



TEXT AMENDMENT REQUEST FORM (Internal)

Development Services

420 McKinney Pkwy.

P.O. Box 65, Lillington, NC 27546

Phone: (910) 893-7525 Fax: (910) 893-2793

Case: PLAN2608-0001

Staff: Sarah Arbour, Long Range Planner sarbour@harnett.org 910-814-6414

Planning Board: October 5, 2026 County Commissioners: October 19, 2026

Applicant Information

Applicant:

Name: Harnett County Development Services

Address: 420 McKinney Pkwy.

City/State/Zip: Lillington, NC 27546

Phone: 910-893-7525, x2

Type of Change

☒ New Addition ☒ Revision

Ordinance: Unified Development Ordinance

Article: V. Sections: 1.2; 7.6.7

Article: XIV. Section: 2.2

Proposed Text:

ARTICLE V. USE REGULATIONS

1.2 Table of Use Types & Regulations

	IND	LI	COMM	O&I	CONS	RA-40	RA-30	RA-20R	RA-20M	PARKING	USE GROUP LEVEL	BUILDING CODE CLASS
Retail Services												
Convenience Stores & Convenience Type Business Establishments	P*	P*	P*	P*		S*	S*	S*	S*	1 per 150 sq. ft.	3	M
Grocery Store		S	P	P		S	S	S	S	1 per 200 sq. ft.	3	M
Flea Markets, Rummage, Second Hand Sales & Activities, Indoor & Outdoor			P*				S*	S*	S*	1 per 300 sq. ft.	3	M
Nursery, Retail		P	P			S	S	S	S	1 per 500 sq. ft.	3	M
Retail Sales (entirely within an enclosed building)	P*	P*	P*							1 per 300 sq. ft.	3	M
Retail Sales, Outdoor (primarily outside of an enclosed building)	P*	P*	P*							1 per 2 employees (largest shift) OR 1 per 500 sq. ft.	3	M
Shopping Center		P*	P*							1 per 200 sq. ft.	3	
Sexually-Oriented Business (bookstore, motion picture, nightclub)	S*									1 per 300 sq. ft.	4	
Tobacco, Vape, CBD, Hookah, and Similar Establishments			CZ*								3	

Note: P- Permitted by Right S- Special Use Permit via the Board of Adjustment CZ- Conditional Zoning

7.6.7 Tobacco, Vape, CBD, Hookah and Similar Establishments

- A. Shall not be located within 1,000 feet, measured property line to property line, from a school (public or private), church, childcare facility, community center, recreational facility, park, or hospital.
- B. Shall not be located within 1,000 feet, measured property line to property line, from another Tobacco, Vapor, CBD, Hookah, or similar establishment.
- C. Shall not be located within 100 feet, measured property line to property line, of any parcel used for residential purposes or located within a residential zoning district.
- D. The required site plan shall meet all applicable County standards to include all land uses within 1,500 feet, measured property line to property line, from the parcel proposed for hookah, tobacco, vape, and similar establishment use.
- E. All Federal, State, and local laws, rules, and regulations must be adhered to in the operation of such establishments. This includes regulations pertaining to advertisements, age restrictions, and the legality of products sold.
- F. In accordance with N.C.G.S. § 160D-601(d), this provision does not apply to Tobacco, Vapor, CBD, Hookah, and similar establishments that are legally existing on the effective date of the enacting ordinance codified in this section and such uses may continue to operate, expand, and/or renovate, subject to the other requirements of this Ordinance.

ARTICLE XIV. DEFINITIONS & CERTIFICATIONS

SECTION 2.0 GENERAL DEFINITIONS & ACRONYMS

2.2 General Definitions

Tobacco, Vape, CBD, Hookah, and Similar Establishments

A specialized retail establishment used primarily for the sale, storage, or consumption of tobacco products, electronic smoking/vaping, devices, Kratom, CBD hemp derived Delta-8, and related accessories. These products may include, but are not limited to, cigarettes, cigars, pipe tobacco, vaping devices, e-liquids, and vaping accessories. This definition does not include bars, nightclubs, or other establishments allowing onsite consumption of tobacco, or grocery stores, convenience stores, or similar retail uses that sell tobacco products or tobacco paraphernalia as an ancillary sale.

Reason for Requested Change

As directed by the Board of Commissioners, Development Services and Legal & Risk Management Department staff researched and prepared a text amendment to establish a new use type for tobacco, vapor, CBD, hookah, and similar establishments, a definition, and use-specific regulations. Currently, the Harnett County Unified Development Ordinance does not identify these establishments as a distinct use, which creates a need for clear and consistent zoning regulations addressing where and under what conditions these establishments may operate.

While North Carolina law preempts local governments from regulating the sale, distribution, display, and promotion of tobacco products, it does provide local governments with the authority to regulate land use through zoning. The proposed text amendment would establish clear zoning regulations for these establishments while remaining within the County's authority to regulate land uses.

Suggested Statement-of-Consistency: (Staff concludes that...)

The requested Text Amendment is compatible with Harnett County regulatory documents and enhances public safety. Therefore, it is recommended that this Text Amendment request be **APPROVED**.