

RESOLUTION OF THE MACON-BIBB COUNTY PLANNING AND ZONING COMMISSION AMENDING THE COMPREHENSIVE LAND DEVELOPMENT RESOLUTION FOR MACON-BIBB COUNTY, BY AMENDING CHAPTERS 1, 4B (TABLE OF PERMISSIBLE USES), AND 23 SO AS TO DEFINE VAPE SHOPS, TO ESTABLISH A MINIMUM DISTANCE OF 2,640 FEET FROM EACH OTHER AND FROM EDUCATIONAL FACILITIES AND CERTAIN RELATED USES; IDENTIFY ZONING DISTRICTS WHERE VAPE SHOPS ARE ALLOWABLE LIMITED USES ASSUMING THEY MEET SUCH DISTANCE REQUIREMENTS; TO BETTER PROTECT THE PUBLIC HEALTH AND WELFARE; AND FOR OTHER PURPOSES.

WHEREAS, the Macon-Bibb County Planning and Zoning Commission (the “Commission”) finds that the Comprehensive Land Development Resolution for Macon-Bibb County (the “Land Development Resolution”) from time to time requires amendment for the protection of the public health and welfare and to continue to accomplish the purposes of the Land Development Resolution; and

WHEREAS, the rise in use of electronic nicotine and cannabis delivery systems, commonly known as vaping, has created significant public health concerns, particularly among the youth;

WHEREAS, proximity of vape shops, as defined below, to each other, to educational establishments and to other facilities for the care of children, may increase the likelihood of exposure of all persons, and especially of youth, to vaping and thereby increase the use of vaping among all persons, especially youth;

WHEREAS, the Commission finds that is in the public interest to regulate the location of vape shops to protect youth and others from over-exposure to vape shops.

NOW THEREFORE, THE COMMISSION resolves that the Land Development Resolution shall be and is hereby amended as follows:

1. The text of Section 1.02, “Specific definitions,” of Chapter 1, “DEFINITION OF TERMS USED IN THIS RESOLUTION,” is hereby amended by inserting a new definition of “Vape Shops,” to be inserted in said section in alphabetical order and to read as follows:

Vape shop. Any retail establishment where either (a) at least thirty five percent (35%) or more of the establishment’s aggregate retail sales is derived from, or (b) at least thirty five percent (35%) of the retail floor space of the establishment is dedicated to, any one, or any combination, of the following products: alternative nicotine products, consumable vapor products and vapor devices, all as defined under O.C.G.A. § 48-11-1, and consumable hemp products, as defined under O.C.G.A. § 2-23-3.

2. Section 4B.09 of Chapter 4B, "USE REGULATIONS," is hereby amended by inserting into the "Table of Permissible Uses" under the Use Category of "Retail Sales and Service," in alphabetical order, a new Limited use, "Vape Shops," to be allowed as a Limited Use (identified by an "L") in the following districts, C-2, C-4, M-1, M-2 and SC, as shown in Exhibit A, attached. so that the "Table of Permissible Uses" shall be amended by inserting the highlighted language and deleting the stricken language, as shown in Exhibit A, attached.
3. Section 23.16 of Chapter 23, "SUPPLEMENTARY REGULATIONS GOVERNING CERTAIN USES," is amended by inserting a new subsection, 23.16.04, "Vape Shops," to read as follows:

"Section 23.16.04. Vape Shops.

[1] *Purpose.* The purpose of this section is to regulate the location of vape shops so that such facilities do not become so concentrated and so close to facilities where youth tend to congregate that they increase unnecessarily the exposure of youth and others to vaping, in order to limit the negative effects of vaping, especially on youth.

[2] *Districts and Locations.* Vape shops are allowed only in the C-2, C-4, M-1, M-2 and SC districts and only when they meet the following additional locational requirements:

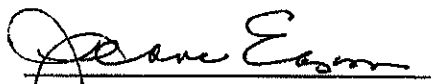
(a) Vape shops must be at least two thousand six hundred forty (2,640) feet from another vape shop.

(b) Vape shops must be at least two thousand six hundred forty (2,640) feet from any educational facility or any facility for the care of children."

SO ADOPTED, THIS 12th DAY OF January 2026

MACON-BIBB COUNTY PLANNING AND ZONING COMMISSION

BY:


Jeane Easom - Chairman

ATTEST:



Jeffrey C. Ruggieri - Executive Director

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Macon-Bibb County Planning and Zoning Commission on the date set out above, during a legally convened meeting and that the attached signatures are genuine.

This 12 day of January, 2026



Commission Secretary

