridges, cartomizers, e-liquid, smoke juice, tips, atomizers, Electronic Smoking Device batteries, Electronic Smoking Device chargers, and any other item specifically designed for the preparation, charging, or use of Electronic Smoking Devices; (4) an Electronic Smoking Device.

2. Add definition of “Electronic Smoking Device”:

Electronic Smoking Device. An electronic and/or battery-operated device, the use of which may resemble smoking, which can be used to deliver an inhaled dose of nicotine or other substances. “Electronic Smoking Device” includes any such electronic smoking device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor. “Electronic Smoking Device” does not include any product specifically approved by the United States Food and Drug Administration for use in the mitigation, treatment, or prevention of disease.