

**RESOLUTION AMENDING THE ZONING RESOLUTION OF MONTGOMERY COUNTY, TENNESSEE,
AS IT PERTAINS TO SMOKE SHOPS**

WHEREAS, the Clarksville Montgomery County Regional Planning Commission voted to initiate a Montgomery County Zoning Resolution amendment at their regular meeting on August 25, 2026, regarding adding and amending regulations pertaining to Smoke Shops; and

WHEREAS, the Montgomery County Zoning Resolution currently does not address Smoke Shops and utilizes an outdated definition; AND

WHEREAS, the Montgomery County Commission Regional Planning Commission staff has reviewed existing regulations, evaluated current land-use patterns, and prepared proposed amendments to clarify the classification and regulation of smoke shops and related uses; AND

WHEREAS, the proposed amendments are intended to establish clear and objective standards for the location of smoke shops and related specialty retail uses, including appropriate separation from schools, parks, religious institutions, and similar community-oriented uses, AND

WHEREAS, the Montgomery County Commission has been furnished with the Regional Planning Commission's recommendation and resolution at their informal session of the commission on October 5, 2026; AND

WHEREAS, the County Commission agrees that these changes are for the overall benefit of the citizens of Montgomery County.

NOW, THEREFORE BE IT RESOLVED, by the Montgomery County Board of Commissioners assembled in regular session on the 19th day of October 2026, this legislative body updates and amends the zoning resolution of Montgomery County, Tennessee in the following manner:

Under Section 2.2 DEFINITIONS:

- DELETE:

~~"Candy, Cigars, and Tobacco (Retail): Establishments engaged in selling candy, cigars, or tobacco products to ultimate customers or consumers."~~

- ADD Alphabetically:

Merchandise Display Area: The area, measured in square feet, of the customer-facing surface of shelving, racks, display cases, counters, tables, wall displays, pegboards, or other fixtures used for the display of merchandise for sale. The area shall be measured by the width and height of the customer-facing display surface and shall include vertical, horizontal, and inclined display surfaces. Individual shelves, tiers, or levels shall be measured as separate customer-facing display surfaces when merchandise is displayed on each level.

Smoke Shop: A retail establishment primarily engaged (>25% of customer facing merchandise display area) in the sale of tobacco products, electronic smoking devices (including e-cigarettes, vape pens, and related accessories), hemp-derived edible cannabinoid products, and smoking paraphernalia (e.g., pipes, rolling papers). This includes, but is not limited to, businesses commonly known as tobacco stores, vape shops, or retailers of nicotine delivery products, but excludes establishments where such sales are incidental (<25% of customer facing merchandise display area) (e.g., convenience stores, grocery stores).

Under Section 3.4.5 COMMERCIAL USES Tables:

- **DELETE** the following row in its entirety: “Candy, Cigars, and Tobacco (Retail)”

- **INSERT** the following row alphabetically: “Smoke Shop”

Uses	Agricultural		Residential													Inst.-Civic		Office		Commercial						Industrial	
	AG	AGC	E1	R1	R1A	R2	R2A	R2D	R3	R4	R5	RM1	R6	PUD	MLUD	MHP	IC	O1	OP	CBD	C1	C2	C3	C4	C5	M1	M2
<u>Smoke Shop</u>																									<u>PC</u>		

Delete 5.3.2.2 Candy, Cigars and Tobacco (Retail) (C-4 District)

Under Section 5.2.3 COMMERCIAL USES PERMITTED WITH CONDITIONS (PC)

- **ADD Alphabetically:**

Smoke Shop

1. No person, firm, or corporation shall locate a Smoke Shop closer than one thousand (1,000) feet to a school, park, or religious institution, said distance to be measured along a direct line from the closest point on the building of the smoke shop to the closest point of the property of a school, park, or religious institution.
2. No Smoke Shop may be located closer than 1,500 feet from another legally existing Smoke Shop, said distance to be measured along a direct line between each building.
3. Any Smoke Shop legally existing and operating on October 19, 2026 shall be exempt from the above restrictions unless the business relocates.

Duly passed and approved this 19th day of October 2026.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested: _____

County Clerk

Date of Public Hearing: October 5, 2026