

Consider Amending Chapter 15 Zoning Regulate Location CBD Retail Establishments

Melinda Moritz

Public Works Director

09/17/24

Summary

- Question
 - Should the City amend Chapter 15 Zoning, Article 15.02 Zoning Ordinance, Division 7 Permitted Use Table to further regulate CBD/vape retail establishments?
- Options
 - Approve
 - Deny
 - Other
- Declaration
 - This measure will promote a diverse business community to encourage economic growth and provide some protections for schools and religious institutions

Purpose

- 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

Background

- The proliferation of the retail establishments that sell CBD oils, Delta 8, vape pens, medical marijuana, cannabis, THCa flower, etc. is becoming concerning
- City 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

Permitted Use Table Amendment

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

- These retail establishments do collect sales tax

Strategic Goals

Economic Development is a strategic goal outlined in Leon Valley's Strategic Plan.

- Revitalize declining commercial areas by creating, reviewing, and enforcing codes that impact Economic Development

Recommendation

- At their 8-27-24 meeting, the Planning & Zoning Commission recommended approval of this amendment