

20-LDC -0003

Smoking Retail Store Amendment



Planning & Zoning Committee

September 8, 2020

Additions

SECTION I: Chapter 1 of the LDC, Section 1.2.2 – Definitions, is amended to add the following definition:

Smoking Retail Store – a store defined by Chapter 90 of the Louisville Metro Code of Ordinances (LMCO) as a Smoking Retail Store and required to obtain a retail license for sale of tobacco, tobacco products and/or electronic smoking devices in accordance with chapter 90 of the LMCO.

SECTION II: Chapter 4 of the LDC, Part 3 – Permitted Use with Standards, is amended to add the following:

4.3.24 Smoking Retail Store

In the C-1, C-2, C-3, C-M, EZ-1, and PEC zoning districts, Smoking Retail Stores may be permitted in accordance with the following special standards:

- A. No Smoking Retail Store shall be located within one thousand (1,000) feet of the boundary of any parcel occupied by any of the following uses (as measured in a straight line from parcel boundary to parcel boundary):
 - 1. Public or private early childhood, elementary, middle or high school
 - 2. Park
 - 3. Public playground
 - 4. Recreation (Use), Outdoor
 - 5. Community Center
 - 6. Day Care Center
 - 7. Athletic Facility, Indoor and Outdoor
- B. No Smoking Retail Store shall be located within six hundred (600) feet of a site occupied by another Smoking Retail Store, as measured in a straight line from parcel boundary to parcel boundary. This separation requirement is eligible for a waiver in accordance with Chapter 11, Part 8 of the LDC.

The hours of operation for a Smoking Retail Store shall be no earlier than six (6) A.M. and no later than ten (10) P.M., seven (7) days a week. The hours of operation requirement is eligible for a waiver in accordance with Chapter 11, Part 8 of the LDC.

Public Meetings

- Planning Committee meeting on March 5, 2020
- Planning Commission public hearing on 8/20/2020
 - No one spoke in opposition, in support, or as other.
 - The Commission recommended approval of the LDC text amendment by a vote of 8-0 (1 member was absent).