

MAYOR AND COUNCIL COMMUNICATION

DATE: September 3, 2024
TO: Mayor and City Council
FROM: Melinda Moritz, Public Works Director
THROUGH: Crystal Caldera, Ph.D., City Manager
SUBJECT: Presentation and Discussion to Consider Approval of an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 15 Zoning, Article 15.02 Zoning Ordinance, Division 7 Permitted Use Table, Section 15.02.381 - Permitted use table, to Regulate the Location of CBD Retail Establishments

SPONSOR(S): N/A

PURPOSE

The purpose of this item is to consider approval of an amendment to the Leon Valley Code of Ordinance, Chapter 15 Zoning, Article 15.02 Zoning Ordinance, Division 7 Permitted Use Table, Section 15.02.381 - Permitted use table, to regulate the location of CBD retail establishments.

The proliferation of the retail establishments that sell CBD oils, Delta 8, vape pens, medical marijuana, cannabis, THCa flower, etc. is becoming concerning. The City of Leon Valley wishes to provide a very diverse business community to assure consistent and thriving economic development.

Thriving and diverse communities drive economic growth through increased business opportunities and increased consumer spending power. A diverse business community may also contribute significantly to a community’s quality of life.

The Permitted Use Table would be amended to add the following language:

“Zoning District	O-1	B-1	B-2	B-3	I-1
CBD, Hemp, Medical Marijuana, Cannabis, THCa Flower and/or Vape Businesses	X	P	P	P	P

Notes: ***Shall not be located within a radius of 5,000 feet from the nearest existing CBD, Medical Marijuana, Cannabis, THCa Flower, Edibles, Delta 8, Delta 9 THC, Hemp, and/or Vape business.

***Shall not be located within 5,000 feet from the following land uses: religious institutions, school or day care facility, bar or liquor store, and pawnshops.

***Storefronts shall have glass or transparent glazing in the window and doors and as prescribed by article 3.04 shall have no more than ten percent of any window or door area covered by signs, banners or opaque coverings of any kind. Animated, moving, flashing, blinking, reflecting, revolving or similar type on-premises signs are prohibited.”

FISCAL IMPACT

None.

RECOMMENDATION

At their August 27, 2024 meeting, the Planning and Zoning Commission recommended approval of the amendment.

APPROVED : _____

DISAPPROVED : _____

APPROVED WITH THE FOLLOWING AMENDMENTS :

ATTEST :

SAUNDRA PASSAILAIGUE, TRMC
City Secretary