

**PLANNING AND ZONING COMMISSION COMMUNICATION**

**DATE:** August 27, 2024  
**TO:** Planning and Zoning Commission  
**FROM:** Mindy Teague, Planning and Zoning Director  
**THROUGH:** Crystal Caldera, Ph.D., City Manager  
**SUBJECT:** Presentation and Discussion to Consider a Recommendation on 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):** City Council

**PURPOSE**

The purpose of this communication is to consider a request by the City Council to amend Chapter 15 Zoning, Article 15.02 Zoning Ordinance, Division 7 Permitted Use Table, Section 15.02.381 - Permitted use table, to include regulation on the permitted locations 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**

This use does generate sales tax.

**RECOMMENDATION**

City Council recommends regulating the location of these establishments to reduce the number of them, which would keep other retail spaces open for other types of businesses to relocate to Leon Valley.

APPROVED : \_\_\_\_\_

DISAPPROVED : \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS :

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\_\_\_\_\_

ATTEST :

\_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary