

COMMISSION
ASHLEY HEAD, CHAIR
ANDREW NEWTON, VICE CHAIR
LUZ MORALES
JULIE CEPIN
KELLY VINES

City of Villa Rica



INTERIM CITY MANAGER: DIANA DESANTO
CITY CLERK: THERESA CAMPBELL
CITY ATTORNEY: C. DAVID MECKLIN

571 W BANKHEAD HWY
VILLA RICA, GA. 30180
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PLANNING AND ZONING MEETING AGENDA

Holt-Bishop Justice Center, Municipal Courtroom, 101 Main Street
May 20, 2025 | 6:00 PM

Meeting Call to Order (Chairwoman)

Adoption of the Agenda (Chairwoman)

A. Old Business

1. Approval of minutes from 04/15/2025
2. TA-04-25 – Text Amendment to modify the Smoke Shops, Tobacco stores, and Medical Marijuana Dispensaries and definition of Vape Shop and Public Hearing (Shaun Daniels, Planning and Zoning Administrator)

B. New Business

Adjournment (Chairwoman)

City of Villa Rica



PLANNING AND ZONING MEETING MINUTES

Holt-Bishop Justice Center, Municipal Courtroom, 101 Main St

Tuesday, April 15, 2025 | 6:00pm

Meeting Called to Order Chairwoman Ashley Head called the meeting to order at 6:00pm.

Present: Chairwoman Ashley Head, Vice Chairman Andrew Newton, Commissioner Luz Morales and Commissioner Kelly Vines

Adoption of the Agenda

RESULT:	ADOPTED 4/0
MOVER:	Commissioner Luz Morales
SECONDER:	Commissioner Kelly Vines
AYES:	Chairwoman Ashley Head, Vice Chairman Andrew Newton, Commissioner Luz Morales and Commissioner Kelly Vines

A. Old Business

1. Approval of minutes from 02/18/2025

RESULT:	APPROVED 4/0
MOVER:	Commissioner Kelly Vines
SECONDER:	Commissioner Luz Morales
AYES:	Chairwoman Ashley Head, Vice Chairman Andrew Newton, Commissioner Luz Morales and Commissioner Kelly Vines

2. TA-04-25 – Text Amendment to modify the Smoke Shops, Tobacco stores, and Medical Marijuana Dispensaries and definition of Vape Shop

Public Hearing: No one came forward

Commissioner Luz Morales moved to table this item.

RESULT:	APPROVED 4/0
MOVER:	Commissioner Luz Morales
SECONDER:	Vice Chairman Andrew Newton
AYES:	Chairwoman Ashley Head, Vice Chairman Andrew Newton, Commissioner Luz Morales and Commissioner Kelly Vines

B. New Business

1. (RA-01-25), (ANX-01-25), (ANX-02-25) - Rezoning and annexation for Hwy 61 and South Van Wert-Avemore PUD

The developer Brandon Bowen spoke on behalf of the applicant.

Dan Christner spoke in opposition.

Paul Cutler spoke in opposition of the project.

Jennifer Ingham expressed her concerns with the application.

Brian Hartley spoke in opposition.

Commissioner Luz Morales moved to approve all applications with staff recommended conditions as well as additional conditions:

1. A 200-foot buffer between residential properties or properties containing residences.
2. A 300-foot buffer between ground equipment (such as generators, noise-emitting devices, and cooling systems), unless screened by the data center buildings.
3. Structures must be built at least two feet above the base flood elevation for the property.
4. A traffic study must be conducted by the applicant.

RESULT:	APPROVED 4/0
MOVER:	Commissioner Kelly Vines
SECONDER:	Commissioner Julie Cepin
AYES:	Chairwoman Ashley Head, Vice Chairman Andrew Newton, Commissioner Luz Morales and Commissioner Kelly Vines

Adjournment- Commissioner Luz Morales moved to adjourn at 7:43 pm.

RESULT:	APPROVED 4/0
MOVER:	Commissioner Luz Morales
SECONDER:	Commissioner Kelly Vines
AYES:	Chairwoman Ashley Head, Vice Chairman Andrew Newton, Commissioner Luz Morales and Commissioner Kelly Vines



CITY OF VILLA RICA

Planning and Zoning Meeting Agenda Item Cover Sheet

SUBJECT: TA-04-25– Text Amendment to modify the Smoke Shops, Tobacco stores, and Medical Marijuana Dispensaries and definition of Vape Shop.

MEETING DATE: April 15, 2025

DATE PREPARED: April 7, 2025

PREPARED BY: Shaun Daniels, Planning and Zoning Administrator

PUBLIC HEARING: Yes

PURPOSE:

The proposed text amendments aim to regulate smoke shops, vape shops, tobacco stores, and medical marijuana dispensaries by limiting their operation to the C-2 zoning district with a Special Exception. The proposed text amendments will establish separation requirements from sensitive uses, prohibit rezoning within the Central Business District (CBD), and provide clear definitions for vaping products and businesses. Existing businesses will be classified as legal nonconforming uses and must comply with updated standards for future changes.

BACKGROUND:

In response to growing concerns over the regulation of smoke shops, vape shops, tobacco stores, and medical marijuana dispensaries, Community Development conducted an evaluation of current zoning regulations. The proposed text amendments address smoke shop-type businesses that are permitted only by Special Exception in the C-2 zoning district. Properties within the Central Business District (CBD) cannot be rezoned to allow for these uses. Businesses must be located at least 1,500 feet from sensitive uses such as schools, childcare facilities, parks, places of worship, and recreational areas where children regularly gather. A minimum separation of 1,500 feet is required between smoke shops, vape shops, and tobacco stores. The proposed amendments also provide clear and updated definitions for vape products, vape juice, vaping devices, and vape shops to ensure consistent interpretation and enforcement.

Existing businesses that meet the definition of smoke shops, vape shops, or tobacco stores as of the ordinance's effective date will be classified as legal nonconforming uses and may continue operating under Chapter III: Nonconformities. Any change or expansion, however, would require compliance with the proposed standards and approval of a Special Exception.

STAFF RECOMMENDATION: Approval

IMPACT: N/A

MOTION: I motion to approve the proposed modifications to Section 8.22 of the Zoning Ordinance, which addresses regulations for smoke shops, tobacco stores, and medical marijuana dispensaries, along with the addition of definitions for Vape, Vaping Products, and Vape Shops.

Sec. 8.22. Smoke shops, tobacco stores, and medical marijuana dispensaries.

- 1) Notwithstanding any other provision of this title to the contrary, smoke shops, tobacco stores, medical marijuana dispensaries, and **vape shops** shall be permitted by Special Exception only in the Commercial, Medium-Density (C-2) zoning district. **No properties within the CBD shall be rezoned to allow smoke shops, tobacco stores or vape shops.**
- 2) Additional zoning and land use standards for smoke shops, tobacco stores, and medical marijuana dispensaries shall be as follows:
 - a) Smoke shops, tobacco stores, medical marijuana dispensaries, and **vape shops** shall not be located within ~~three hundred (300) feet~~ **one-thousand-five hundred (1500) feet**, measured property line to property line, from a school (public or private), family day care home, child care facility, youth center, community center, recreational facility, park, church or religious institution, **urgent care** hospital, or other similar uses where children regularly gather.
 - b) Smoke shops, tobacco stores, **vape shops** and medical marijuana dispensaries shall not be located within ~~five hundred (500) feet~~ **fifteen-hundred (1500) feet**, measured property line to property line, from another smoke/**vape** shop and tobacco store.
 - c) It is unlawful for a smoke shops, tobacco stores, and medical marijuana dispensaries to knowingly allow or permit a minor, not accompanied by his or her parent or legal guardian, to enter or remain within any smoke shops, tobacco stores, and medical marijuana dispensaries.
 - d) Smoke shops, tobacco stores, and medical marijuana dispensaries shall post clear signage stating that minors may not enter the premises unless accompanied by a parent or legal guardian. At least one such sign shall be placed in a conspicuous location near each public entrance to the smoke shop and tobacco store. It shall be unlawful for a smoke shop and tobacco store to fail to display and maintain, or fail to cause to be displayed or maintained, such signage.
- 3) Standard conditions of approval for any Special Exception shall, at minimum, include the following:
 - a) No smoking shall be permitted on the premises at any time.
 - b) No sales may be solicited or conducted on the premises by minors.
 - c) No self-service, product, or paraphernalia displays shall be permitted.
 - d) No distribution of free or low-cost products or paraphernalia, as well as coupons for said items, shall be permitted.
- 4) Smoke shops, tobacco stores, and medical marijuana dispensaries that are legally existing on the effective date of the ordinance codified in this Chapter may continue to operate as legal nonconforming uses in accordance with *Chapter III: Nonconformities*, and shall not be required to obtain a Special Exception. However, any change or expansion of the legal nonconforming use may require compliance with this Chapter and a Special Exception.
- 5) **Vape shop means any business whose principal product line for retail sale is alternative nicotine products, vape juice, or vape products. For the purposes of this chapter, "principal" shall mean that alternative nicotine products, vape juice or vape products constitute at least 25 percent (50 percent) of the business's aggregate retail sales.**

CHAPTER XIII. - DEFINITIONS

Sec. 13.01. - Definitions.

MEDIAN: An area in the approximate center of a city street or state highway that is used to separate the directional flow of traffic, may contain left-turn lanes, and is demarcated by curb and guttering, having painted or thermally applied stripes or other means of distinguishing it from the portion of the roadway used for through traffic.

MEDICAL MARIJUANA DISPENSARIES: Any establishment registered with the state of Georgia and Licensed to Dispense Marijuana for Medical Use in accordance with Georgia state law.

UTILITY SUBSTATION: A building or structure used for the distribution or transmission of utilities such as water, gas, electricity, or sewer.

- V -

VAPE OR VAPE JUICE: Refers to any liquid that contains compounds containing pharmaceutical grade vegetable glycerin, propylene glycol, nicotine, food grade flavoring, or water, and can be used for vaping by means of an alternative nicotine product.

VAPING PRODUCTS: Refers to any products or devices that employ an electronic heating element, power source, electronic circuit, battery, or other electronic, chemical, or mechanical means to produce a vapor that delivers nicotine, synthetics, or illegal substances to the person inhaling from the device, including electronic cigarettes, electronic cigars, electronic hookahs, electronic bongos and electronic pipes, whether manufactured, distributed, marketed, or sold as an electronic cigarette, electronic cigar or electronic pipe. This definition shall not apply to medical treatments prescribed or administered by medical professionals to reduce inflammation in the bronchial airways. This definition shall include vape juice.

VAPE SHOP: Any business whose principal product line for retail sale is alternative nicotine products, vape juice or vape products. For the purposes of this chapter, "principal" shall mean that alternative nicotine products, vape juice or vape products constitute at least 25 percent (50 percent) of the business's aggregate retail sales.

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Table 4.3: Permitted and Conditional Land Uses¹ • = Permitted Use ⓘ = Special Exception Required	ZONING DISTRICTS												
	RESIDENTIAL						COMMERCIAL					INDUSTRIAL	
	AG	R1	R2	SFA	MF1	MF2	CBD	CMU	C1	C2	OMI	I1	I2
Agricultural													
Low Intensity Uses													
agricultural use, low intensity	•	-	-	-	-	-	-	-	-	-	-	-	-
Medium Intensity Uses													
agricultural chemical sales, distribution, & storage	-	-	-	-	-	-	-	-	-	-	-	-	•
agricultural entertainment	•	-	-	-	-	-	-	-	-	-	-	-	-
agricultural processing, minor	•	-	-	-	-	-	-	-	-	-	-	-	-
animal boarding/stables (excluding kennels) ²	ⓘ	-	-	-	-	-	-	-	-	-	-	-	-
farm equipment sales and service	-	-	-	-	-	-	-	-	-	ⓘ	-	-	-
farmer's market	-	-	-	-	-	-	ⓘ	ⓘ	-	-	-	-	-
greenhouse (on-site plant sales)	•	-	-	-	-	-	-	-	-	-	-	-	-
winery	•	-	-	-	-	-	-	-	-	-	-	-	-
Residential													
bed and breakfast establishments	ⓘ	-	-	-	-	-	-	ⓘ	-	-	-	-	-
boarding house	ⓘ	-	-	-	-	-	-	-	-	-	-	-	-
day care home: small (1-6 enrollees)	ⓘ	ⓘ	ⓘ	ⓘ	ⓘ	ⓘ	-	-	-	-	-	-	-
day care home: large (7 or more enrollees)	-	-	-	-	-	ⓘ	-	ⓘ	ⓘ	-	-	-	-
dwelling, accessory apartment	•	•	•	-	-	-	-	-	-	-	-	-	-
dwelling, multi-family ³	-	-	-	•	•	•	-	ⓘ	-	-	-	-	-
dwelling, part of mixed-use structure	-	-	-	-	-	-	•	•	-	-	-	-	-
dwelling, single-family	•	•	•	-	-	-	-	-	-	-	-	-	-
dwelling, two-family	-	-	-	•	•	-	-	-	-	-	-	-	-
personal care home, family (4-6 residents)	•	ⓘ	ⓘ	-	-	-	-	ⓘ	-	-	-	-	-

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personal care home, group (7-16 residents)	§	§	-	-	-	-	-	§	-	-	•	-	-
personal care home, congregate (17+ residents)	§	-	-	-	-	-	-	-	-	-	•	-	-
home business	•	•	-	-	-	-	-	-	-	-	-	-	-
home occupation	•	•	•	•	•	•	-	§	-	-	-	-	-
kennel, private	§	-	-	-	-	-	-	-	-	-	-	-	-
independent living facility for seniors	-	-	-	-	-	•	-	-	-	-	•	-	-
nursing home, assisted living, or retirement facility	-	§	§	§	§	§	-	-	-	-	•	-	-
Communications/Utilities													
essential services, minor	•	§	§	§	§	§	§	•	•	•	•	•	•
essential services, major	§	§	§	§	§	§	§	§	•	•	•	•	•
solar farms and wind energy conversion systems, noncommercial	§	-	-	-	-	-	-	-	-	-	-	-	§
wireless communication facilities	§	-	-	-	-	-	-	-	-	-	-	-	§
Institutional													
Education													
educational inst, excluding p-12, public	§	§	§	-	-	-	-	-	-	•	-	-	-
educational inst, p-12 only, public	§	§	§	-	-	-	-	-	-	•	-	-	-
educational inst, excluding p-12, private	§	§	§	-	-	-	-	-	-	•	-	-	-
educational inst, p-12 only, private	§	§	§	-	-	-	-	-	-	•	-	-	-
Transportation													
bus/train terminal	-	-	-	-	-	-	§	§	-	•	•	-	-
parking lot or structure (as a primary use)	-	-	-	-	-	-	-	-	-	§	§	-	§
Other													
animal shelter	-	-	-	-	-	-	-	-	-	-	-	•	-
cemeteries	§	§	§	-	-	-	-	-	-	-	-	-	-
clinic	-	-	-	-	-	-	-	•	•	•	•	-	-
community center	§	§	§	-	-	-	-	•	•	•	•	-	-
funeral home/mortuary/crematory	-	-	-	-	-	-	-	§	§	-	-	-	-
health care facilities, medical and emergency	-	-	-	-	-	-	-	§	•	•	•	-	-
lodge or private club	§	§	§	-	-	-	•	•	•	•	-	-	-

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places of worship	§	§	§	-	-	-	-	§	§	-	-	-	-
publicly-owned buildings and facilities	§	§	§	§	§	§	•	•	•	•	•	•	•
Parks & Recreation													
campground/rv park	§	-	-	-	-	-	-	-	-	•	-	-	-
driving range (as a primary use)	§	-	-	-	-	-	-	-	-	-	-	-	-
golf course	§	§	§	-	-	-	-	-	•	-	-	-	-
nature preserve	•	•	•	•	•	•	•	•	•	•	•	•	•
recreation (active)	§	§	§	§	§	§	-	-	-	-	-	-	-
recreation (passive)	•	•	•	•	•	•	•	•	-	-	-	-	-
Commercial													
Adult Uses													
sexually oriented businesses	-	-	-	-	-	-	-	-	-	-	-	-	§
Motor Vehicle Services													
car wash	-	-	-	-	-	-	-	-	•	•	-	-	-
filling station	-	-	-	-	-	-	-	§	•	•	-	•	-
impound facility	-	-	-	-	-	-	-	-	-	-	-	§	•
motor vehicle parts sales (without on-site repair)	-	-	-	-	-	-	-	-	•	•	-	-	-
motor vehicle repair and service, major	-	-	-	-	-	-	-	-	§	-	-	-	•
motor vehicle repair and service, minor	-	-	-	-	-	-	-	-	•	•	-	•	-
motor vehicle sales, small	-	-	-	-	-	-	-	-	•	§	-	-	-
motor vehicle sales, large	-	-	-	-	-	-	-	-	-	•	-	-	-
storage, rv and boat	-	-	-	-	-	-	-	-	§	-	-	•	-
truck stop/travel center	-	-	-	-	-	-	-	-	-	§	-	-	§
Entertainment/Recreation													
banquet or assembly hall	§	-	-	-	-	-	-	-	•	•	-	§	-
conference/convention center	-	-	-	-	-	-	-	-	-	•	•	-	-
entertainment, commercial outdoor	§	-	-	-	-	-	-	-	-	-	-	-	-
entertainment complex	§	-	-	-	-	-	-	-	§	•	-	-	-
retreat center	§	-	-	-	-	-	-	-	•	-	•	-	-
Services													
commercial services	-	-	-	-	-	-	•	•	•	•	-	-	-
day care center (child/adult)	-	-	-	-	-	§	-	•	•	•	•	-	-
fitness center	-	-	-	-	-	-	•	•	•	•	•	-	-
drug stores and pharmacies	-	-	-	-	-	-	•	•	•	•	•	-	-
hotels/motels	-	-	-	-	-	-	-	-	•	•	•	-	-

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kennel	⑤	-	-	-	-	-	-	-	-	● ²	● ²	-	●	-
lawn/maintenance/landscaping business	●	-	-	-	-	-	-	-	-	●	-	-	-	-
storage, contractor	-	-	-	-	-	-	-	-	-	⑤	-	-	●	●
storage, self-service	-	-	-	-	-	-	-	-	⑤	●	●	-	●	-
Professional/Office														
administrative/professional office	-	-	-	-	-	-	-	●	●	●	●	●	⑤	-
bank/financial/investment institution	-	-	-	-	-	-	-	-	●	●	●	●	-	-
data processing/call center	-	-	-	-	-	-	-	-	-	●	●	●	-	-
employment service	-	-	-	-	-	-	-	-	-	-	●	●	-	-
medical and dental laboratories	-	-	-	-	-	-	-	-	-	●	●	●	●	-
veterinarian clinics and animal hospitals	⑤	-	-	-	-	-	-	-	● ²	● ²	●	-	-	-
Restaurant/Food Preparation														
bar/tavern	-	-	-	-	-	-	-	●	●	●	●	-	-	-
coffee shop	-	-	-	-	-	-	-	●	●	●	●	●	⑤	-
microbrewery/brew-pub	-	-	-	-	-	-	-	●	●	●	●	-	-	-
wine and craft beer boutique	-	-	-	-	-	-	-	●	●	●	●	-	-	-
restaurants	-	-	-	-	-	-	-	●	●	●	●	●	⑤	-
restaurants, fast-food	-	-	-	-	-	-	-	-	⑤	●	●	●	⑤	-
Retail														
retail small-scale (less than 15,000 sf)	-	-	-	-	-	-	-	●	●	●	●	●	-	-
retail large-scale (greater than 15,000 sf, less than 35,000 sf)	-	-	-	-	-	-	-	-	-	-	●	-	-	-
smoke shops, tobacco store, and medical marijuana dispensaries	-	-	-	-	-	-	-	-	-	-	⑤	-	-	-
Vape Shops	-	-	-	-	-	-	-	-	-	-	⑤	-	-	-
Light and Heavy Industrial														
agricultural products terminal	-	-	-	-	-	-	-	-	-	-	-	-	-	●
animal & animal products processing, packaging	-	-	-	-	-	-	-	-	-	-	-	-	-	●
auction facility (excluding livestock)	-	-	-	-	-	-	-	-	-	-	⑤	-	●	-
bottle gas storage & distribution	-	-	-	-	-	-	-	-	-	⑤	-	-	●	-
composting facility	⑤	-	-	-	-	-	-	-	-	-	-	-	-	⑤

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concrete/asphalt production facility	-	-	-	-	-	-	-	-	-	-	-	-	●
explosive manufacturing and storage	-	-	-	-	-	-	-	-	-	-	-	-	Ⓢ
food & beverage production	-	-	-	-	-	-	-	-	-	-	-	●	●
junk/scrap metal yard	-	-	-	-	-	-	-	-	-	-	-	-	Ⓢ
lumber yard	-	-	-	-	-	-	-	-	-	-	-	Ⓢ	●
manufacturing (heavy)	-	-	-	-	-	-	-	-	-	-	-	-	●
manufacturing (light)	-	-	-	-	-	-	-	-	-	-	●	●	●
mineral extraction operations ⁴	Ⓢ	-	-	-	-	-	-	-	-	-	-	-	Ⓢ
petroleum and chemical processing and storage	-	-	-	-	-	-	-	-	-	-	-	-	●
power generation facility (commercial)	-	-	-	-	-	-	-	-	-	-	-	-	●
printer/publishing facility	-	-	-	-	-	-	-	-	-	●	●	●	●
recycling center	-	-	-	-	-	-	-	-	-	-	-	Ⓢ	●
research and testing laboratories	-	-	-	-	-	-	-	-	-	-	●	●	-
salvage yard	-	-	-	-	-	-	-	-	-	-	-	-	Ⓢ
sanitary landfill	-	-	-	-	-	-	-	-	-	-	-	-	Ⓢ
solid waste transfer station	-	-	-	-	-	-	-	-	-	-	-	-	Ⓢ
tool and die shop	-	-	-	-	-	-	-	-	Ⓢ	Ⓢ	●	-	
truck freight terminal	-	-	-	-	-	-	-	-	-	-	Ⓢ	-	●
warehouse & distribution facility	-	-	-	-	-	-	-	-	-	-	●	●	●
waste incinerator	-	-	-	-	-	-	-	-	-	-	-	-	Ⓢ