



COMMUNITY DEVELOPMENT • 1140 Terex Road • Hudson, Ohio 44236 • (330) 342-1790

Date: September 14, 2023
To: City Council
From: Greg Hannan, Community Development Director
CC: Thomas J. Sheridan, Asst City Manager, Nick Sugar, City Planner
Re: LDC Text Amendment – Vape, Pawn, and Tattoo Shops

City staff has prepared the following Land Development Code draft text amendment in response to the City Council discussion regarding the establishment of regulations specific to Vape Shops and similar uses.

City staff completed research of several surrounding communities regarding vape shops:

Stow, Twinsburg, Solon, Westerville, Cuyahoga Falls

1. No reference in zoning code
2. Multiple stores present

Aurora, Hudson

1. No reference in zoning code
2. No stores operating

Strongsville

1. Regulated as conditional use
2. Multiple stores present
3. The Strongsville regulations group together the below uses with additional use specific criteria:

Pawn Shops, Paraphernalia Stores, Vape Shops, Vaporizer Stores, Tattoo Parlors, Hookah Lounges, Smoke Lounges and Vapor Lounges. In addition to complying with all other requirements of this Zoning Code, these uses shall comply with the following requirements and standards:

- A. No such use shall be established or operated within 500 feet of a school.
- B. No such use shall be established or operated within 500 feet of an existing use of the same specific type.
- C. No such use shall be operated or open for business between the hours of 12:00 midnight and 8:00 a.m.

Proposed Amendment:

Staff has prepared the following draft based on the framework established by the Strongsville Ohio Ordinance.

District allowance:

Establish as a use by right in District 7, and 9.

Comment: District 7 and 9 contain a mix of more intensive commercial/retail based uses as compared with District 5. If the amendment proposed to limit the use to a single district such could be challenged as too restrictive. The use has been proposed a by right (administrative) rather than conditional (Planning Commission) as the significant setbacks would be the primary regulations to address surrounding area concerns. The exterior design and functioning of such uses are not anticipated to need excess buffering or other compatibility considerations typical of a conditional use review.

Definitions

Pawn Shop: A use engaged in the loaning of money on the security of property pledged in the keeping of the pawnbroker, and the incidental sale of such property.

Tattoo Parlor:

“Tattoo,” “tattooed” or “tattooing” refers to any method of placing designs, letters, scrolls, figures, symbols or any other marks upon or under the skin with ink or any other substance resulting in the coloration of the skin by the aid of needles or any other instrument designed to touch or puncture the skin.

“Tattoo establishment” means the location wherein tattooing is performed.

Vape and Smoke Shop: A retail establishment that derives more than fifty percent (50%) of its gross revenue or more than 50% for its floor area from the sale of electronic cigarettes or similar devices, cigars, cigarettes, pipes, or other smoking devices for burning tobacco and related smoking accessories in which the sale of other products is merely incidental. The term Vape and Smoke Shop shall include hookah lounge, paraphernalia stores, vaporizer stores, smoke lounges and vapor lounges.

Chapter 1205 Zoning Districts – City of Hudson Zoning Map

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1205.10 District 7: Outer Village Commercial Corridor and Office Overlay Zone

(b) Uses by Right, except as limited by division (d) of this section.

(1) Commercial/retail Uses

...

(K) Pawn Shops, Vape and Smoke Shops, and Tattoo Parlors provided that such use is located at least 500 feet from a school, a residentially zoned parcel, and another use of the same category.

1205.12 District 9: Darrowville Commercial Corridor

(b) Uses by Right, except as limited by division (d) of this section.

...

(2) Commercial/retail Uses

...

(L) Pawn Shops, Vape and Smoke Shops, and Tattoo Parlors provide that such use is located at least 500 feet from a school, a residentially zoned parcel, and another use of the same category.

1213 Definitions

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