

County of Santa Clara

Public Health Department

Public Health Administration
150 W. Tasman Drive, 2nd Floor
San José, CA 95134
408.792.5040



June 11, 2025

San José City Hall
200 E Santa Clara St
San José, CA 95113

RE: ROGC 25-218: Temporary Moratorium on Smoke Shops

Dear Chair Cohen and Members of the Rules and Open Government Committee,

I am writing to thank the City of San José for its use of the [County of Santa Clara Public Health Department's Latino Health Assessment \(LHA\)](#) in its consideration of a temporary moratorium on approving new smoke shops citywide and to urge you to consider adoption of the [County's model tobacco ordinance](#). The County of Santa Clara Public Health Department is dedicated to protecting and improving the health and well-being of our community. One of the ways we achieve this is by partnering with cities across the County to promote strategies and implement policies that reduce exposure to secondhand smoke and prevent youth from accessing tobacco products. As the largest city in the county, San José has an outsized capacity and responsibility to set policies that can reduce the risk of tobacco-related illness and death in our community.

Tobacco use is the leading preventable cause of death and disease in the United States. Cigarette smoking in the U.S. causes more than 480,000 death annually, including nearly 40,000 deaths resulting from secondhand smoke exposure. Adult smoking rates have continued to decline in the County, and the current use of cigarettes is 6.8%. Tobacco use among youth continues to be an issue with the rise of vaping and e-cigarettes, leading to disparate impact on Latino youth. From 2021-2023, Latino high school students in Santa Clara County were more likely to report using e-cigarettes or a vaping device in the last month (6%) when compared to the county average (4%). Tobacco use increases the risk of cardiovascular disease, stroke, lung cancer, chronic respiratory diseases, diabetes, and many other adverse health outcomes. According to the LHA, Latino residents in Santa Clara County are at higher risk of many of these health outcomes when compared to the County as a whole. For example, in 2021, Latino residents were nearly 1.5 times as likely as the rest of Santa Clara County to visit the emergency department due to cardiovascular disease.

As noted in the memo from Councilmembers Ortiz, Campos, Candelas, and Cohen, the LHA demonstrates that the density of tobacco retailers in East San José is more than double that of other areas in Santa Clara County. Increased density of tobacco retailers within communities normalizes and promotes tobacco use, is tied to increased rates of smoking among both youth and adults and discourages attempts to quit tobacco use. Additionally, tobacco retailers tend to

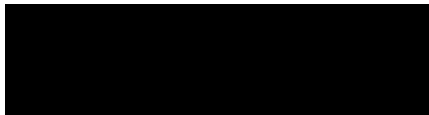
be more concentrated within communities that have a higher risk of adverse health outcomes due to smoking.

Moratoria like the one proposed by Councilmembers Ortiz, Campos, Candelas, and Cohen, can grant cities time to assess the impact of smoke shops in their jurisdiction, reevaluate existing tobacco prevention ordinances, and draft and implement additional policy and compliance measures to protect residents and youth from the health harms of tobacco products.

In addition to supporting the proposed moratoria, I recommend you consider enacting the County of Santa Clara's model tobacco ordinance. While the current City of San José ordinance takes several steps to reduce youth access to tobacco products, the County's ordinance would close additional gaps and exceptions for sales of certain flavored products shown to be targeted to youth, as well as prohibit tobacco sales at pharmacies. The County has partnered closely with the Cities of Cupertino and Palo Alto and the Town of Los Gatos to enact the County's model ordinance, locations where we have seen continued reductions in number of tobacco retailers and availability of tobacco products.

I encourage the City of San José to continue leveraging data from the LHA as it moves forward with the potential moratorium and additional policy measures aimed to enhance the health and safety of all San José residents and particularly our youth. If you would like further information or assistance related to tobacco retail license policy, please contact Don Tran at don.tran@phd.sccgov.org.

Sincerely,



Sarah L. Rudman, MD, MPH
Acting Public Health Officer and Director

Cc: Councilmember Peter Ortiz
Councilmember Pamela Campos