



DATE: March 19, 2024

CASE: TA-01-24 Text Amendment (Tobacco and Hemp Shops)

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BACKGROUND

In recent years tobacco and hemp shops, notably with vaping supplies, have become an emerging land use which has spurred much discussion among the planning profession. Several jurisdictions in the State have adopted ordinances to regulate these uses, and others are in the process of drafting such regulations.

The National Institutes of Health (NIH), in a study titled "The Co-occurrence of Specialty Vape Shops, Social Disadvantage, and Poor Air Quality in the United States: An Assessment of Cumulative Risks to Youth" states that " .. vape shops are themselves associated with an environmental health risk to youth."

Given the large investment in the Center City streetscape improvements, and from concerns voiced from downtown property owners, it is felt that an amendment to restrict these uses (particularly in downtown) is warranted.

Much of the research for the definition in the proposed ordinance has been derived from Wake County. The specific land use is designated as "tobacco and hemp retail" which includes an establishment whose principal sales involves e-cigarettes, hookah, traditional tobacco, THC products and paraphernalia.

The proposed ordinance would allow "tobacco and hemp retail" only in the C-2 district and in no other non-residential districts and adds it as a line item in the use table. Sales of the items in the definition would be allowed in other retail establishments provided that they are not the principal sales of the business.

The proposed amendment is in approval form and may be forwarded to Council for approval with the consensus of the Commission.