



DEPARTMENT OF
**PLANNING AND
DEVELOPMENT
REVIEW**

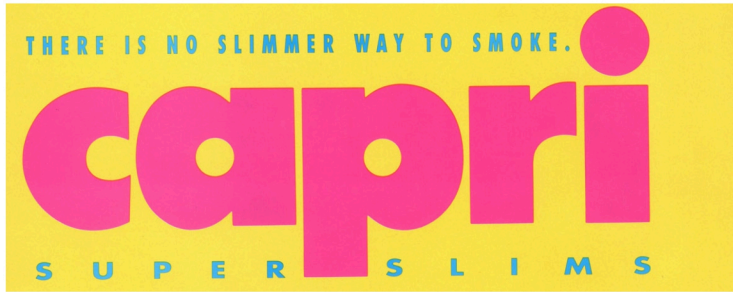
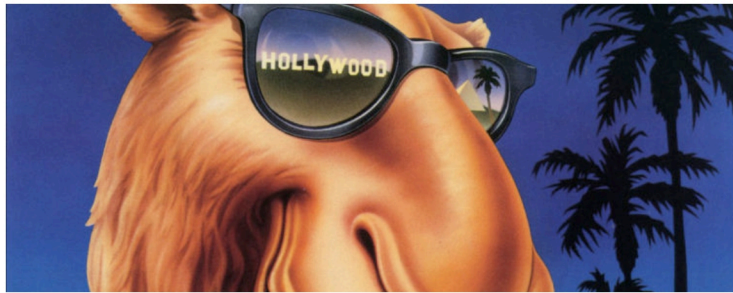
ORD. 2025-157: zoning for retail sales of tobacco and hemp



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TUESDAY, 15 JULY 2025

Why regulate retail sales of tobacco and hemp?



Why regulate retail sales of tobacco and hemp?

manufacturers allocate 90% of cigarette advertising and 70% of smokeless tobacco advertising to point-of-sale

the number, density, and proximity of retailers to schools are associated with greater number of adolescents who smoke

adolescents who smoke are at higher risk for long-term addiction because their brains are still developing

long-term tobacco addiction leads to illnesses like lung cancer, chronic obstructive pulmonary disease, heart disease, asthma

long-term, tobacco-related illnesses have tremendous personal, social, and financial costs

How to regulate retail sales of tobacco and hemp?

- lessen congestion in streets
- secure safety from fire, panic, and other danger
- **promote health, sanitation, and general welfare**
- provide adequate light and air
- prevent overcrowding of land
- avoid undue concentration of population
- facilitate public and private transportation
- facilitate public utility services and sewage disposal
- facilitate provision for schools, parks, playgrounds, etc.

What is retail sales of tobacco and hemp?

any business, establishment, or use

- that sells, offers, or distributes
- electronic smoking devices and retail tobacco products [§ 18.2-371.2 Code of Virginia];
- or hemp products and hemp products intended for smoking [§ 3.2-4112 Code of Virginia];
- and where one (1) or more of the following apply:

What is retail sales of tobacco and hemp?

- (1) 10% or more of the usable floor area is dedicated to the sale, offering, or distribution of such materials;
- (2) 10% or more of the total area used to display merchandise, or 10% or more of the total area used to otherwise promote merchandise, is dedicated to the sale, offering, or distribution of such materials
- (3) 10% or more of the total permitted sign area on the lot refers to such materials;
- (4) 10% or more of inventory is comprised of such materials;
- (5) 10% or more of monthly gross revenue of the is derived from the sale, offering, or distribution of such materials.

Where to allow retail sales of tobacco and hemp?

P = permitted P* = permitted with conditions C = conditional	UB	UB-2	B-2	B-3	B-4	B-5	B-6	RF-1	RF-2	CM	DCC	RP	M-1	M-2
Adult uses					P*								P*	P*
Lodging- houses				C	C							C	C	C
Nightclubs				C	C	C	C	C	C	C	C	C	C	C
Retail sales of liquor	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Where to allow retail sales of tobacco and hemp?

UB UB-2

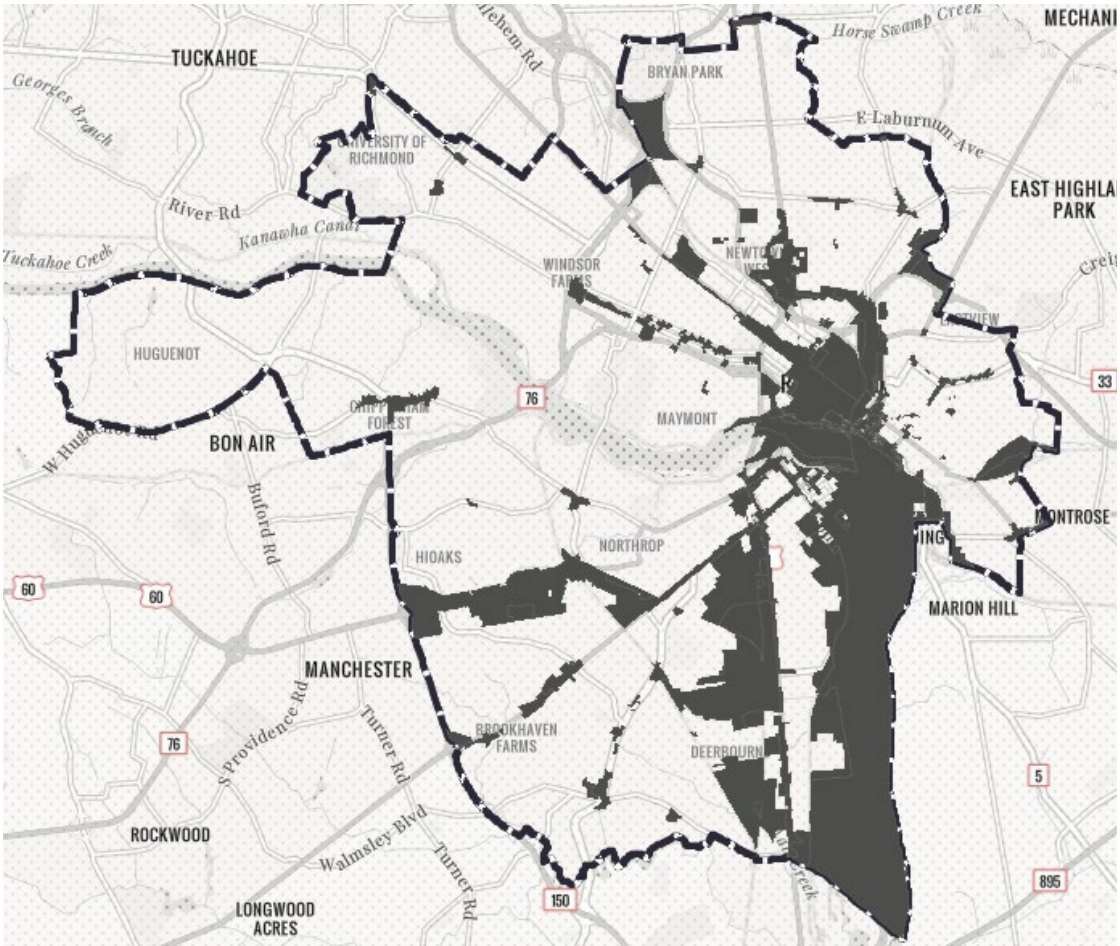
B-2 B-3 B-4 B-5 B-6

RF-1 RF-2

CM DCC

RP

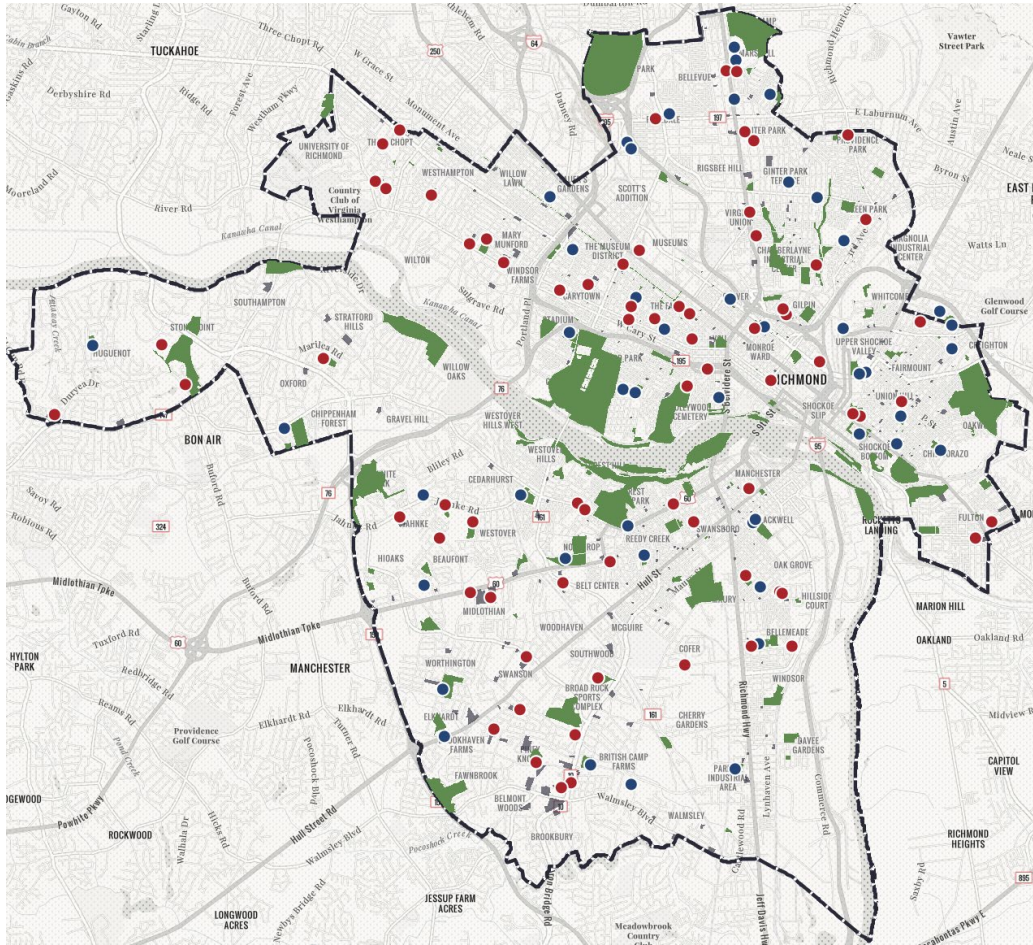
M-1 M-2



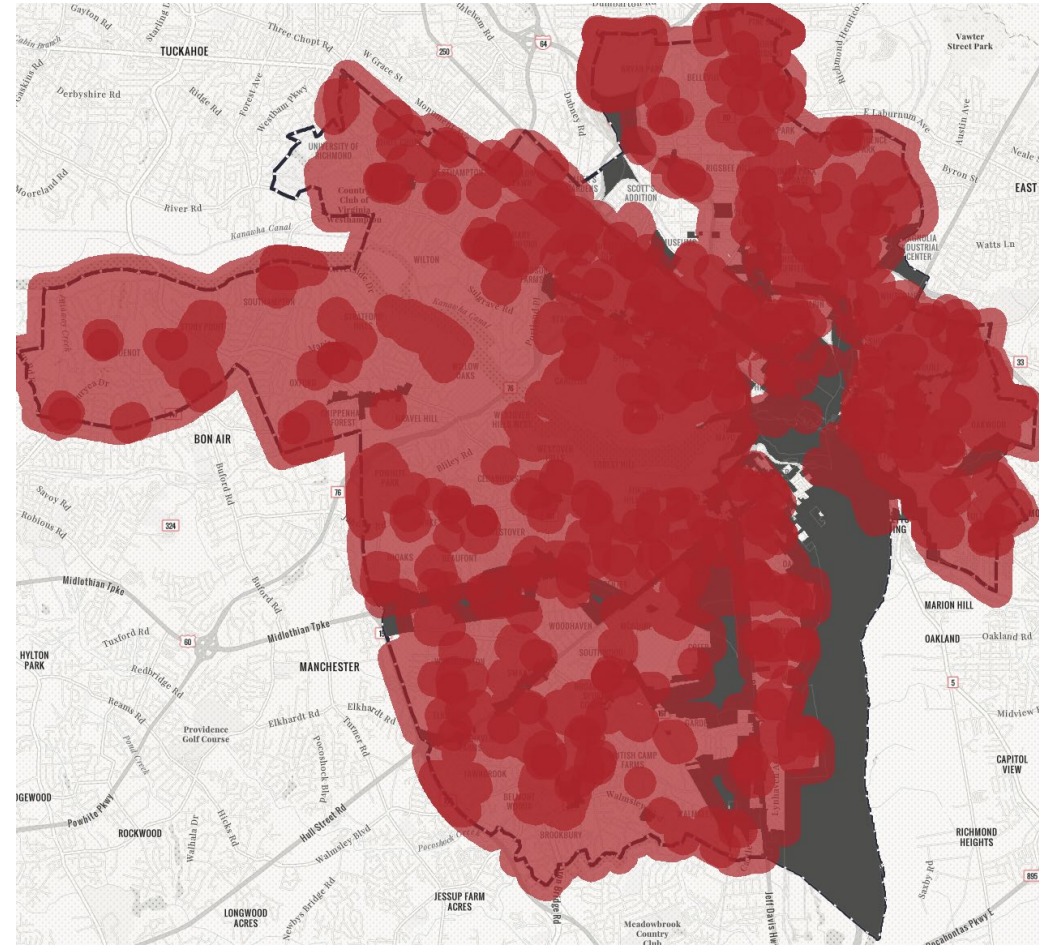
How should we condition such uses?

- Shall be located no less than one thousand (1,000) feet from:
 - any lot in a R or RO zoning district; and
 - any lot containing a child day center; public or private pre-, elementary, middle, or high school; park; public library; church or other place of worship; and
 - any lot containing retail sales of tobacco and hemp; and
- Drive-up facilities shall not be permitted in conjunction with such use; and
- Sales shall only take place within the interior of a building or structure

How should we condition such uses?



Public schools, day centers, parks, and places of worship



R- Districts, Public schools, day centers, parks, and places of worship + 1,000' buffer over permitted zoning districts

What is our recommendation?

Recommend approval of ORD. 2025-157: To amend City Code §§ 30-433.3, 30-433.11.1, 30-436.2, 30-438.2, 30-440.2, 30-442.1:1, 30-444.2:1, 30-447.2:1, 30-447.11:1, 30-448.3, 30-449.4, 30-451.2:1, 30-452.1:1, all concerning principal uses permitted by conditional use permit, 30-454.1 concerning permitted principal and accessory uses, 30-1045.6, concerning specific conditions applicable to particular uses, and 30-1220, concerning definitions, for the purpose of establishing “retail sales of tobacco and hemp” as a defined use in the City’s zoning ordinance and regulating where such uses can occur.

Questions and discussion