

ORDINANCE NO. 2024 - 56

AN ORDINANCE AMENDING THE CITY OF GOLDSBORO UNIFIED DEVELOPMENT ORDINANCE FOR THE REGULATION OF TOBACCO, VAPE, CBD, HOOKAH, AND SIMILAR ESTABLISHMENTS.

WHEREAS, after notice duly given according to law, a public hearing was held before the City Council at a regular meeting held in the City Council Chambers, 214 N. Center St. at Historic City Hall, on **Monday, October 21, 2024**, at 7:00 p.m., for the purpose of considering and discussing the passing of an ordinance amending the City of Goldsboro Unified Development Ordinance; and

WHEREAS, the City of Goldsboro Planning Department, has submitted a petition to amend the text of the City of Goldsboro, North Carolina, Unified Development Ordinance Section 9.2 Definitions, Section 5.4 Table of Permitted Uses, and Section 5.5 Supplemental Use Regulations, for the regulation of Tobacco, Vape, CBD, Hookah, and Similar Establishments; and

WHEREAS, the applicant is proposing a comprehensive text amendment that will add language to the City of Goldsboro Unified Development Ordinance, Section 9.2 Definitions, Section 5.4 Table of Permitted Uses, and Section 5.5 Supplemental Use Regulations, as it pertains to the regulation of Tobacco, Vape, CBD, Hookah, and Similar Establishments; and

WHEREAS, the proposed amendment would include language that permits Tobacco, Vape, CBD, Hookah, and Similar Establishments within specific zoning districts when specific standards are met; and

WHEREAS, after completion of said public hearing, the Goldsboro City Council deems it advisable and for the best interest of the City and those residing within its zoning jurisdiction that the City of Goldsboro Unified Development Ordinance be amended; and

WHEREAS, the City Council further deems it advisable and for the best interest of the City and those residing within its jurisdiction that the City of Goldsboro Unified Development Ordinance amendments for the City of Goldsboro, North Carolina, be adopted.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Goldsboro, that City of Goldsboro Unified Development Ordinance Section 9.2 Definitions, Section 5.4 Table of Permitted Uses, and Section 5.5 Supplemental Use Regulations for the regulation of Tobacco, Vape, CBD, Hookah, and similar establishments be amended as follows:

ARTICLE 9, SECTION 9.2 DEFINITIONS

Tobacco, Vapor, CBD, Hookah, and Similar Retail Establishments

A specialized retail establishment whereby 25% or more of its space is used for the sale, storage, or consumption of tobacco products, electronic smoking/vaping devices, Kratom, CBD hemp derived Delta-8, and related accessories. These products may include, but are not limited to, cigarettes, cigars, pipe tobacco, vaping devices, e-liquids, and vaping accessories. An area may also be included whereby patrons share the tobacco or non-tobacco products, or products from a communal hookah, water pipe, or similar device.

ARTICLE 5, SECTION 5.4 TABLE OF PERMITTED USES

Zoning Districts	GB	SC	Standards
Tobacco, Vapor, CBD, Hookah, and Similar Establishments	P	P	5.5.4

ARTICLE 5, SECTION 5.5.4 SPECIAL USE SPECIFIC REGULATIONS,

GG. Tobacco, Vape, CBD, Hookah, and Similar Establishments

Permitted Districts General Business (GB) and Shopping Center (SC)

Approval Criteria

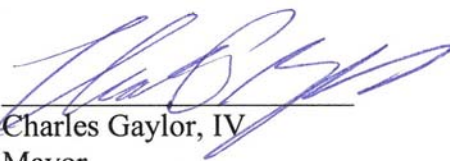
1. Shall not be located within 250 feet, measured property line to property line, from any residential zoning districts.
2. Shall not be located within 1,000 feet, measured property line to property line, from a school (public or private), church, daycare facility, youth facility, community center, City recreational facility, City park, or hospital.
3. Shall not be located within 1,000 feet, measured property line to property line, from another Tobacco, Vapor, CBD, Hookah, or similar establishment. If an establishment is being proposed within 1,000 feet of a location where a previous establishment has closed, a permit cannot be issued for the new location until after the previous establishment has been discontinued or abandoned in accordance with Article 5.6 Nonconforming Situations.
4. All Federal, State, and local laws, rules, and regulations must be adhered to in the operation of such establishments. This includes regulations pertaining to advertisements, age restrictions, and the legality of products sold.
5. Tobacco, Vapor, CBD, Hookah, and similar establishments that are legally existing on the effective date of the enacting ordinance codified in this section may continue to operate/expand/renovate in accordance with Article 5, Section 5.6.7 Nonconforming Uses.
6. The required site plan shall meet all applicable City standards to include all land uses within 1,500 feet, measured property line to property line, from the parcel proposed for hookah tobacco, vape, and similar establishment use.
7. All wall mounted, ground mounted, and window signs shall be permitted in accordance with Article 6, Section 6.4 Signage Standards.

This Ordinance shall be in full force and effect from and after the 21st day of October, 2024.

Attested by:


Laura Getz
City Clerk




Charles Gaylor, IV
Mayor