

## **CB-31-2023 – Planning Board Analysis (Attachment 1)**

A bill to modify the definitions for convenience store, gas station, and tobacco shop uses in the Zoning Ordinance to clarify the percentage of certain uses that may be dedicated to the display and sales of tobacco products; and provide for a transition period to ensure compliance.

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

### **Policy Analysis:**

The bill amends the definition for a convenience store and a gas station to require no more than thirty-two (32) square feet or five (5) percent of the gross floor area, whichever is less, to be dedicated to the sale of tobacco or tobacco accessories.

In addition, the bill amends the definition for tobacco shop, electronic cigarette shop, or retail tobacco business to designate any convenience store or gas station that provides more than thirty-two (32) square feet or five (5%) of the gross floor area to tobacco products as a tobacco shop, electronic cigarette shop or retail tobacco business.

There are currently one hundred eleven (111) convenience stores, two hundred fifty-five (255) gas stations, and fifty-seven (57) tobacco or electronic cigarette shops in Prince George's County. Limiting the square foot and percentage of tobacco products and accessories sold at convenience stores and gas stations is a policy decision of the District Council.

### **Impacted Property:**

This legislation will affect all convenience store and gas station properties in Prince George's County that sell tobacco products and accessories.

Following discussion, the Planning Board voted to take no position on CB-31-2023.