

CB-9-2023 – Planning Board Analysis (Attachment 4)

This bill amends the hours of operation in the Zoning Ordinance for approval of special exceptions for tobacco shops, electronic cigarette shops, or retail tobacco business uses.

The Planning Board has the following comments for consideration by the District Council:

Policy Analysis:

This bill amends the additional requirements for specific special exception uses standards for tobacco shops, electronic cigarette shops, or retail tobacco business uses to require their hours of operation to be from 10:00 a.m. until 10:00 p.m.

Limiting the hours of operation for tobacco shops, electronic cigarette shops, or retail tobacco business uses is a policy decision of the District Council.

The Planning Board would like to recommend two technical amendments for District Council consideration. On page 2, line 2, delete the letter “(a)” and replace with the letter “(kkk)” to show the correct letter for the use in the new Zoning Ordinance. Next, on line 24, remove the words “retail tobacco business.” This language was inadvertently typed twice on the same line.

Impacted Property:

The legislation will affect future tobacco shops, electronic cigarette shops, or retail tobacco business use applications, except for retail tobacco businesses located within a Recreational or Entertainment Establishment of a Commercial Nature with video lottery facility uses.

Following discussion, the Planning Board voted to take no position with technical amendments on CB-9-2023. Limiting the hours of operation for tobacco shops, electronic cigarette shops, or retail tobacco business uses is a policy decision for the District Council.