



Cannabis, Tobacco and Nicotine Study

City of New Orleans

City Planning Commission

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Executive Summary

On September 11, 2025, the New Orleans City Council passed Motion M-25-470, directing the City Planning Commission (CPC) to conduct a public hearing and prepare a comprehensive study to identify the impacts of retail establishments which sell cannabis, tobacco and nicotine products and to provide recommendations regarding updated regulation of these uses, including but not limited to the definition of new uses, use standards, signage regulations, and density restrictions, as applicable.

The Motion requires the City Planning Commission to collaborate with other city departments and with any relevant representatives of the State of Louisiana to ensure that the recommendations align with relevant laws, regulations, and administrative processes, as well as best practices. Motion M-25-470 supplants a former Motion, Motion M-25-379, to include the retail sale of tobacco and nicotine into the study's findings and recommendations. The Motion directs the City Planning Commission to complete its study within six months.

The City Planning Commission staff, in consultation with the City's Department of Health, the Zoning Division and the Law Department, have identified zoning amendments to address the lack of local oversight on the retail sale of Cannabis, Consumable Hemp and Tobacco products. The zoning amendments, if adopted, would require the zoning division within the Department of Safety and Permits to approve the permit in accordance with new definitions, use permissions and use standards.

Currently, the retail sale of cannabis, tobacco and consumable hemp products are defined within the overarching retail goods establishment category. In order to create specific use permissions and standards for these types of sales, drafting their own use permissions and use standards is necessary, similar to how the retail sale of packaged alcohol use it written into the zoning ordinance.

The city has been slow to provide regulatory guidance as new products have emerged and the industry has changed. While the city has to take in consideration the limitations that exist due to state and federal laws, there are parameters that can be put in place to optimize the health and safety of the citizens of New Orleans.

Key Findings

Cities nationwide have worked to adopt regulations in the past decade providing for retail sales of cannabis, consumable hemp, medical marijuana, nicotine, vape and tobacco products. In New Orleans, the products available for consumption are regulated by the State of Louisiana, with limited local oversight or land use policies in place. There are no current local land use categories or definitions related to the sale of these products thereby allowing them to be sold at various types of locations in accordance with state law. According to information from the State, there are

two licensed medical marijuana retailers (with two satellite locations each), over 600 locations that sell tobacco or nicotine, and 240 locations that are licensed to sell consumable hemp products.

Tobacco Licenses are Issued by the Louisiana Office of Alcohol and Tobacco Control (ATC); the license issued by ATC covers all types of tobacco products including traditional cigarettes, smokeless tobacco, pouches, vaping and alternative nicotine products. Having one definition and license type prevents local regulations from creating distinctions between the different tobacco products.

Although the City Code includes the Smoke Free Air Act, which prohibits indoor smoking and restricts tobacco sales in some locations, these regulations are not mirrored in the Comprehensive Zoning Ordinance. The Smoke Free Air Act states new tobacco retailers are prohibited within 300 feet of any school, library, park, childcare center or place of worship. Despite this being in the City Code, the City does not issue its own license for tobacco sales (in contrast to alcohol, which requires both city and state licenses). Thus, there is no formal process to ensure the City Code distance requirements are met. Enforcement relies on self-reporting of intent to sell tobacco at the point of seeking an occupational license. Moreover, there are no distance requirements from child-friendly locations written into either the City Code or the Comprehensive Zoning Ordinance for the retail sale of medical marijuana or consumable hemp.

New definitions and use standards for retailers specific to these products would mitigate current and future negative land use impacts on surrounding neighborhoods, and could prevent negative impacts on public health and welfare, particularly for youth.

Analysis of Recommendations

Three new use categories are proposed for inclusion in the Comprehensive Zoning Ordinance: Marijuana Retailer, Smoke Shop, and Retail Sale of Tobacco, Nicotine, Cannabis or Hemp. Each new use will have its own definition, use permissions and use standards. The use standards for each of these uses propose a distance requirement from any operating school, childcare center, place of worship, public library, public park or public recreational facility. Staff also recommends the regulating the hours of operation, signage and lighting for the new uses. The definition for smoke shop includes a 1,000 foot radius distance requirement from any other smoke shop. Use standards may be eligible for a waiver; however, the City Council reserves the discretion to prohibit waiver eligibility based on the distance requirement, if it so chooses.

Additionally, the staff recommends amending the definition of Neighborhood Commercial Establishment to prohibit the Retail Sale of Tobacco, Nicotine, or Consumable Hemp and to amend the definition of retail goods establishment to restrict the sale of tobacco, nicotine, cannabis or hemp products unless allowed in that district and complies with all local and state regulations.

In setting permissions, staff considered where other similarly controlled substances are allowed for retail use, specifically the permissions of Retail Sale of Packaged Alcohol. Staff also considered the locations where general retailers, like grocery stores and pharmacies, are permitted. Staff

proposes permitting the three new uses in zoning districts where the retail sale of packaged alcohol is allowed, subject to the density limitations set by the use standards.

Other Permitting Suggestions

The New Orleans Health Department is planning to amend the Smoke Free Air Act to increase the distance requirement from 300 feet to at least 500 feet between child-friendly locations and the retail sale of tobacco. Any changes that are adopted as part of this amendment process will ultimately need to be mirrored in the Comprehensive Zoning Ordinance.

The staff recommends amending the *Smoke Free Air Act*, City Code Section 66-76 - How Distance Is Measured - to align with the CZO by measuring distance using a radius rather than a walking path. This approach is consistent with the methodology used for packaged liquor sales in Section 10-237. Staff also recommends amending the *Smoke Free Air Act* to include non-smokable but consumable tobacco or nicotine products within the distance requirements.

While the retail sale of alcohol requires a liquor license administered by the Department of Safety and Permits, no comparable license exists for the retail sale of tobacco, nicotine, hemp, or therapeutic marijuana products. Staff recommends exploring the creation of a city license for these uses, including the establishment of associated fees.

If the proposed regulations are adopted, staff also recommend amending the distance requirements for retail alcohol sales from child-friendly public places to align with those adopted for retailers of tobacco, nicotine, and hemp.

Next Steps

The Cannabis, Tobacco and Nicotine Study, directed by City Council Motion M-25-470, will be presented to the City Planning Commission on April 14, 2026. The City Planning Commission can choose to forward the Study to the City Council with or without changes to the staff recommendations. If the CPC chooses to modify the recommendations, the staff will incorporate those recommendations and forward the revised Study to the City Council. The City Council may choose to hold its own public hearing on the Study, though it is not required.

Most of the recommendations within this report require a future text amendment to codify and effectuate the changes within the Comprehensive Zoning Ordinance. Some of the recommendations could also include amendments to the City Code.

If the Study is followed by a text amendment request, staff will docket the request and write a staff report with recommendations for specific zoning text changes. The zoning docket would require an additional public hearing before the City Planning Commission. The Commission may choose to recommend text changes to the City Council with or without modification of the staff recommendations, or they could recommend denial of the proposal. The City Council must hold

a public hearing before considering adoption of zoning text changes. Finally, the Council may adopt, adopt with modifications, or deny the City Planning Commission's recommendations.

Introduction

On September 11, 2025, the New Orleans City Council passed Motion M-25-470,¹ directing the City Planning Commission (CPC) to conduct a public hearing and prepare a comprehensive study to identify the impacts of retail establishments which sell cannabis, tobacco and nicotine products and to provide recommendations regarding updated regulation of these uses, including but not limited to the definition of new uses, use standards, signage regulations, and density restrictions, as applicable. The Motion requires the City Planning Commission to collaborate with other city departments and with any relevant representatives of the State of Louisiana to ensure that the recommendations align with relevant laws, regulations, and administrative processes, as well as best practices. Motion M-25-470 supplants a former Motion, Motion M-25-379, to include the retail sale of tobacco and nicotine into the study's findings and recommendations. The Motion directs the City Planning Commission to complete its study within six months.

Background

The sale of tobacco, alternative nicotine products, consumable hemp and medicinal marijuana currently requires licensing at the State level. Locally, the only regulation directly affecting tobacco sales is the Smoke Free Air Act, and there are currently no local regulations governing the sale of consumable hemp products or medicinal marijuana. Unlike the sale of packaged alcohol, which is treated as a distinct use in the Comprehensive Zoning Ordinance (CZO) and requires a local license through the Department of Safety and Permits, the CZO does not specifically regulate the sale of cannabis or tobacco products. Instead, these uses are classified under the broader "retail goods establishment" category, which is considered to be a low impact commercial use permitted in most non-residential zoning districts citywide.

Zoning regulations have not kept pace with the emergence of new tobacco and cannabis products, including vaping, nicotine pouches, and widely available CBD products such as gummies and beverages. Research referenced in Motion M-25-470 indicates increased baseline exposure to tobacco advertising, especially e-cigarette advertising, is linked to an increase in the subsequent reporting of nicotine use within the last 30 days among youth between the ages of 13 and 20. In addition, flavored tobacco and nicotine products appeal strongly to youth with a high proportion of middle and high school tobacco users reporting use of flavored products. This underscores the public health concern that current land use permissions facilitate continued nicotine use in New Orleans' youth.

The absence of tailored local regulations has contributed to the proliferation of cannabis and flavored tobacco products in corner stores, convenience stores and gas stations throughout New Orleans. While the local Smoke Free Air Act provides some local control by prohibiting tobacco sales within 300 feet of any park, church, public library, school, or childcare center, it does not

¹ [M-25-470.pdf](#)

address the retail sale of consumable hemp or medicinal marijuana. Moreover, enforcement mechanisms for the distance restrictions are not clearly codified or implemented. Incorporating tailored regulations for these use types in the CZO would create a local level of oversight, support enforcement of the Smoke Free Air Act and help address these uses' health impacts on youth.

Study Goals and Purpose

This study seeks to evaluate how to incorporate clear use standards and permissions for the retail sale of cannabis, tobacco and nicotine products into the Comprehensive Zoning Ordinance utilizing best practices in other comparable cities and aligning with existing local law such as the Smoke Free Air Act. The primary goals are:

- Determine how these uses should be specifically defined and regulated in the CZO, rather than treated only as general retail, so that locations, operations, and impacts can be more effectively managed.
- Draw on best practices from comparable cities that regulate cannabis, tobacco, and nicotine retailers through zoning tools such as use standards, permissions and density limits.
- Integrate the protections of the Smoke Free Air Act within zoning, so the objectives are reinforced through the zoning code.
- Identify the impacts of retail establishments that sell cannabis, tobacco, and nicotine products, especially where current zoning treats them only as general retail goods establishments.
- Develop recommendations for updated regulations, including new use definitions, use standards and possible density limits.
- Ensure any recommended regulations align with state and local laws, regulations, and administrative processes by consulting with other city departments such as the New Orleans Department of Safety and Permits and the Department of Health, in addition to the Louisiana Office of Alcohol and Tobacco Control and the Louisiana Health Department.

Definitions

There has been an evolution of laws related to the usage of cannabis/marijuana, hemp, alternative nicotine products and tobacco over the last few decades. Tobacco and tobacco- related products have existed for quite some time. More recently, newer products have come on the market as laws changed and consumer habits shifted. Hemp and alternative nicotine products are more recent offerings in this category and legislation has been reactive to the popularity and availability of these products.

Louisiana was among the first states to legalize marijuana for medical use in 1978, but the means of distribution were never created, hamstringing the industry from inception. In 1994, the legislature passed Act 874, which authorized physicians to prescribe marijuana for specified medical conditions. Still, there was no legal way to obtain the products for distribution. In 2015,

the legislature passed Act 261, which provided a means of cultivation and distribution for medical marijuana. Subsequently, there has been ongoing legislation that ranged from expanding the list of medical conditions that are eligible for prescriptions to age limits and rules regulating growers. Alternative nicotine products have a more recent history in Louisiana. The first laws pertaining to e-cigarettes were enacted in 2014 to restrict the age of the consumer to 18. Legislation enacted in 2023 drastically altered the industry in Louisiana requiring that all alternative nicotine products register with the Louisiana Office of Alcohol and Tobacco. Prior to this, there was no centralized list for what products were being sold; this began the process of prohibiting certain alternative nicotine products. Hemp has evolved differently in Louisiana. According to the LSU Law library:

Hemp is frequently processed to extract cannabidiol, or CBD, which is included in many consumer products like supplements, drinks, and even lotions. Louisiana prohibits the sale of certain types of consumable hemp products (alcoholic beverages, inhalables) and requires a permit to sell other consumable hemp products. The laws regarding consumable hemp can be found in [Louisiana Revised Statutes 3:1481-85](#). Louisiana also taxes any consumable hemp products in Revised Statutes [47:1692-96](#). In addition to the statutes, there are various regulations. Most of those regulations are in Title 7 of the Louisiana Administrative Code, the title that regulates agriculture. There are also regulation regarding the taxation of hemp in Title 61. Consumable hemp products are also regulated under Title 49 where food, drugs, and cosmetics are regulated under the state's public health authority.

Cannabis/Medicinal Marijuana

Cannabis is a plant derived from the hemp family that produces a wide variety of cannabinoids, including the psychotropic THC (tetrahydrocannabinol), mildly-intoxicating cannabinoids and non-intoxicating cannabidiol (CBD). THC is the main component in marijuana which was illegal for consumption in Louisiana until 2015. The Louisiana Legislature passed the laws that created the current medical marijuana cultivation, consumption, and sales framework to allow consumption of medical marijuana for therapeutic purposes statewide. The Louisiana Department of Agriculture and Forestry regulates marijuana cultivation and production, the Louisiana State Board of Medical Examiners regulates prescribers, and the Louisiana Department of Health oversees the regulation of the state's medical marijuana retailers.

There is a range of marijuana products that are sold by retailers for therapeutic use, including flowers (buds), pre-rolls (already rolled flowers), vapors, concentrates, tinctures, and accessories. Some examples of the various types are shown in the figure below.

Figure 1: Marijuana Products



Source: <https://www.nolacannabisdispensary.com/menu/tchoupitoulas-dispensary/>

Consumable Hemp

The state allows the sale of products which contain small amounts of THC and/or CBD to be sold at general retailers statewide including grocery stores, pharmacies and other retailers, but not gas stations or bars. Consumable hemp products can be drinks (like Louie Louie or Crescent 9), gummies, teas, and other types of ingestible. The Louisiana Department of Health (LDH) regulates all consumable hemp products sold in Louisiana to ensure they fall within the allowable THC amounts (5 mg THC and 5 mg CBD). In addition to the consumable, LDH also regulates the packaging of the product to ensure that they are not particularly appealing to children or share the likeness of a candy product that could confuse children, like Skittles or Chips Ahoy. The type of THC or CBD is noted on each product's packaging. The Louisiana ATC regulates consumable hemp to a lesser degree, providing additional oversight and managing *retail* distribution.

Figure 2: Consumable Hemp Products



Source: Staff photos and product websites.

Tobacco Products

Of the product types included in this study, tobacco products are the most widely used. They are sold locally at over 600 retailers in New Orleans including gas stations, bars, pharmacies, grocery stores, convenience stores, and other locations. Tobacco products include cigarettes and any product used to consume tobacco. Tobacco is the plant/crop that can be cultivated and/or consumed.

Alternative Nicotine Products (ANPs)

Nicotine is the addictive chemical found and extracted from tobacco which can be chemically altered. There are limited instances when nicotine is purely synthetic (tobacco-free nicotine), such as in e-liquids. Alternative nicotine products are defined as "any non-combustible product containing nicotine that is intended for human consumption, whether chewed, absorbed, dissolved, or ingested by any other means" (RS26:901).² While vapor products and alternative nicotine products are technically not the same, they are regulated the same and listed on the

² <https://www.legis.la.gov/Legis/Law.aspx?d=84839>

same registries. Alternative nicotine products are regulated by the Bureau of Alcohol and Tobacco Control (ATC) through the licensing process that is similar to tobacco products.³ The ATC also manages a registry for all vapor and alternative nicotine products, including electric cigarettes, that are allowed to be sold in Louisiana, as well as products that are prohibited. Traditional combustible tobacco products (cigarettes, cigars, pipe tobacco) are not listed in the directory. Zyn and Fre are two of the most popular alternative nicotine products in Louisiana. They are smoke-free nicotine pouches, known as nicotine salts, that deliver the product directly through users' gums. Another category of popular products in Louisiana are e-cigarettes or vapes. According to the CDC, "Vapes are battery-operated devices that heat a liquid and produce an aerosol. They come in many shapes and sizes, and they typically contain nicotine." Alternative Nicotine product examples are shown in the images below.

Figure 3: Alternative Nicotine Products



Source: Zyn website.

Key Findings

At the state and federal level, laws regulating the availability of Marijuana, alternative nicotine products, hemp and tobacco have evolved to offer these products to customers in a retail capacity. The city has been slower to provide regulatory guidance as new products have emerged and the legality of other products has evolved. While the city has to take into consideration the limitations that exist due to state and federal laws, there are parameters that can be put in place to optimize the health and safety of the citizens of New Orleans.

Types of Cannabis, Nicotine and Tobacco Retailers

Cannabis and Tobacco retail are sold in a variety of different locations, many of which the sale of cannabis or consumable help is incidental to the sale of other goods or services. Medicinal Marijuana retailers and retailers that primarily sell consumable hemp and/or tobacco/nicotine products fall under the larger use category of retail goods establishments because they are not

³ Pursuant to Act 414 of the 2023 Regular Legislative Session, beginning October 1, 2023, every manufacturer of vapor or alternative nicotine products and electronic cigarettes whose products are sold into Louisiana, whether directly or through a wholesale dealer, retail dealer, or similar intermediary or intermediaries, shall execute the certification form and submit it to the ATC

individually defined in the Comprehensive Zoning Ordinance (CZO). The CPC staff has identified nine types of businesses which offer retail of cannabis, nicotine and/or tobacco:

1. Medical Marijuana Retailer (Retail Goods Establishment)
2. Smoke Shop (Retail Goods Establishment)
3. Convenience Store (Retail Goods Establishment)
4. Incidental Retailer (Retail Goods Establishment)
5. Gas Station
6. Grocery Store
7. Bar
8. Coffee Shop (Specialty Restaurant)
9. Standard Restaurant

Of these nine uses, the first four are considered Retail Goods Establishments by the Comprehensive Zoning Ordinance (CZO). Although they differ significantly in the products they sell and the retail strategies they employ, all are permitted in locations where the CZO allows retail goods establishments.

Medical Marijuana Retailer

Medical marijuana retailers (MMR), commonly known as dispensaries, are the only retailers allowed to sell medical marijuana in the state of Louisiana. At these locations, clients may purchase medical marijuana who have been prescribed it by a physician. Individuals without a prescription may not purchase medical marijuana. Some retailers may offer services for walk-in customers to schedule telehealth appointments with a doctor and expedite the process. Compared to a smoke shop, an MMR customers may take their time perusing the retailer's inventory or consulting with budtenders about products. There are only two operating Medical Marijuana Retailers in the City of New Orleans, and a third, in the French Quarter is under construction (see the map below).

Map 1: Medical Marijuana Retail Locations



Smoke Shops

Smoke Shops are retailers that specialize in the retail of tobacco and consumable hemp products. Although it may seem obvious that these businesses operate as a smoke shop and may even have “smoke shop” sign displayed in the window, they are still considered retail goods establishments in the CZO.

Of the other uses identified above, Smoke Shops often feature the most storefront advertising. Many smoke shops observed for this study dedicate a large portion of their storefront to eye-catching and attractive signage. Heavy use of neon and LED signs is typical. They may also display paraphernalia such as water pipes more commonly referred to as bongs.

Map 2: Smoke Shop Locations



Convenience Store

Convenience stores represent the retail strategy with the most substance-related permits. Convenience stores will often have permits for the retail of alcohol, tobacco, and more recently, consumable hemp. While convenience stores often sell food products, they don't meet the definition of "grocery store," and therefore are labeled as a retail goods establishment in the CZO.

Incidental Retailers

There are some known instances of general retailers that sell consumable hemp or tobacco products as a smaller portion of their revenue and merchandise, like phone stores that sell vapes. These can be known as incidental retailers but are still classified by the CZO as Retail Goods Establishments.

Gas Stations

Gas Stations, while their primary objective is to sell fuel or gasoline, often have small convenience stores attached that sell tobacco or nicotine.

Grocery Stores

Since legalization of consumable hemp products in Louisiana, some grocery stores now sell these products, usually in the form of seltzers. These products are often placed near the alcoholic

seltzers or wines in the alcohol section of the supermarket. Grocery stores are distinct from convenience stores by containing at least 25% or more of shelf space or display area dedicated to general grocery items.⁴

The Louisiana Alcohol and Tobacco Commission (ATC) issued consumable hemp licenses to bars and restaurants until January 1, 2025. Some bars in New Orleans acquired consumable hemp permits prior to this ban. Those bars and restaurants with grandfathered consumable hemp licenses may sell hemp seltzers as an alternative to alcoholic beverages.

Bars

Tobacco products are sold throughout the city within bars. Consumable hemp products can also be sold in bars if they received a permit from ATC prior to January 2025.

Coffee Shops

Coffee shops are categorized as a specialty restaurant in the Comprehensive Zoning Ordinance and may receive a permit for consumable hemp products by the ATC. Consumable hemp products in coffee shops are usually sold in the form of seltzers or gummies and available for on- or off-site consumption. These uses are notable for not having tobacco or alcohol permits and are generally considered all age spaces. Coffee Shops tend to have a varied age group clientele and offer community events such as open mics. These are the least numerous of the uses identified by the study as only a handful of cafes have consumable hemp retail permits.

Standard Restaurants

Some standard restaurants in the city have secured permits for consumable hemp prior to the prohibition in January 2025. These are typically restaurants that already have an alcohol permit and sell seltzers for on-site consumption to be accompanied by food.

Key Findings

The products examined under this study can be found in a diversity of use cases and business strategies. Businesses, such as smoke shops, will see a higher share of their sales come from tobacco or consumable hemp products than a convenience store, for example. However, coffee shops' sale of consumable hemp seltzers constitutes a smaller share of their profit than at a bar. Despite the difference in scale, and implications on the character of a neighborhood, these business types are largely classified under the broader category of retail goods establishment,

⁴ Definition of Grocery Store in the Comprehensive Zoning Ordinance: A retail establishment primarily engaged in the sale of items in multiple of the following categories: a general line of groceries, packaged frozen food, dairy products, poultry and poultry products, confectionaries, fish and seafood, meats and meat products, fresh fruits and vegetables, and other grocery and related products where fresh or fresh frozen foods including fresh meat, poultry, seafood, and produce make up 25 percent or more of the shelf space and display area. A grocery store with at least 20,000 square feet of gross floor area is authorized to sell packaged alcoholic beverages.

underscoring a need for an updated policy framework to reflect these difference scales and keep pace with the evolving tobacco and cannabis industries.

The list of nine types of retailers that sell cannabis, tobacco, nicotine or consumable hemp products were identified by staff in the process of reviewing permitted locations for tobacco and consumable hemp, but the retailer types are not exhaustive.

State and Local Regulations for Cannabis and Tobacco Products

Medical Marijuana

Louisiana legalized medical marijuana in 2015 under the state’s therapeutic marijuana law, which was expanded in 2016 and 2018 to allow dispensing and smokable “flower.” The Louisiana Department of Health (LDH) is the sole regulator of both medical marijuana retailers (dispensaries) and manufacturers.

Recreational marijuana remains illegal under state law. While LDH ensures compliance with state law regarding medical marijuana, they do not enforce or provide licensing for consumable hemp products, which are issued and overseen by the Louisiana Office of Alcohol and Tobacco Control (ATC) under separate statutes.

In order to purchase marijuana from a medical marijuana retailer, the customer/patient must have a prescription from a board-certified Louisiana physician with appropriate registration. The patient may not cultivate their own marijuana; only two manufacturers are licensed to grow and sell marijuana in the state of Louisiana: Good Day Farm and Ilera Holistic Healthcare, both of which operate through the Louisiana State University and Southern University programs. These two manufacturers supply the entire state with medicinal marijuana.

State law (La. R.S. 40:1046) permits 10 retail licenses statewide, each primary medical marijuana retailer is allowed up to two satellite locations, for a total of up to 30 medical marijuana retail locations throughout Louisiana. One satellite location is permitted after 3,500 qualified patients are identified and a second after 7,000 qualified patients are identified in a region. The New Orleans area has two primary retail licenses with two satellite locations each – or six total retail stores in the larger New Orleans area with three located in New Orleans proper.

Retail locations are restricted to five miles in a municipality with more than 350,000 people and restricted to ten miles in a parish with more than 350,000 people, which can be waived under certain circumstances.

Table 1 indicates the primary retailers (highlighted) and the satellite locations in the New Orleans area. This list was obtained from the Louisiana Department of Health. State law restricts how close pharmacies in the same region may be to each other, but La. R.S. 40:1046(G)(6)(d) allows permit holders to submit a written mutual agreement to waive the distance requirement, which is how

more than two are located within five miles of one another according to a representative from the Louisiana Department of Health.

Table 1. Medical Marijuana Retailers in the New Orleans Area. Source: LDH

Medical Marijuana Retailers					
Region	Permit Name(DBA)	Business Name	Location	Status	Approved
1	NOLA Cannabis Company	HW Acquisition Company, LLC	1667 Tchoupitoulas St Ste B, New Orleans, LA	Operating	Louisiana Board of Pharmacy per Act 150
1	NOLA Cannabis Company	HW Acquisition Company, LLC	5055 Veterans Memorial Blvd, Metairie, LA	Operating	Louisiana Board of Pharmacy per Act 150
1	NOLA Cannabis Company	HW Acquisition Company, LLC	1544 Manhattan Blvd. Harvey, LA	Under Construction	Louisiana Board of Pharmacy per Act 150
1	NOLA Cannabis Company	CRESCENT CITY THERAPEUTICS, LLC.	100 W Airline Hwy, Kenner, LA	Operating	Louisiana Board of Pharmacy per Act 150
1	NOLA Cannabis Company	CRESCENT CITY THERAPEUTICS, LLC.	1407 S. Carrollton Ave., New Orleans, LA	Operating *	Louisiana Board of Pharmacy per Act 150
1	NOLA Cannabis Company	CRESCENT CITY THERAPEUTICS, LLC.	429-433 Bourbon St. New Orleans, LA	Under Construction	Louisiana Board of Pharmacy per Act 150
*Permitted on 12/15/25					

Under local zoning regulations, medicinal marijuana retailers are considered a retail goods establishment. Retail goods establishments are widely permitted throughout the City, including in residentially zoned areas under certain circumstances. Although permitted by local zoning regulations, retail goods establishments that sell medical marijuana may not operate without proper licensing from the Louisiana Department of Health. As part of the licensing process, applicants must attest to meeting local zoning and distance rules. The City of New Orleans does not require a separate local license to sell medical marijuana and local regulations do not contemplate this type of sale. Some retail locations may also sell consumable hemp products, in which case they would need a second license from ATC.

Each location must designate at least one Louisiana-licensed pharmacist responsible for the primary and satellite locations; the pharmacist must be reachable by staff and available for patient consultation by phone or video during operating hours. Patients are limited by state law to 71 grams of cannabis flower per 14-day period. Retailers may stock only marijuana products from in-state, LDH-licensed medical marijuana manufacturers and may dispense only approved dosage forms (oils, tinctures, capsules, chewables, topicals, patches, suppositories, metered-dose inhalers, plus permitted edibles and combustible flower), never mixed into alcohol, dietary supplements, or nonmarijuana drugs. LDH staff conduct regular inspections of these retailers to ensure compliance with state law.

Smoke Free Air Act

The City's Smoke Free Air Act (Section 66.73.1) was adopted in January 2022 but went into effect in April 2022. The Ordinance prohibits smoking marijuana outside a private residence but does not contemplate the sale of marijuana, despite having restrictions in place for the sale of tobacco. Moreover, the regulation that prohibits marijuana smoking outside a private residence does not consider non-smoking marijuana products, such as edibles or oil, that are also available at medicinal marijuana dispensaries.

Consumable Hemp

Retailers who sell consumable Hemp Products, such as THC infused seltzers and gummies, must receive a consumable hemp retail license from the Louisiana Office of Alcohol and Tobacco Control (ATC). There are currently over 2,200 such retail licenses statewide, including grocery, convenience, and other retail outlets. Consumable hemp products, unlike medicinal marijuana, do not require a prescription from a physician.

Medicinal marijuana products are derived from marijuana and dispensed through LDH-licensed pharmacies, while consumable hemp products are derived from hemp and sold by retailers licensed by ATC. There is not a separate zoning use category for consumable hemp or the retail sale of consumable hemp in the New Orleans' Comprehensive Zoning Ordinance beyond the underlying retail goods establishment use, and the City of New Orleans does not issue local licenses in addition to those required by ATC.

Effective January 1, 2025, House Bill 952 required ATC to stop issuing new consumable hemp retail permits to businesses that are also licensed as bars or restaurants. Those with existing licenses may continue to sell consumable hemp products under grandfathering provisions.

Current Louisiana law requires consumable hemp products sold to have no more than 0.3 percent THC on a dry weight basis and to exclude cannabinoids that do not naturally occur in hemp. Recent rules further limit products to a maximum of 5 milligrams of total THC per serving and 8 milligrams per package serving.

Inhalable consumable hemp products (such as vapes or smokable items) are not legal; LDH has removed inhalable hemp products from the list of allowed items to protect public health.

Tobacco and Alternative Nicotine Products

Tobacco Licenses are Issued by the Louisiana Office of Alcohol and Tobacco Control. There are currently 608 ATC licenses in New Orleans. Louisiana defines tobacco products broadly; the license issued by ATC covers all types of tobacco products including traditional cigarettes, smokeless tobacco, pouches, vaping and alternative nicotine products. Having one definition and license type prevents local regulations from creating distinctions between the different tobacco types.

Similar to the retail sale of consumable hemp and medicinal marijuana, New Orleans' local zoning code does not explicitly address tobacco, although it does separately define and regulate cigar bars.

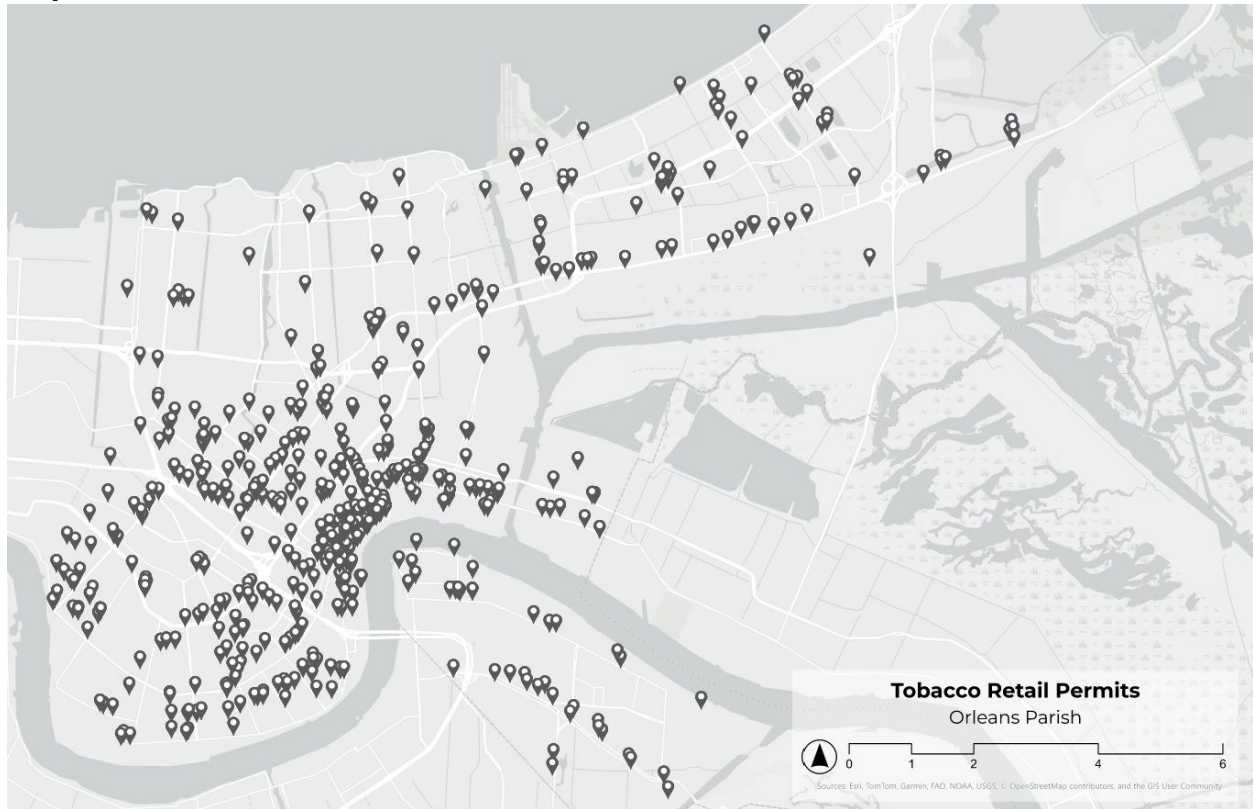
The City Code does briefly address tobacco sale locations through the Smoke Free Air Act, despite its absence from the Comprehensive Zoning Ordinance.

The Smoke Free Air Act prohibits smoking in public places, such as bars, restaurants and casinos. It also states new tobacco retailers are prohibited within 300 feet of any school, library, park, childcare center or place of worship. This distance is measured "as a person walks" rather than

within a 300 foot radius, which is the distance measurement used to determine the location of retail sale of alcohol.

Although this is written into the City Code, the City does not issue its own license for tobacco sales (in contrast to alcohol, which requires both city and state licenses). In order to ensure new tobacco license holders comply with the New Orleans' Smoke Free Air Act, the New Orleans Health Department and ATC must coordinate to ensure compliance. This partnership is newly emerging, and over the last ten years, ATC has approved tobacco permits for businesses in prohibited locations, leading to confusion and limited ability for the City to enforce the Smoke Free Air Act.

Map 3: Tobacco Retailers Permitted in New Orleans



Source: ATC Orleans Parish Tobacco Permits, 10-2-25, staff analysis.

The New Orleans Health Department has expressed particular concern regarding youth access to vaping and alternative nicotine products, which are more popular among younger users than traditional cigarettes. The one tobacco license type from ATC means local regulations cannot restrict vaping or alternative nicotine products without also affecting traditional cigarette sales. Consequently, local solutions have relied on collaboration with ATC.

Best Practices

To support the effective implementation and overall recommendations of Cannabis and Tobacco/Alternative Nicotine regulations, staff reviewed municipal bylaws and zoning ordinances

from other jurisdictions in the United States that have actively codified these products and their associated land uses. This research focuses on key regulatory foundations on the distribution of these products.

Many of the reviewed jurisdictions demonstrate consistent trends in Cannabis land-use restrictions, whether for recreational or medicinal purposes. Distance and location requirements are typically established to protect the health, safety, and welfare of the public. Similar approaches are observed for retail establishments primarily engaged in the sale of Tobacco and Alternative Nicotine products.

Staff reviewed the policies of similarly situated cities to help prepare New Orleans for Cannabis and updated Tobacco land-use regulations. Overviews of cannabis, tobacco and nicotine regulations in Chicago, IL; Atlanta, GA; Richmond, VA; and Nashville, TN are detailed below.

Case Studies

Chicago, Illinois

In August 2013, the State of Illinois enacted legislation legalizing the cultivation and distribution of medical cannabis, subject to regulations established by the state's health department. Six years later, in July 2019, the state further expanded cannabis access through the passage of the Illinois Cannabis Regulation and Tax Act, which legalized the use, possession, and sale of cannabis products for recreational purposes.

In response, the Lightfoot administration in the City of Chicago introduced a draft ordinance establishing zoning regulations for recreational cannabis dispensaries. This ordinance created 38 new retail dispensary opportunities, while allowing 11 existing medical cannabis dispensaries to be grandfathered in and transition to recreational sales.

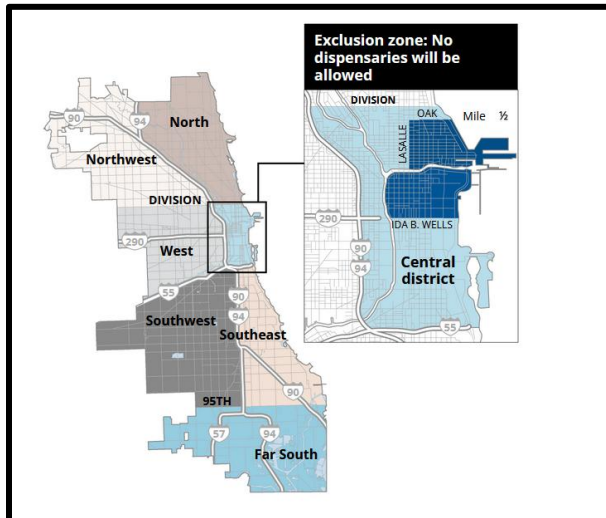
The location of retail dispensaries is limited by a seven-zone system (Figure 1). The City of Chicago is divided generally along cardinal directions, with the stated goal of allowing dispensaries across different areas of the city rather than concentrating them⁵ in a single area.⁶ The ordinance also established a downtown exclusion area, largely corresponding to the city's central business district. The reason for doing this is, per the City of Chicago, due to the unique character, configuration, and congestion of the downtown area. While the only location restriction is based on these exclusionary zones, the remaining areas where dispensaries are allowed are based on zoning permissions. Per the land use categories in Chicago's municipal code, Cannabis Business Establishments are restricted to commercial districts such as the C1, C2 and C3 Commercial

⁵ Caruso, Vincent. "Legal Marijuana Sales May Be Restricted from Most of Downtown Chicago." *Illinois Policy*, September 18, 2019. <https://www.illinoispolicy.org/legal-marijuana-sales-may-be-restricted-from-most-of-downtown-chicago/>.

⁶ Abello, Oscar Perry. "Chicago Getting in the Zone on Recreational Cannabis Legalization." *Next City*, 27 Oct. 2019, graphics.chicagotribune.com/cannabis-zoning-boundaries/map-blurb.html.

Districts. Other Cannabis businesses such as growers and processors are restricted to industrial districts such as the M2 Light Industry District and the M2 Heavy Industry District.

Figure 4: City of Chicago Recreational Cannabis Dispensary Zones⁷



Orleans' goals for cannabis retail regulations, staff felt it important to acknowledge the use of cultivation to establish this may be a use consideration in the future.

As of 2026, Chicago's zoning regulations restrict locations of dispensaries to areas in the City outside of their established "Cannabis Exclusionary Zones" and also regulate the pre-retail functions of the industry that include cultivation and manufacturing. Below are key findings for New Orleans:

- Create definitions for multiple aspects of cannabis distribution that not only include retail, but cultivation and processing of cannabis product and limit those as heavy-commercial/industrial uses.
- Limit distance and buffering requirements to retail (adult-use) dispensaries rather than applying them universally to all cannabis uses.
- Establish that these land uses should have certain distance requirements from child-friendly uses
- Specify that specific retail tobacco establishments exclude commercial retail that sells said products as ancillary uses.

Richmond, Virginia

In July of 2021, the Commonwealth of Virginia legalized the possession and home cultivation of cannabis for adults 21 years of age and older which allowed for possession of up to one ounce of cannabis in public and the cultivation of up to four plants per household for personal use. As of January 2026, public consumption and commercial sales, excluding authorized state programs, remain prohibited.

Virginia, like many other states including Louisiana, operates a medical cannabis program. The program is overseen by the Virginia Cannabis Control Authority (VCCA), which is an independent political division. The VCCA acts in lieu of a health department which other states often utilize to oversee medical marijuana.⁸

At the local level, the City of Richmond has not yet adopted zoning regulations for cannabis dispensaries for medicinal purposes; however, in July of 2025, it implemented land-use policies for retailers selling tobacco or consumable hemp products, including vapes and alternative nicotine products. The regulatory framework establishes a new use, "Retail Sales of Tobacco and Hemp" and sets restrictions on the locations of the use. "Retail Sales of Tobacco and Hemp" includes businesses that sell/offer/distribute electronic smoking devices and retail tobacco products or hemp products intended for smoking as defined in § 18.2-371.2 Code of Virginia and § 3.2-4112 Code of Virginia, respectively. These retail spaces are defined when any one or more of the following are met:⁹

⁸ Cannabis, Virginia. "Virginia Cannabis Control Authority." *Virginia Cannabis Control Authority*, 2025. <https://cca.virginia.gov/medicalcannabis>.

⁹ City of, Richmond, VA. "ORDINANCE No. 2025-157." City of Richmond, VA, June 23, 2025. <https://mcclibraryfunctions.azurewebsites.us/api/ordinanceDownload/16118/1371882/pdf>.

- 1) ten percent or more of the usable floor area is dedicated to the sale, offering, or distribution of such materials;
- 2) ten percent or more of the total area used to display merchandise, or ten percent or more of the total area used to otherwise promote merchandise, is dedicated to the sale, offering, or distribution of such materials;
- 3) ten percent or more of the total permitted sign area on the lot refers to such materials;
- 4) ten percent or more of inventory is comprised of such materials; or
- 5) in any one month, ten percent or more of gross revenue is derived from the sale, offering, or distribution of such materials

The ordinance also states that all shops shall be subject to conditional use approval and have a 1,000 ft minimum distance requirement from residential districts, educational facilities, places of worship, and any similar uses. In addition, signage was referenced as a significant aspect of the land use standards, as advertising is considered a large factor on underage users taking part in the use of smokeless tobacco.

While there are no local regulations that can be obtained from Richmond regarding Cannabis sales, the city's Retail Sales of Tobacco and Hemp guidelines may be useful when looking at taking a more restrictive approach to retailers selling smokeless tobacco. Some key findings are below:

- Require conditional use approval for both consumable hemp *and* tobacco/alternative nicotine retail establishments.
- Consumable hemp products are often paired with products associated with alternative nicotine and tobacco.
- Establish shorter distance requirements between similar uses to deter surplus retail.
- Create restrictive signage regulations, such as the prohibition of neon signage, in order to reduce advertising/exposure for alternative nicotine products.

Atlanta, GA

The State of Georgia does not permit the recreational use, sale, or distribution of cannabis, and the state's medical cannabis program remains limited in scope. While Georgia allows qualifying patients to access low-THC oil through a state-regulated program, there does not appear to be any permit process for medical/commercial cannabis activity. As a result, the City of Atlanta does not currently regulate cannabis as a distinct land use within its zoning ordinance.

Although cannabis retail remains prohibited, the city has taken steps to regulate related emerging retail uses for alternative nicotine/vapor products. In July 2025, the Atlanta City Council adopted regulations for vape shops and alternative nicotine retailers that introduced a formal definition for "vape shops" and created locational and operational standards governing where these uses could be established. The ordinance defines vape shops as retail establishments primarily engaged in the sale of alternative nicotine products, consumable vapor products, vapor devices, or consumable hemp products. Traditional tobacco products, including cigars, cigarettes, and

smokeless tobacco, are expressly excluded from this category and continue to be regulated under the separate land use classification of retail tobacco stores, where the sale of vapor products is considered incidental.¹⁰

Vape shops are permitted within commercial and mixed-use zoning districts where general retail uses are allowed, subject to additional use standards. These include minimum separation distances of 1,000 feet from other vape shops and from elementary and secondary schools and licensed childcare facilities. The ordinance does not provide for administrative waivers. Retail tobacco stores are likewise permitted within commercial and mixed-use zoning districts as part of broader retail use categories and are not subject to the same separation requirements imposed on vape shops.¹¹

Atlanta's regulations for vape shops offer a clear framework for defining these types of uses. That framework could serve as a helpful reference for New Orleans, where vape shops remain largely undefined and are currently regulated only under general retail classifications. Key findings are as follows:

- Define vape shop and provide specific products within that definition that not only includes smokeless tobacco, but specific THC/CBD to cover all basis for cannabis derivatives.
- Implement child-friendly distance requirements from schools, playgrounds, etc.
- Specify that tobacco retail is a separate category that could be either defined under its own category or is under other retail uses.

Nashville, TN

Tennessee does not currently have a medical cannabis program that permits the use of marijuana for medical purposes. In May 2025, the state passed legislation to establish more consistent regulations for hemp-derived cannabis products, or HDCPs. Rather than classifying THC acid as an HDCP, the law defines THC acid as a precursor to delta-9 THC, the compound responsible for the psychoactive effects in recreational CBD products. The legislation also broadens the definition of THC to include delta-9 THC and any of its derivatives. As a result, a "THC component" is now defined as any component of industrial hemp or hemp, which allows the state to more tightly regulate federally permitted products such as edibles and other THC-containing consumables.¹²

Nashville, in order to combat the rise in increased vape shops that sell alternative nicotine and to deter the sprawl of liquor stores, adopted a land use category in September 2025 that is known

¹⁰ City of Atlanta. "Ordinance 25-O-1098." *City of Atlanta*. City of Atlanta, July 7, 2025. https://atlantacityga.iqm2.com/Citizens/Detail_LegiFile.aspx?Frame=&MeetingID=4170&MediaPosition=&ID=37415&CssClass=

¹¹ Council Communications, Atlanta City Hall. "Atlanta City Council Votes to Regulate Vape Shops, Sets Distance Minimums | News List | Atlanta City Council, GA." *Atlantaga.gov*. Atlanta City Council, July 7, 2025. <https://citycouncil.atlantaga.gov/Home/Components/News/News/4239/17?page=4>.

¹² State of Tennessee Government. "Tennessee General Assembly Legislation HB1376." *Capitol.tn.gov*. Tennessee General Assembly, May 27, 2025. <https://wapp.capitol.tn.gov/apps/BillInfo/Default?BillNumber=HB1376>.

as a 'Beer and Cigarette Market' which is defined as a "retail establishment where the majority of the inventory available for purchase is alcoholic beverages with an alcoholic content of eight percent alcohol by weight or less and/or any product containing or used for consuming nicotine, cannabidiol (CBD), tetrahydrocannabinol (THC), or other similar substances." ¹³ According to the zoning office in Nashville, the addition of the new use "Beer and Cigarette Market" was enacted to create a specific category for the operation given they were previously classified as a general retail use.

The associated land use standards are similar to those in other municipalities in that there is a distance-based restriction, which include one beer and cigarette market per parcel. In addition, these businesses may not be situated within 100 feet of a residential unit, place of worship, school, park, playground, or daycare, except within the CF and CF-NS zoning districts, also known as Commercial Core Frame and Commercial Core Frame No Short Term Rental Properties.

Findings:

- Establish strict distance standards in order to deter large clusters of these establishments from being within a short range of one another.
- Establish strict distance standards to deter these establishments from being within close proximity child-friendly locations

In addition to distance, there are also restrictions on window signage that limits the signage to 25% of the façade as well as a prohibition on any lighting around the perimeter of a window or door in order to deter light pollution and overall aesthetics of the area.¹⁴

Distance Restrictions

In reviewing regulations from other jurisdictions, staff found that many cities designate a specific land use for retailers selling tobacco, nicotine, cannabis, or hemp products—often referred to as smoke shops or vape shops, except in the case of medical marijuana retailers. Municipalities commonly regulate these uses through distance requirements to limit their concentration and to ensure separation from child-focused public uses such as playgrounds, parks, schools, public libraries, and places of worship. These separation requirements are typically included in the use definition or associated use standards and specify minimum distances from existing child-focused public uses or similar retailers. See the table below summarizing distance requirements for vape or smoke shops in other cities:

¹³ City of Nashville. "Municode Library." *Metro Government of Nashville and Davidson County - Municode*. City of Nashville, 2025. https://library.municode.com/tn/metro_government_of_nashville_and_davidson_county/codes/code_of_ordinances?nodeId=CD_TIT17ZO_CH17.04GEPRDE_17.04.060DEGETE.

¹⁴ City of Nashville. "Amendment to ORDINANCE NO. BL2025-908." Accessed February 9, 2026. <https://nashville.legistar.com/View.ashx?M=F&ID=14783031&GUID=7E37338E-BAEB-4AB8-B9E1-3E75FA366DD2>.

Table 2: Distance Requirements for Vape/Smoke Shops

City	Distance from other Smoke Shops/similar uses	Distance from places of worship, libraries, day cares, schools, or playgrounds
Chicago, IL	1,000 feet	500 feet
Richmond, VA	1,000 feet	1,000 feet
Atlanta, GA	1,000 feet	1,000 feet
Nashville, TN	1,325 feet or 500 feet depending on Zoning	100 feet

Source: Staff research and analysis.

Other jurisdictions also vary in how they define a Smoke or Vape Shop. The most common criteria are the amount of display or shelf space devoted to tobacco, nicotine, alternative nicotine, or hemp products, or the percentage of sales derived from those products. Some jurisdictions, such as Richmond, Virginia, allow either metric to determine whether a business qualifies as a Smoke Shop.

Table 3: Metrics Defining Vape/Smoke Shops

City	% of Shelf Space/Display Area	% of Retail Sales
Chicago, IL	-	80%
Richmond, VA	10%	10%
Atlanta, GA	-	35% aggregate retail sales
Nashville, TN	51%	-

Source: Staff research and analysis.

Still, other cities do not specify metric or amount to qualify as a Smoke or Vape Shop, instead noting that the shop must primarily focus on the sale of smoke or vape products; providing opportunity for interpretation.

Signage Standards

Some jurisdictions such as Nashville, Tennessee, employ additional signage restrictions for Vape or Smoke Shops, specifically limiting neon, LED or illuminated signs for these facilities more than other uses.

Key Findings

The overall findings of the municipalities studied conclude that, while each jurisdiction may apply slightly different definitions to cannabis and nicotine-related land uses, the underlying regulatory

approach is largely consistent. Cities have moved toward establishing clearly defined standalone use categories that account for all aspects of the industry including cultivation processing distribution and retail rather than treating these activities as general commercial uses. This distinction allows them to tailor zoning regulations based on both operational and public-oriented land-uses.

In addition, all jurisdictions reviewed rely heavily on distance-based separation requirements as a primary regulatory tool to protect low-intensity and sensitive land uses. Separation standards that average approximately 1,000 feet are consistently applied to reduce over-concentration and limit high-intensity impacts and maintain compatibility with surrounding neighborhood. Collectively, these practices reflect a broader trend toward proactive land-use regulation that balances market demand with public health, safety, and welfare as well as neighborhood character considerations.

Recommendations

The recommendations proposed by staff integrate best practices from other cities, New Orleans' Smoke Free Air Act, and stakeholder meeting suggestions into a package that could be quickly integrated into the Comprehensive Zoning Ordinance via a Motion initiating a text amendment. The recommendations respond to Motion M-25-470, directing the City Planning Commission to identify the impacts of retail establishments which sell cannabis, tobacco and nicotine products and to provide recommendations regarding updated regulation of these uses, including the definition of new uses, use standards, signage regulations, and density restrictions.

Creation of a new city license for tobacco, consumable hemp, nicotine and Marijuana

Discussions with stakeholders highlighted the fact that there are positive and negative impacts, beyond land use considerations, that are created by the sales of tobacco, nicotine, consumable hemp and marijuana. These products are controlled substances that are generally thought to be negatively impactful on a society and its citizens. Currently, the regulatory mechanism for the sales of these products does not properly implement city code requirements. Creating a new license type at the local level, such as how the local alcohol license is administered, could be used to address both land use and non-land use concerns. However, creating a new local license is a complex initiative, requiring both state legislation and amendments to the City Code. It would also require a mechanism for ATC and LDH to collaborate with the Department of Safety and Permits. Given these factors, this avenue could prove too burdensome and time consuming to implement.

Regulatory Considerations

Distance Requirements

The New Orleans Health Department has indicated the Smoke Free Air Act will be amended imminently. The 300-foot distance requirement for the retail sale of tobacco from any school, library, park, childcare center, playground, or place of worship will likely be expanded to at least

500 feet, but possibly more. There are plans to include distance requirements on retailers that sell consumable hemp, cannabis sales and alternative nicotine products as well as tobacco within the Smoke Free Air Act. Staff developed a GIS layer with all child-friendly public sites and mapped the 300-foot buffer distance from those places, utilizing the distance requirement in the Smoke Free Air Act currently. The green area represents areas where the retail sale of tobacco is prohibited, not accounting for the zoning districts in which it may also be prohibited. See Map 4 below.

Map 4: Child-friendly public places with 300' radius buffer



Source: Staff Analysis.

The staff recommends expanding the 300-foot distance requirement to a 500-foot distance requirement. 300 feet is about the distance of one block; increasing the distance to 500 feet helps reduce retail clustering of the same type of business and provides greater protection to youth. Apart from Nashville, the current 300-foot distance requirement is much less than in other cities, where the norm is closer to 1,000 feet. A 500-foot distance requirement accounts for the compact building landscape and small geographic footprint of New Orleans while still addressing the negative impact these uses can have on the city's youth. Increasing the distance requirement to 500 feet is aligned with the evidence that tobacco/cannabis retailer presence near schools correlate with more youth smoking and using substances. Additionally, a 500-foot distance requirement helps retain and/or incentivize a diversity of commercial uses, particularly on commercial corridors. Although the 500-foot distance requirement is recommended by CPC staff, staff also emphasizes the need to mirror what is ultimately adopted in the Smoke Free Air Act.

Signage Standards

The City of New Orleans imposes additional signage restrictions for properties within certain design overlay districts; however, only a few uses are subject to signage limits beyond those of the underlying or overlay district. But there are limited uses with additional signage restrictions beyond the underlying zoning. Neon signage is prohibited within the EC Enhancement Corridor Design Overlay District, Greenway Corridor Design Overlay District and the CT Corridor Transformation Design Overlay District. Based on practices identified in the case studies from other cities, staff recommend limiting neon, LED and illuminated signage for facilities that sell tobacco, nicotine, hemp or marijuana in the use standards for these uses.

Staff emphasizes that regulation of signage must be coupled with enforcement if the regulations are to be effective. While the City Planning Commission does not issue citations, the Department of Safety and Permits will need to ensure a targeted effort to enforce signage at these locations, given the correlating link between advertisements and higher youth exposure and usage of these substances.

Zoning Ordinance Changes

If a local licensing framework cannot be created, the CZO offers a viable alternative to enforce the Smoke Free Air Act, and establish regulations around the retail sale of tobacco, nicotine, hemp and marijuana products. In order to establish regulations in the CZO, staff recommends creating new definitions, setting use restrictions and zoning permissions for those uses as follows.

Definitions

Staff proposes creating three new use types. The first is the "Retail Sale of Tobacco, Nicotine and/or Consumable Hemp Products" which mirrors the use permissions as the "Retail Sale of Packaged Alcohol" in that it is its own use category but can be combined with another use such as retail goods establishments, grocery stores or specialty restaurants. Creating the "Retail Sale of Tobacco, Nicotine and/or Consumable Hemp Products" use distinguishes the sale of these products from other typical grocery stores, pharmacies or convenience stores by allowing the City to set parameters on the locations where these products are sold. There are 607 existing tobacco or nicotine retailers, each of these would be considered grandfathered.

The second new use type is a "Smoke Shop." There are already over 20 retailers that primarily sell cigarettes, cigars, tobacco, pipes, alternative nicotine products, consumable hemp products and/or the supplies for smoking or ingesting these products. Some retailers include "Puff N' Fun Smoke Shop" and "Ra Shop." Currently, these stores are classified as standard "Retail Goods Establishments" but should the CZO contain a specific use type dedicated to this type of facility, the City can set density restrictions and other regulations to protect public health.

The third new use type is for "Marijuana Retailer." The State of Louisiana permits the sale of marijuana for therapeutic (medicinal) use and licenses retailers to operate throughout the state,

with no more than 30 in total throughout Louisiana. There are at least two retail locations in New Orleans selling marijuana for therapeutic purposes, but a use definition has not yet been created in the CZO. Staff propose establishing a use specific to “Marijuana Retailer” and setting distance requirements to ensure proper distance from public, child-friendly locations. It should be noted that staff is not creating a new use type for recreational marijuana retailers which are currently prohibited in Louisiana. However, there is a proposed House Bill (HB 373)¹⁵ to create a pilot program for medicinal marijuana retailers to opt into selling recreational marijuana to qualified customers. If this bill is passed, it would go into effect on January 1, 2027. At the time of this study, the proposed pilot program has not been acted on and is not in effect.

The proposed three new use definitions are listed below.

Retail Sale of Tobacco, Nicotine, Cannabis or Consumable Hemp. Retail sale of tobacco products, alternative nicotine products, vapor products or consumable hemp products as defined by the State of Louisiana, for consumption off-premises. The retail sales of tobacco, nicotine, cannabis, or consumable hemp products must be ancillary to the principal products for sale or a separate use as a Smoke Shop will be required. The “Retail Sale of Tobacco, Nicotine, Cannabis or Consumable Hemp” is prohibited in Neighborhood Commercial Establishments, and in any Residential or Park and Recreation District.

Smoke Shop. An establishment primarily engaged in retailing cigarettes, electronic cigarettes, cigars, tobacco, pipes, alternative nicotine products, consumable hemp products, and other smokers' supplies to aid in the ingestion of tobacco, nicotine, vapor or hemp. To qualify as a smoke shop greater than 30% of the floor area must be dedicated for tobacco, nicotine, or consumable hemp products and supplies.

Marijuana Retailer. A retailer permitted to sell marijuana for therapeutic use in accordance with the State of Louisiana regulations. A marijuana retailer must have an active marijuana retail permit from the State of Louisiana. Any establishment seeking the Marijuana Retailer use must be consistent with all distance requirements in accordance with the state.

In addition to the new use types, staff recommend modifying the existing definition for Retail Goods Establishment which is the main use type that sell tobacco, medical marijuana and consumable hemp products. The modification would require the that the “Retail Sale of Tobacco, Nicotine, Cannabis or Hemp” be allowed in order to sell any of those products.

Retail Goods Establishment. A business that provides physical goods, products, or merchandise directly to the consumer, where such goods are typically available for immediate purchase and removal from the premises by the purchaser. A retail goods

¹⁵ <https://www.legis.la.gov/legis/ViewDocument.aspx?d=1443680>

establishment does not include any adult uses. A retail goods establishment may not sell alcoholic beverages unless retail sales of packaged alcoholic beverages is allowed within the district and a separate approval is obtained for such use. **A retail goods establishment may not sell tobacco, nicotine, cannabis or consumable hemp unless the sale of tobacco, nicotine, cannabis or consumable hemp is allowed within the district and it complies with all local and state regulations.** A retail goods establishment that sells food products, such as a delicatessen, bakery, or grocery, may offer ancillary seating areas for consumption of food on the premises.

Use Standards

In addition to the new definitions, staff also recommend amendments to **Article 20 - Use Standards** to regulate distance from child-friendly locations, from one another in some cases, hours of operation and signage.

Use standards may receive variances unless the use standard explicitly prohibits a waiver. The CPC staff recommend three new sets of use standards: Marijuana Retailer, Smoke Shop and the Retail Sale of Tobacco, Nicotine, Cannabis or Consumable Hemp.

Marijuana Retailer and Smoke Shop use standards should include hours of operation, such as limiting the hours between 7:00 a.m. until 10:00 p.m. on weekdays and 8:00 a.m. until 10:00 p.m. on weekends. The distance limitation from any operating school, childcare center, place of worship, public library, public park or public recreational facility set by the Smoke Free Air Act should be adopted in these use standards, which will likely be between 300-1,000 feet. Staff also recommend that signage is prohibited on the interior or exterior of windows except for "open" signs and hours of operation. Neon and LED signage should be prohibited and lighting around the perimeter of a window, door or other opening should also be prohibited. For smoke shops specifically, staff recommend a 1,000 feet radius distance requirement between each smoke shop to help mitigate an overconcentration of this use type in any one area.

Use standards for the retail sale of tobacco, nicotine, cannabis or consumable hemp would not contain hours of operation. Those would be set by the primary use. However, the use standards would include a distance radius requirement from any operating school, childcare center, place of worship, public library, public park or public recreational facility set by the Smoke Free Air Act. This distance will likely be between 300-1,000 feet.

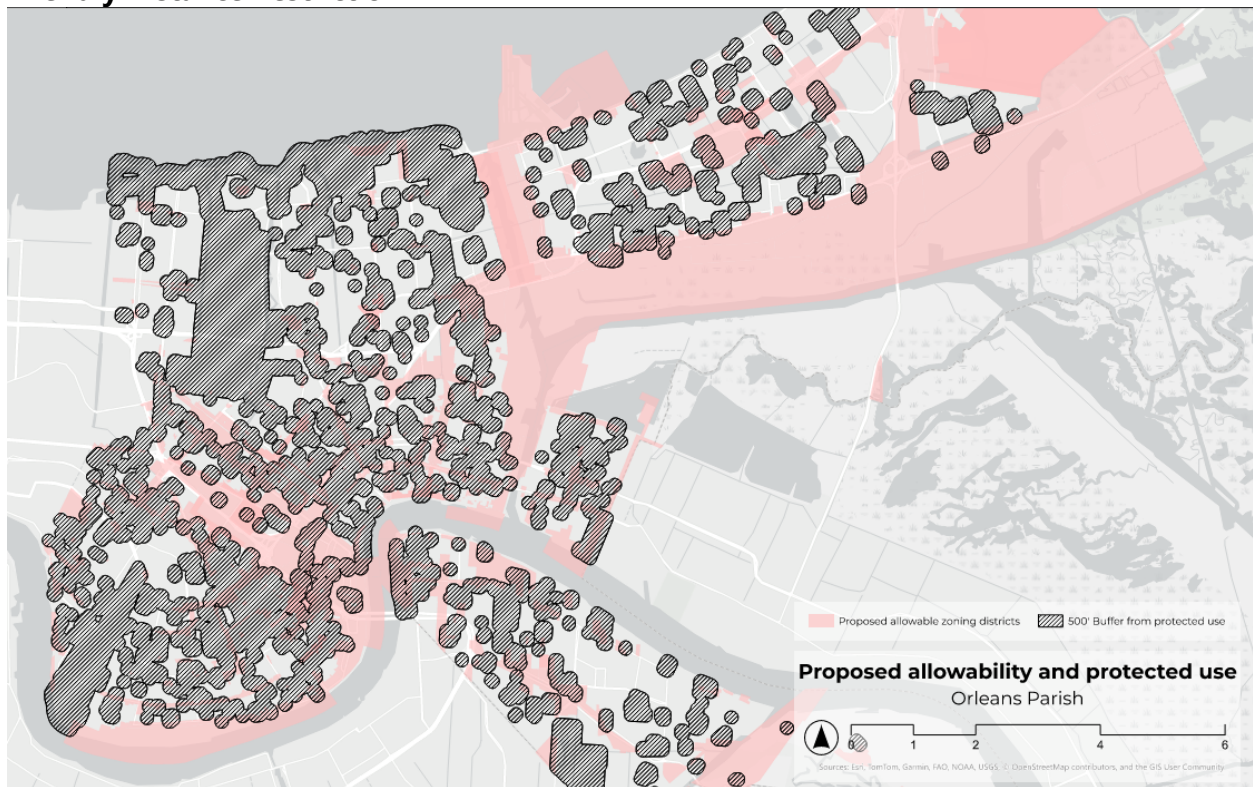
Zoning District Permissions

In determining the zoning districts where the new uses will be allowed, staff proposes permitting all three uses by-right in districts where retail sales of packaged alcohol are currently allowed, either as permitted or conditional uses. Each use will be subject to distance requirements that limit potential locations and establish parameters to protect public health and safety. Draft use permissions and use standards can be found in Appendix B.

Existing retail locations selling tobacco, nicotine, hemp, or marijuana products will be grandfathered and exempt from the distance requirements. All new retailers established after adoption of the zoning ordinance amendments will be subject to the updated standards.

Based on the proposed zoning regulations and the distance requirements, staff developed maps identifying the parcels that could seek to become a retailer for tobacco, nicotine hemp or marijuana at a 300', 500' or 1000' distance. The three distances are depicted because the exact distance requirement will not be known until the Smoke Free Air Act is amended. Those maps are available in the Appendix C for reference. Additionally, staff created a map of the zoning districts that would permit the three new uses based on staff's proposal, and added the 500' child-friendly buffer layer for reference. That is available below as Map 5. Staff is concerned about the number of locations available within New Orleans East, compared to the areas in the rest of the city based on the buffer or the zoning districts; if the proposal were to move forward with a text amendment, staff may make alternative recommendations accordingly.

Map 5: Potential Retailer Permissions with Zoning District Allowances and 500' Child-Friendly Distance Restriction



Source: Staff Analysis.

Other Permitting Suggestions

To ensure consistency between the zoning ordinance and the City Code, staff recommend several amendments to the City Code. These include modifying *the Smoke Free Air Act*, Section 66-76 (How Distance Is Measured), to align with the CZO by measuring distance using a radius rather

than a walking path. This approach is consistent with the methodology used for packaged liquor sales in Section 10-237.

Staff also recommend amending the *Smoke Free Air Act* to include non-smokable but consumable tobacco, nicotine or hemp products within the distance requirements. If the proposed regulations are adopted, staff also recommend amending the distance requirements for retail alcohol sales from child-friendly public places to align with those adopted for retailers of tobacco, nicotine, and hemp. Depending on timing, the Comprehensive Zoning Ordinance amendments should mirror the Smoke Free Air Act.

While the retail sale of alcohol requires a liquor license administered by the Department of Safety and Permits, no comparable license exists for the retail sale of tobacco, nicotine, hemp, or therapeutic marijuana products. Staff recommends exploring the creation of a city license for these uses, including the establishment of associated fees. The State of Louisiana does not currently contemplate local licensing and permit fees for tobacco products as it does for alcohol. The creation of a city license for these uses would likely require state legislation, coordination with ATC and LDH and an amendment to the New Orleans City Code.

Next Steps

As with every study completed by the City Planning Commission, any action to implement the requested changes will require motion by the City Council.

The Cannabis, Tobacco and Nicotine Study, directed by City Council Motion M-25-470, will be presented to the City Planning Commission on April 14, 2026. The City Planning Commission can choose to forward the Study to the City Council with or without changes to the staff recommendations. If the CPC chooses to modify the recommendations, the staff will incorporate those recommendations and forward the revised Study to the City Council. The City Council may choose to hold its own public hearing on the Study, though it is not required.

Most of the recommendations within this report require a future text amendment to codify and effectuate the changes within the Comprehensive Zoning Ordinance. Some of the recommendations could also include amendments to the City Code.

If the Study is followed by a text amendment request, staff will docket the request and write a staff report with recommendations for specific zoning text changes. The zoning docket would require an additional public hearing before the City Planning Commission. The Commission may choose to recommend text changes to the City Council with or without modification of the staff recommendations, or they could recommend denial of the proposal. The City Council must hold a public hearing before considering adoption of zoning text changes. Finally, the Council may adopt, adopt with modifications, or deny the City Planning Commission's recommendations.

Appendices

Appendix A: Motion No. M-25-470

MOTION

NO. M-25-470

CITY HALL: September 11, 2025

BY: COUNCILMEMBERS GIARRUSSO AND THOMAS

WHEREAS, the Comprehensive Zoning Ordinance does not contain regulations specific to the sale of products containing cannabis, tobacco, or nicotine; and

WHEREAS, purveyors of these products are currently evaluated as retail goods establishments; and

WHEREAS, these uses may create unique impacts on their neighbors; and

WHEREAS, sales of these products are regulated by state law in ways that other retail goods establishments are not; and

WHEREAS, cannabis uses are becoming more common in the wake of state law changes over the last decade since the adoption of the revised Comprehensive Zoning Ordinance in 2015 regarding cannabis sales; and

WHEREAS, research has found that increased baseline exposure to tobacco advertising, especially e-cigarette advertising, including point-of-sale advertising in stores, is linked to an increase in the subsequent reporting of nicotine use within the last 30 days among youth aged 13-20; and

WHEREAS, flavored tobacco and nicotine products sold at tobacco-nicotine businesses, including alternative products like vapes and pouches, have been shown to appeal particularly to youth and young adults, with 90% of middle and high school tobacco users reporting use of a flavored product; NOW THEREFORE

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the City Planning Commission is directed to study the impacts of retail establishments which sell cannabis, tobacco, and nicotine products and to provide recommendations regarding updated regulation of these uses, including but not limited to the definition of new uses, use standards, signage regulations, and density restrictions, as applicable.

BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW

ORLEANS, That because this request does not constitute an amendment to the zoning ordinance, no Neighborhood Participation Program is needed.

BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That in conducting this study, the City Planning Commission staff is directed to consult with other city departments and with any relevant representatives of the State of Louisiana to ensure that the recommendations align with relevant laws, regulations, and administrative processes, as well as best practices.

BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the City Planning Commission is directed to conduct and complete this motion within 180 days of the passage of this motion, but may request a reasonable extension of this timeline in writing to the New Orleans City Council, through the author(s) of this motion or their successor(s) in office, as applicable, and said deadline may be modified by subsequent motion.

BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That this study is intended to supplant the study commissioned by the Council through motion M-25-379, and the study created in response to this motion shall be deemed to be the response to the study commissioned in M-25-379.

BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That in the process of conducting a public hearing and study as provided herein, the City Planning Commission and staff are directed and granted the flexibility to expand the scope of the study and make any and all legal and appropriate recommendations deemed necessary in light of study, review and public testimony resulting from this motion.

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

THE FOREGOING IS CERTIFIED YEAS: Giarrusso, Green, King, Moreno, Morrell - 5

TO BE A TRUE AND CORRECT COPY

NAYS: 0

ABSENT: Harris, Thomas - 2

AND THE MOTION WAS ADOPTED.

ASSISTANT CLERK OF COUNCIL.

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NAYS:

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Appendix B: DRAFT Use Permissions and Use Standards

Staff has considered use permissions and use standards for guidance only. A future text amendment will consider more specifically the zoning permissions of the three new uses.

Use Standards

In addition to definitions, staff also recommend amendments to **Article 20 - Use Standards** to regulate hours and signage for Smoke Shops and Marijuana Retailers. While Retail Goods Establishments do not have prescribed hours, most seem to operate within the daily hours noted in the City Charter of 7:00 am until 10:00 pm on weekdays and 8:00 am until 10:00 pm on weekends. Similarly, all Restaurants are held to operational hours of 6:00 am to 10:00 pm on weekdays and 6:00 am until midnight on weekends. Certain overlay districts have additional restrictions on hours.

Marijuana Retailer

1. No Marijuana Retailer shall be located on a parcel that is less than 500 feet from any operating school, childcare center, place of worship, public library, public park or public recreational facility.
2. All Marijuana Retailers are limited to the hours of 7:00 am until 10:00 pm on weekdays and 8:00 until 10:00 pm on weekends.
3. Signage must comply with the regulations in Article 24. Neon signage is prohibited on the interior or exterior of windows, other than an "open" sign.
4. Lighting placed around the perimeter of a window, door, or other opening, either internal or external to the structure, that creates illumination that is plainly visible from the exterior of the structure shall be prohibited.

Smoke Shop

1. No Smoke Shop shall be located within 1,000 feet from any other Smoke Shop, and within 500 feet from any from any operating school, childcare center, place of worship, public library, public park or public recreational facility.
2. All Smoke Shops are limited to the hours of 7:00 am until 10:00 pm on weekdays and 8:00 until 10:00 pm on weekends.
3. Signage must comply with the regulations in Article 24. Neon signage is prohibited on the interior or exterior of windows, other than an "open" sign.
4. Lighting placed around the perimeter of a window, door, or other opening, either internal or external to the structure, that creates illumination that is plainly visible from the exterior of the structure shall be prohibited.

Zoning District Permissions

In determining the zoning districts where the new uses will be allowed, staff proposes permitting all three uses by right in districts where retail sales of packaged alcohol are currently allowed,

either as permitted or conditional uses. Each use will be subject to distance requirements that limit potential locations and establish parameters to protect public health and safety.

Existing retail locations selling tobacco, nicotine, hemp, or marijuana products will be grandfathered and exempt from the distance requirements. All new retailers established after adoption of the zoning ordinance amendments will be subject to the updated standards.

The proposed use permissions are detailed in the charts below for Articles 7, 8, 10, 12, 14, 15, 16, and 17. There are no proposed allowances for the residential districts in Articles 9, 11 and 13.

Table 7-1: Permitted and Conditional Uses								
Uses	Districts							Use Standards
	OS-N	OS-G	OS-R	NA	GPD	OS-CBD	OS-AR	
COMMERCIAL USE								
[...]								
<u>Marijuana Retailer</u>					C⁵			
[...]								
Retail Goods Establishment					C ⁵			
Retail Sales of Packaged Alcoholic Beverages					C ⁵			
<u>Retail Sales of Tobacco, Nicotine, Cannabis or Hemp</u>					C⁵			
[...]								
<u>Smoke Shop</u>	-	-	-	-	C⁵	-	-	-
[...]								
5 Subject to the use restrictions in Section 7.2.B.1.								

Table 8-1: Permitted and Conditional Uses			
Uses	Districts		Use Standards
	OS-N	OS-G	
COMMERCIAL USE			
[...]			
<u>Marijuana Retailer</u>		P	
[...]			
Retail Goods Establishment		P	
Retail Sales of Packaged Alcoholic Beverages		C	
<u>Retail Sales of Tobacco, Nicotine, Cannabis or Hemp</u>		P	
[...]			
<u>Smoke Shop</u>	-	P	-
[...]			

Table 10-1: Permitted and Conditional Uses											
Uses	Districts										USE STANDARDS
	VCC-1	VCC-2	VCE	VCE-1	VCS	VCS-1	VCP	HMC-1	HMC-2	HM-MU	
COMMERCIAL USE											
[...]											
<u>Marijuana Retailer</u>					<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	<u>P</u>	
[...]											
Retail Goods Establishment	P	P	P	P	P	P		P	P	P	
Retail Sales of Packaged Alcoholic Beverages					C	C		C	C	C	
<u>Retail Sales of Tobacco, Nicotine, Cannabis or Hemp</u>					<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	<u>P</u>	
[...]											
<u>Smoke Shop</u>					<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	<u>P</u>	
[...]											

Table 12-1: Permitted and Conditional Uses				
Uses	Districts			Use Standards
	HU-B1A	HU-B1	HU-MU	
COMMERCIAL USE				
[...]				
<u>Marijuana Retailer</u>		<u>P</u>	<u>P</u>	
[...]				
Retail Goods Establishment		P	P	
Retail Sales of Packaged Alcoholic Beverages		C ⁴	C	
<u>Retail Sales of Tobacco, Nicotine, Cannabis or Hemp</u>		<u>P</u>	<u>P</u>	
[...]				
<u>Smoke Shop</u>		<u>P</u>	<u>P</u>	
[...]				

4 Subject to the use restrictions in Section 12.2.B.4.

Table 14-1: Permitted and Conditional Uses									
Uses	Districts								Use Standards
	S-B1	S-B2	S-LB1	S-LB2	S-LC	S-MU	S-LP	S-LM	
COMMERCIAL USE									
[...]									
<i>Marijuana Retailer</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>			
[...]									
Retail Goods Establishment	P	P	P	P	P	P			P
Retail Sales of Packaged Alcoholic Beverages	C	C	C	C	C	C			
<i>Retail Sales of Tobacco, Nicotine, Cannabis or Hemp</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>			
[...]									
<i>Smoke Shop</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>			
[...]									

Table 15-1: Permitted and Conditional Uses										
Uses	Districts									Use Standards
	C-1	C-2	C-3	MU-1	MU-2	EC	MC	MS	LS	
COMMERCIAL USE										
[...]										
<i>Marijuana Retailer</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>				<i>P</i>	
[...]										
Retail Goods Establishment	P	P	P	P	P	P	P	P	P	
Retail Sales of Packaged Alcoholic Beverages	C	C	P	C	C				C	
<i>Retail Sales of Tobacco, Nicotine, Cannabis or Hemp</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>				<i>P</i>	
[...]										
<i>Smoke Shop</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>				<i>P</i>	
[...]										

Table 16-1: Permitted and Conditional Uses					
Uses	Districts				Use Standards
	LI	HI	MI	BIP	
COMMERCIAL USE					
[...]					
<i>Marijuana Retailer</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	
[...]					
Retail Goods Establishment	P	P	P	P	
Retail Sales of Packaged Alcoholic Beverages	P	P	P	C	

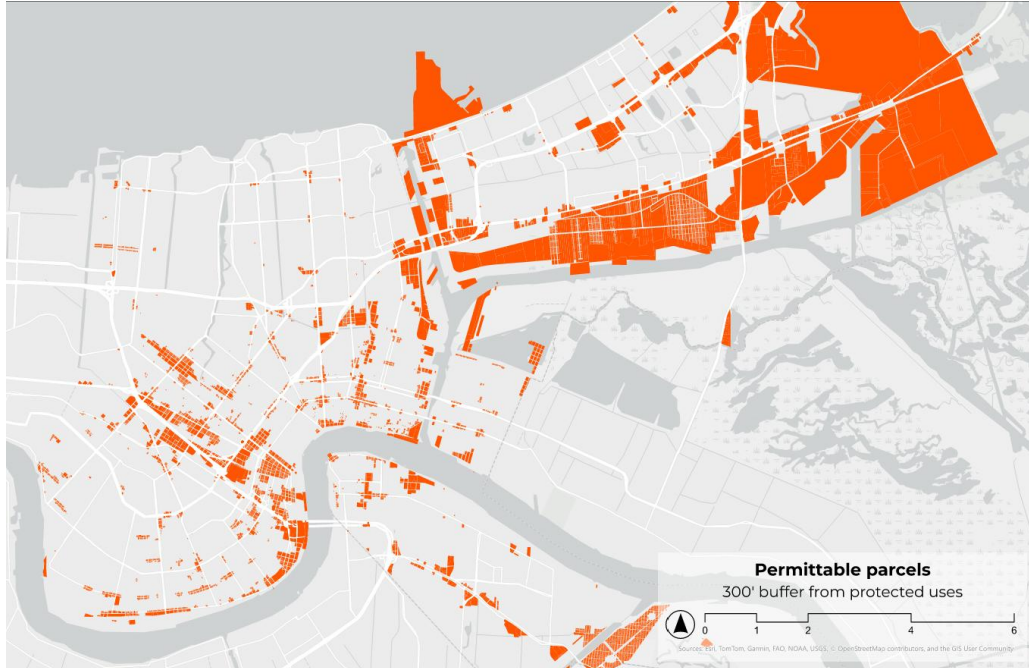
<u>Retail Sales of Tobacco, Nicotine, Cannabis or Hemp</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
	[...]				
<u>Smoke Shop</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
	[...]				

Table 17-1: Permitted and Conditional Uses								
Uses	Districts							Use Standards
	CBD-1	CBD-2	CBD-3	CBD-4	CBD-5	CBD-6	CBD-7	
COMMERCIAL USE								
	[...]							
<u>Marijuana Retailer</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
	[...]							
Retail Goods Establishment	P	P	P	P	P	P	P	
Retail Sales of Packaged Alcoholic Beverages	C	C	C	C	C	C	C	
<u>Retail Sales of Tobacco, Nicotine, Cannabis or Hemp</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
	[...]							
<u>Smoke Shop</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
	[...]							

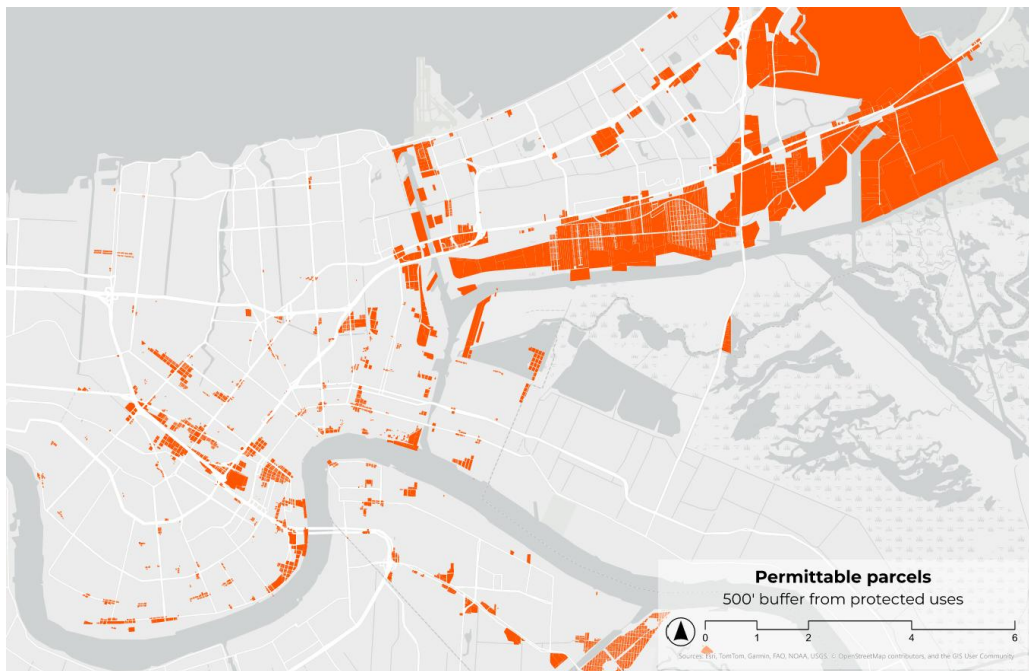
Appendix C: Maps of Potential Retail Locations

Based on proposed zoning permissions, staff developed maps identifying parcels that could seek permits for Tobacco/Nicotine/Hemp/Marijuana at various distance restriction distances: 300', 500' and 1000'

Map A1: 300' Distance Restriction with Proposed Use Permissions



Map A2: 500' Distance Restriction with Proposed Use Permissions



Map A3: 1000' Distance Restriction with Proposed Use Permissions

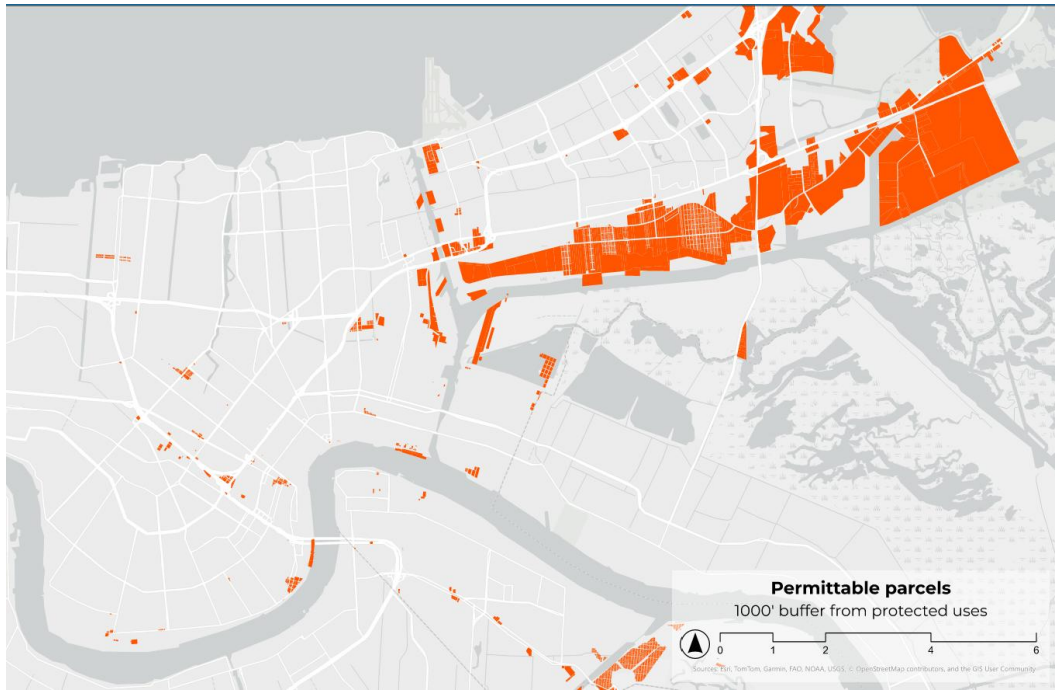
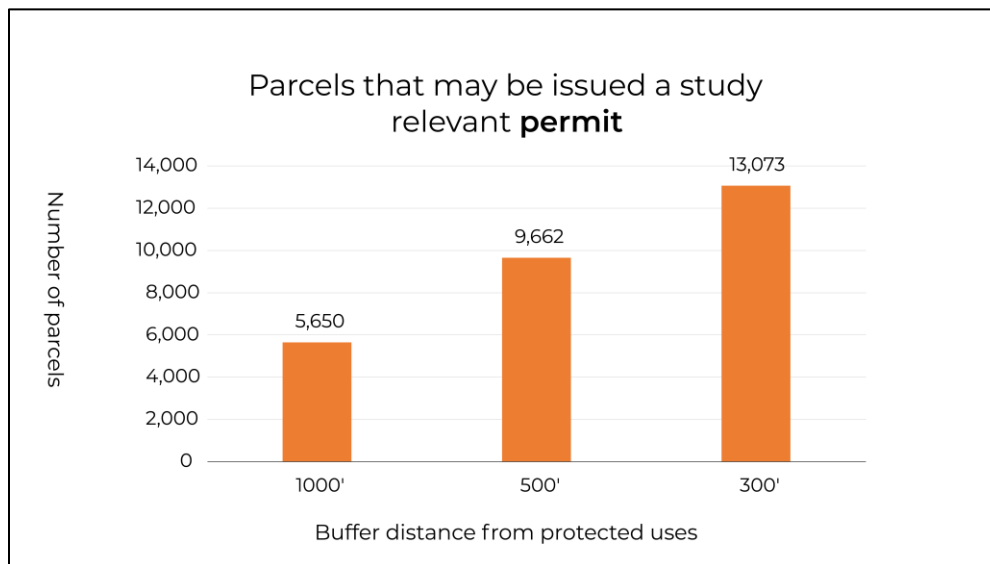


Table A1: of Number of Parcels Permissible by Distance Calculation



Appendix D: Mapping Methodology

Potential Permits by Parcel

- Data sets used:
 - Protected use
 - Parks and playgrounds – Data set synthesized from NORD and City database
 - Places of worship – Composite of IRS, Assesor’s Page, and Federal data sets. Not cohesive
 - Schools and Daycares – City database
 - Libraries – City database
 - Permits
 - Issued MMR permits sourced from LADOH (Addresses to geocode and matched to parcels)
 - Issued Tobacco Retail Permits sourced from ATC (Addresses to geocode and matched to parcels)
 - Issued Consumable Hemp Retail Permits sourced from ATC (Addresses to geocode and matched to parcels)
 - City Land Use
 - Parcels
 - Districts
 - Zoning
- Procedure
 - A list of permissible parcels was generated by filtering the parcels for those who were in a zoning district allowed for issuance of these permits under the recommendations of this study ie. HU-MU, HU-B
 - A buffer radiuses from the parcels of protected uses were individually generated at 300’, 500’ and 1000’ feet and later merged to create a protected use polygon feature.
 - The list of permissible parcels was culled for any parcels that intersected with the protected use polygon features. This was done once for each distance of buffer to produce 3 maps.

Smoke Shop Map

- Data sets used:
 - Same as potential permits
 - Procedure
 - The staff compared the list of tobacco and consumable hemp permits to identify duplicates under the logic that a smoke shop would have both of these. The list of duplicates was then manually verified to exclude other uses such as grocery stores and convenience stores.
 - A 1000’ buffer was established around these locations as per recommendations in the study.
 - A list of permissible parcels was generated by filtering the parcels for those who were in a zoning district allowed for issuance of these permits under the recommendations of this study ie. HU-MU, HU-B

- A buffer radiuses from the parcels of protected uses were individually generated at 300', 500' and 1000' feet and later merged to create a protected use polygon feature.
- The list of permittable parcels was culled for any parcels that intersected with the protected use polygon features and the 1000' buffer from existing smoke shops. This was done once for each distance of buffer to produce 3 maps.