



TOWN OF SMYRNA
TOWN COUNCIL
SPECIAL-CALLED MEETING



AGENDA

To be placed under Smyrna Town Council Citizen Comments, an individual must fill out the online form, call or email the Town Clerk's office before 4:30 PM on the business day before the Council meeting and request to be placed under Citizen Comments; provide his or her name, address and telephone number; and state the purpose of addressing the Council.

Speakers are limited to 3 minutes. Additional comments may be submitted in writing.

April 2, 2026

5:00 PM

Smyrna Town Hall

- 1. Call to Order**
- 2. Roll Call**
- 3. Old Business**
 - a. **PUBLIC HEARING**: Consideration of an Ordinance amending the text of the Smyrna Sign Ordinance Chapter 3 General Provisions, Sections D and E, and Chapter 7 Temporary Sign Provisions, Sections A, B, and C.
 - b. **PUBLIC HEARING**: Consideration of an Ordinance amending the text of the Smyrna Municipal Zoning Ordinance Article V Zoning Districts, Section 5.051.4.C regarding accessory apartments in the R-4 Medium Density Residential District.
 - c. **PUBLIC HEARING**: Consideration of an Ordinance amending the text of the Smyrna Municipal Zoning Ordinance Article II, Definitions, Sections 2.020 and 2.036.12 and Article V Zoning Districts, Sections 5.052.1, 5.052.2, 5.052.4, and 5.052.6 regarding bail bond agency requirements.
 - d. **PUBLIC HEARING**: Consideration of an Ordinance amending the text of the Smyrna Municipal Zoning Ordinance Article II Definitions, Sections 2.020, 2.036.14, and 2.036.23, Article IV Supplementary Provisions Applying to Specific Districts adding Section 4.210, and Article V Zoning Districts, Sections 5.052.7, 5.053.1, and 5.053.2 regarding tobacco, vape, and cannabinoid retailers.
- 4. Public Comment**

Note: The Town's Public Comment Period shall be reserved for those citizens that have signed up to address the Town Council, or a Board or Committee, at least twenty-four (24) hours in advance of the meeting, pursuant to the Town's Public Comment Policy as outlined above.

5. Other

6. Adjournment



**Town of Smyrna
Town Council Meeting
Agenda Summary**

**Agenda Item Number 3.a.
Department: Planning
Date: April 2, 2026**

Subject:

PUBLIC HEARING: Consideration of an Ordinance amending the text of the Smyrna Sign Ordinance Chapter 3 General Provisions, Sections D and E, and Chapter 7 Temporary Sign Provisions, Sections A, B, and C.

Fiscal Impact:

Contract Type:

Contract Term (if applicable):

Background:

The Planning Commission and Town Council discussed proposed changes to the temporary sign provisions of the Sign Ordinance at the last joint meeting. These amendments were brought forward based on that discussion.

Summary:

Temporary signage is regulated by the Sign Ordinance. The proposed amendments update the regulations for banners, streamers and inflatable signage.

With regard to banners, the 90 day calendar year limit permitted in 30 day increments would be removed. In place of that regulation, banners could be displayed up to 7 days within 3 months of a business license being obtained from the Town. Banners could also be displayed if a business is awaiting the fabrication and installation of a permanent sign, provided the permanent sign has a permit issued by the Town.

With regard to streamers, pennants, and inflatable signs, these would no longer be allowed as a form of temporary signage.

The proposed modifications are attached. Items to be removed are struck through in red and items to be added are highlighted in yellow.

The Planning Commission reviewed these amendments to the Sign Ordinance and

recommended approval 6 for, 0 against.

Recommended Council Action:

Staff recommends approval.

Attachments:

1. Ordinance #26-18 Temporary Signage
2. Sign Ordinance Amendment Banners & Flags March 2026

**TOWN OF SMYRNA, TENNESSEE
ORDINANCE NO. 26-18**

AN ORDINANCE relative to the amendment of Town of Smyrna Sign Ordinance to amend Chapter 3 and 7 regarding Temporary Signage – Banners, Flags & Inflatables.

WHEREAS, in accordance with the Charter of the Town of Smyrna, Tennessee, Article 2, Section 2.01(22), Town Council shall have the power to define, prohibit, abate, suppress, prevent and regulate all acts, practices, conduct, business, occupations, callings, trades, use of property and all other things whatsoever detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience or welfare of the inhabitants of the municipality, and exercise general police powers; and

WHEREAS, in accordance with the Charter of the Town of Smyrna, Tennessee, Article 2, Section 2.01(32), Town Council shall have the power to Plan for the orderly development of the community, including economic, physical, educational and cultural aspects, and to institute programs to effectuate such plans; and

WHEREAS, in accordance with the Charter of the Town of Smyrna, Tennessee, Article 2, Section 2.01(35), Town Council shall have the power to exercise and have all other powers, functions, rights, privileges and immunities granted by general law or necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, morals, and general welfare of the town and its inhabitants, and all implied powers necessary to carry into execution all powers granted in the Charter of the Town of Smyrna, Tennessee; and

WHEREAS, the Planning Commission has recommended this amendment to the Town of Smyrna Zoning Ordinance based upon its review; and

WHEREAS, the amendment is in agreement with the general plan for the Town; and

WHEREAS, it has been determined that the legal purposes for which zoning exists are not breached by the amendment; and

WHEREAS, it has been determined that there will not be an adverse effect upon any adjoining property owners and/or any such adverse effect is justified by the overwhelming public good or welfare; and

WHEREAS, it has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SMYRNA:

Section 1. That the Town of Smyrna Municipal Sign Ordinance to amend Chapter 3 and 7 regarding Temporary Signage – Banners, Flags & Inflatables, be and hereby is amended as

specified in Exhibit "A" attached hereto and incorporated herein by reference as if set forth at length verbatim, the health and welfare of the Town of Smyrna requiring it.

Section 2. This ordinance shall take effect immediately upon its adoption on second and final reading, the public health and welfare of the Town of Smyrna requiring it.

PASSED on first reading by the Town Council the ____ day of _____, 2026.

PASSED on second reading by the Town Council the ____ day of _____, 2026.

TOWN OF SMYRNA, TENNESSEE

MARY ESTHER REED, Mayor

ATTEST:

AMBER HOBBS, Town Clerk

Temporary Signage

Temporary signage is regulated by the Sign Ordinance. The following proposed amendments update the regulations for banners, streamers and inflatable signage.

- Banners
 - Duration: Removal of the current 90 days per calendar year limit permitted in 30 day increments.
 - New Businesses: Banners may be displayed for up to 7 days within 3 months of obtaining a business license from the Town.
 - Transition Period: Businesses may display a banner while awaiting the fabrication and installation of a permanent sign, provided the permanent sign has a permit issued by the Town.
- Streamers & Pennants
 - No longer allowed as a form of temporary signage.
- Inflatable Signs
 - Allowance for any type of inflatable signage has been removed.

Proposed modifications are outlined below; items to be removed are struck through in red and items to be added are highlighted.

Chapter 3 - General Provisions

Section D: Signs Permitted in All Districts

~~11. Inflatable signs that are no more than 2 feet in diameter and extend no more than 10 feet from ground level.~~

Section E: Signs Prohibited in All Districts

10. Flashing, swinging, or rotating signs, pennants, **streamers**, or other decorations;
11. ...
12. ...
- 13. Inflatable signs.**

Chapter 7 - Temporary Sign Provisions

Section A: General Requirements

8. The use of a banner as a temporary sign shall be prohibited unless such banner is properly permitted by the Town of Smyrna. Once properly permitted, the use of banners as temporary signs shall be subject to the following provisions:
 - i. For the purpose of this part, "banner" shall be defined as a sign having the copy applied to cloth, paper, fabric, vinyl, or polyvinyl chloride (PVC) of any kind with only such material for backing. "Banner" shall also include animated and/or fluttering devices designed to attract attention.
 - ii. Any person or business wishing to utilize a banner as a temporary sign shall obtain a permit from the Smyrna Codes Department. ~~No permit issued in accordance with the provisions of this part, including any extensions to such~~

~~permit, shall be valid for longer than thirty (30) days. Permits may be extended for two (2) additional thirty (30) day periods; however, in no event may a banner be displayed on any parcel for longer than ninety (90) days.~~ The permit applicant shall pay a fee for any permit issued under this part ~~and each subsequent extension thereto~~ in the amount of \$30.00 each.

- iii. Properties located in Commercial or Industrial Zones may display no more than two (2) banners at any time and such banners shall not exceed thirty-two (32) square feet with each sixteen (16) square feet of banner being considered one (1) banner.
- iv. Properties located within Residential Zones may display no more than one (1) banner at any time and such banner shall not exceed six (6) square feet.
- ~~v. No parcel, regardless of its zone, may utilize banners as temporary signs on such parcels for more than ninety (90) days per calendar year.~~
- v. Businesses which have applied for, and have been issued, a sign permit from the Town of Smyrna may apply for a banner permit, which may be displayed from the time of sign permit issuance until a permanent sign is erected at the location of which the sign permit was issued. All size regulations as noted in Chapter 7, Section A (8.iii) shall apply.
- vi. A business may display a banner for a period not to exceed seven (7) days within 3 months of obtaining a business license.
- vii. The permit fee referenced in Part (ii) of this Section shall be waived for tax exempt organizations in accordance with the following provisions:
 - a. In order to qualify for a waiver, the organization must submit evidence to the Town Planner, or his designee, that it is an organization which is fully exempt from all applicable property, income, and sales taxes;
 - b. The organization seeking a waiver must either be principally located or have an office within the corporate limits of the Town of Smyrna. The Planner may waive this location requirement if the organization is temporarily utilizing a location within the Town limits for a particular event or other activity;
 - c. Any permit issued pursuant to this Part shall be valid for no more than ten (10) days;
 - d. An organization may be granted a waiver under this Part on no more than four (4) separate occasions per calendar year, the number of days or banners actually utilized under any prior waiver notwithstanding;
 - e. The organization must comply with all applicable banner size and number restrictions contained in Parts (iii) and (iv) of this Section;
 - f. Subject to the restrictions contained in Parts (iii) and (iv) of this Section, a waiver granted in accordance with this Part will be applicable for up to the maximum number of banners allowed within the particular zone in which the banner(s) is/are to be erected;
 - g. Any organization granted a waiver under this Part shall not be eligible for a future waiver if it fails to remove its banner(s) by the permit expiration

date or places such banner(s) within a public right-of-way or other unlawful location.

Section B: Temporary Sign Size Requirements.

1. Maximum Display Surface Area
 - a. Maximum display surface area shall be six (6) square feet in all residential districts.
 - b. Maximum display surface area shall be sixteen (16) square feet in all non-residential districts.
 - c. Maximum display surface area for street banners as allowed in Chapter 7, Section A, ~~(5)~~ (4) of this ordinance shall not be limited.
 - ~~d. Streamers shall be allowed up to a maximum of 3 feet of streamer length for every one foot of road frontage in the C-2 and C-3 districts only. Each continuous streamer cord shall constitute one temporary sign as regulated in Chapter 7, Section A.~~
2. Maximum height shall be twelve (12) feet, except that banners displayed over a public street shall have a minimum clearance of fifteen (15) feet. ~~Streamers shall not exceed the height of the building.~~

~~Section C: Inflatable Signs.~~

- ~~1. Inflatable signs as defined in Chapter 2 except as allowed in Chapter 3, Section D, are required to obtain a permit from the Town.~~
- ~~2. No more than one such sign is allowed per lot of record.~~
- ~~3. An inflatable sign permitted under this section can extend no more than 20 feet from ground level and cannot exceed 100 square feet.~~
- ~~4. Such signs may be permitted for no more than 30 days in a calendar year.~~
- ~~5. Such sign shall constitute one temporary sign as regulated in Chapter 7, Section A.~~



**Town of Smyrna
Town Council Meeting
Agenda Summary**

**Agenda Item Number 3.b.
Department: Planning
Date: April 2, 2026**

Subject:

PUBLIC HEARING: Consideration of an Ordinance amending the text of the Smyrna Municipal Zoning Ordinance Article V Zoning Districts, Section 5.051.4.C regarding accessory apartments in the R-4 Medium Density Residential District.

Fiscal Impact:

Contract Type:

Contract Term (if applicable):

Background:

The Planning Commission and Town Council discussed this amendment at the last joint meeting. This amendment was brought forward based on that discussion.

Summary:

This amendment would add accessory apartments as an allowed use within the R-4 district as a special exception review by the Board of Zoning Appeals. This use is already allowed as a special exception in the R-1, R-2, and R-3 districts. The proposed amendment would limit this use as a special exception for those parcels zoned R-4 that have a single family residence on them. It would not be allowed for lots containing duplexes, zero-lot line dwellings, or any other residential or non-residential primary uses. Attached is the proposed amendment, and the language to be added is highlighted in yellow.

The Planning Commission reviewed this amendment and recommended approval 6 for, 0 against.

Recommended Council Action:

Staff recommends approval.

Attachments:

1. Ordinance #26-19- Accessory Apartments in R-4
2. ZOA Accessory Apt in R-4 March 2026

**TOWN OF SMYRNA, TENNESSEE
ORDINANCE NO. 26-19**

AN ORDINANCE relative to the amendment of Town of Smyrna Municipal Zoning Ordinance to amend Section 5.051.4 regarding accessory apartments in R-4 Zoning District.

WHEREAS, in accordance with the Charter of the Town of Smyrna, Tennessee, Article 2, Section 2.01(22), Town Council shall have the power to define, prohibit, abate, suppress, prevent and regulate all acts, practices, conduct, business, occupations, callings, trades, use of property and all other things whatsoever detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience or welfare of the inhabitants of the municipality, and exercise general police powers; and

WHEREAS, in accordance with the Charter of the Town of Smyrna, Tennessee, Article 2, Section 2.01(32), Town Council shall have the power to Plan for the orderly development of the community, including economic, physical, educational and cultural aspects, and to institute programs to effectuate such plans; and

WHEREAS, in accordance with the Charter of the Town of Smyrna, Tennessee, Article 2, Section 2.01(35), Town Council shall have the power to exercise and have all other powers, functions, rights, privileges and immunities granted by general law or necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, morals, and general welfare of the town and its inhabitants, and all implied powers necessary to carry into execution all powers granted in the Charter of the Town of Smyrna, Tennessee; and

WHEREAS, the Planning Commission has recommended this amendment to the Town of Smyrna Zoning Ordinance based upon its review; and

WHEREAS, the amendment is in agreement with the general plan for the Town; and

WHEREAS, it has been determined that the legal purposes for which zoning exists are not breached by the amendment; and

WHEREAS, it has been determined that there will not be an adverse effect upon any adjoining property owners and/or any such adverse effect is justified by the overwhelming public good or welfare; and

WHEREAS, it has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SMYRNA:

Section 1. That the Town of Smyrna Municipal Zoning Ordinance, Section 5.051.4 regarding accessory apartments in R-4 Zoning District, be and hereby is amended as specified in

Exhibit "A" attached hereto and incorporated herein by reference as if set forth at length verbatim, the health and welfare of the Town of Smyrna requiring it.

Section 2. This ordinance shall take effect immediately upon its adoption on second and final reading, the public health and welfare of the Town of Smyrna requiring it.

PASSED on first reading by the Town Council the ____ day of _____, 2026.

PASSED on second reading by the Town Council the ____ day of _____, 2026.

TOWN OF SMYRNA, TENNESSEE

MARY ESTHER REED, Mayor

ATTEST:

AMBER HOBBS, Town Clerk

Accessory Apartments in R-4 Zoning District

This amendment seeks to expand flexibility within the R-4 zoning district by creating consideration of accessory apartments by special exception, which is already established in the R-1, R-2 and R-3 districts.

The intent of this amendment is to provide the residents who live on a property zoned R-4 in a detached single-family dwelling the ability to request an accessory apartment, similar to other single family detached residential use districts. Staff would recommend eligibility being limited to parcels where the principal use is one detached single-family dwelling. This would prevent the possibility of a lot with duplexes, zero-lot line dwellings, or any other multi-family or non-residential primary use from making a request. There are approximately 171 lots in Town zoned R-4 that would be eligible for consideration of an accessory apartment, if approved. The proposed modification is highlighted.

5.051.4 R-4, Medium-Density Residential District.

C. Uses Permitted as Special Exceptions:

1. Community Assembly.
2. Religious Facilities.
3. Educational Facilities.
4. Cultural and Recreation Services.
5. Associations for Physically or Mentally Handicapped Persons.
6. Family and Group Care Facilities.
7. Nursing Homes.
8. Orphanages.
9. Family Day Care Home.
10. Government Administrative Services.
11. Mobile home parks as regulated in ARTICLE IV, SECTION 4.090.
12. Radio and television towers, and transmission facilities, water storage facilities, and water and sewage treatment plants.
13. Family Day Care Home.
14. Bed and Breakfast.
15. Accessory apartment, eligible only on a parcel where the principal use is one detached single-family dwelling. The consideration of an accessory apartment shall not be for lots containing duplexes, zero-lot line dwellings, or any other residential or non-residential primary uses.



**Town of Smyrna
Town Council Meeting
Agenda Summary**

**Agenda Item Number 3.c.
Department: Planning
Date: April 2, 2026**

Subject:

PUBLIC HEARING: Consideration of an Ordinance amending the text of the Smyrna Municipal Zoning Ordinance Article II, Definitions, Sections 2.020 and 2.036.12 and Article V Zoning Districts, Sections 5.052.1, 5.052.2, 5.052.4, and 5.052.6 regarding bail bond agency requirements.

Fiscal Impact:

Contract Type:

Contract Term (if applicable):

Background:

Staff has received an inquiry from someone regarding the establishment of a bail bond agency within the Town. This is a use that the Municipal Zoning Ordinance does not address in any way. The use would fit within the overall category of General Business Services, but wouldn't be appropriate in all of the zoning districts where general business services would be allowed.

Summary:

General business services are allowed by right within the C-1, C-2, C-4, C-5, P&O-2, and A-1 districts, and by special exception in the I-1 and I-2 districts. This amendment would add a definition of bail bond agency and add it to the use listing under General Business Service. It would also restrict bail bond agencies from operating within the C-1, C-2, C-4, and P&O-2 districts, but would remain by right in C-5 and A-1. The status as a special exception would remain unchanged in I-1 and I-2. The language proposed to be added is highlighted in yellow.

The Planning Commission reviewed these amendments and recommended approval 6 for, 0 against.

Recommended Council Action:

Staff recommends approval.

Attachments:

1. Ordinance #26-20- Bail Bond Agency
2. ZOA Bail Bond March 2026

TOWN OF SMYRNA, TENNESSEE
ORDINANCE NO. 26-20

AN ORDINANCE relative to the amendment of Town of Smyrna Municipal Zoning Ordinance to amend Article II and Article V regarding Bail Bond Agencies.

WHEREAS, in accordance with the Charter of the Town of Smyrna, Tennessee, Article 2, Section 2.01(22), Town Council shall have the power to define, prohibit, abate, suppress, prevent and regulate all acts, practices, conduct, business, occupations, callings, trades, use of property and all other things whatsoever detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience or welfare of the inhabitants of the municipality, and exercise general police powers; and

WHEREAS, in accordance with the Charter of the Town of Smyrna, Tennessee, Article 2, Section 2.01(32), Town Council shall have the power to Plan for the orderly development of the community, including economic, physical, educational and cultural aspects, and to institute programs to effectuate such plans; and

WHEREAS, in accordance with the Charter of the Town of Smyrna, Tennessee, Article 2, Section 2.01(35), Town Council shall have the power to exercise and have all other powers, functions, rights, privileges and immunities granted by general law or necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, morals, and general welfare of the town and its inhabitants, and all implied powers necessary to carry into execution all powers granted in the Charter of the Town of Smyrna, Tennessee; and

WHEREAS, the Planning Commission has recommended this amendment to the Town of Smyrna Zoning Ordinance based upon its review; and

WHEREAS, the amendment is in agreement with the general plan for the Town; and

WHEREAS, it has been determined that the legal purposes for which zoning exists are not breached by the amendment; and

WHEREAS, it has been determined that there will not be an adverse effect upon any adjoining property owners and/or any such adverse effect is justified by the overwhelming public good or welfare; and

WHEREAS, it has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SMYRNA:

Section 1. That the Town of Smyrna Municipal Zoning Ordinance, Article II and Article V regarding Bail Bond Agencies, be and hereby is amended as specified in Exhibit "A" attached

hereto and incorporated herein by reference as if set forth at length verbatim, the health and welfare of the Town of Smyrna requiring it.

Section 2. This ordinance shall take effect immediately upon its adoption on second and final reading, the public health and welfare of the Town of Smyrna requiring it.

PASSED on first reading by the Town Council the ____ day of _____, 2026.

PASSED on second reading by the Town Council the ____ day of _____, 2026.

TOWN OF SMYRNA, TENNESSEE

MARY ESTHER REED, Mayor

ATTEST:

AMBER HOBBS, Town Clerk

Bail Bond Agency

There are no current definitions of bail bond agencies within the Zoning Ordinance, nor a specified activity type. Outlined below are the proposed additions to the Municipal Zoning Ordinance establishing a definition and specifying zoning districts of activity use.

General business service is permitted by right within the C-1, C-2, C-4, C-5, P-O-2 and A-1 districts, and by special exception in the I-1 and I-2 districts. This proposed amendment would restrict bail bond agencies from operating by right within the C-1, C-2, C-4 and P-O-2 zoning districts, but would remain by right in C-5 and A-1. The status as a special exception would remain unchanged within the I-1 and I-2 districts.

Article II - Definitions

BAIL BOND AGENCY: A business engaged in providing bail or surety bonds for persons accused of criminal offenses.

Section 2.036.12 Activity Type - General Business Service.

B. Use Listing

- **Bail Bond Agency**

Article V - Zoning Districts

Section 5.052.1 C-1, Central Business District.

B. Uses Permitted

9. General business services, **except bail bond agencies**

Section 5.052.2 C-2, General Commercial District.

B. Uses Permitted

13. General business services, **except bail bond agencies**

Section 5.052.4 C-4, Neighborhood Service Business District.

B. Uses Permitted

3. General business services, **except bail bond agencies**

Section 5.052.6 P-O-2, Professional and Office District.

B. Uses Permitted

5. General business services, **except bail bond agencies**



**Town of Smyrna
Town Council Meeting
Agenda Summary**

**Agenda Item Number 3.d.
Department: Planning
Date: April 2, 2026**

Subject:

PUBLIC HEARING: Consideration of an Ordinance amending the text of the Smyrna Municipal Zoning Ordinance Article II Definitions, Sections 2.020, 2.036.14, and 2.036.23, Article IV Supplementary Provisions Applying to Specific Districts adding Section 4.210, and Article V Zoning Districts, Sections 5.052.7, 5.053.1, and 5.053.2 regarding tobacco, vape, and cannabinoid retailers.

Fiscal Impact:

Contract Type:

Contract Term (if applicable):

Background:

The Planning Commission and Town Council discussed these amendments at the last joint meeting. They have been brought forward based on that discussion.

Summary:

These amendments would create a definition regarding establishments conducting retail sales of tobacco, vape, or cannabinoid derived products as the primary business operation. The amendments would lead to the use being allowed by right within C-5, I-1, I-2, and I-3 zoning districts with additional supplementary provisions applying to the locations of such operations within those districts. The proposed amendments are attached with the new language highlighted in yellow.

The Planning Commission reviewed these amendments and recommended approval 6 for, 0 against.

Recommended Council Action:

Staff recommends approval.

Attachments:

1. Ordinance #26-21- Vape Retailers
2. Vape & Tobacco Sales March 2026

TOWN OF SMYRNA, TENNESSEE
ORDINANCE NO. 26-21

AN ORDINANCE relative to the amendment of Town of Smyrna Municipal Zoning Ordinance to amend Article II, Article IV and Article V regarding Tobacco, Vape and Cannabinoid Retailers.

WHEREAS, in accordance with the Charter of the Town of Smyrna, Tennessee, Article 2, Section 2.01(22), Town Council shall have the power to define, prohibit, abate, suppress, prevent and regulate all acts, practices, conduct, business, occupations, callings, trades, use of property and all other things whatsoever detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience or welfare of the inhabitants of the municipality, and exercise general police powers; and

WHEREAS, in accordance with the Charter of the Town of Smyrna, Tennessee, Article 2, Section 2.01(32), Town Council shall have the power to Plan for the orderly development of the community, including economic, physical, educational and cultural aspects, and to institute programs to effectuate such plans; and

WHEREAS, in accordance with the Charter of the Town of Smyrna, Tennessee, Article 2, Section 2.01(35), Town Council shall have the power to exercise and have all other powers, functions, rights, privileges and immunities granted by general law or necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, morals, and general welfare of the town and its inhabitants, and all implied powers necessary to carry into execution all powers granted in the Charter of the Town of Smyrna, Tennessee; and

WHEREAS, the Planning Commission has recommended this amendment to the Town of Smyrna Zoning Ordinance based upon its review; and

WHEREAS, the amendment is in agreement with the general plan for the Town; and

WHEREAS, it has been determined that the legal purposes for which zoning exists are not breached by the amendment; and

WHEREAS, it has been determined that there will not be an adverse effect upon any adjoining property owners and/or any such adverse effect is justified by the overwhelming public good or welfare; and

WHEREAS, it has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SMYRNA:

Section 1. That the Town of Smyrna Municipal Zoning Ordinance, Article II, Article IV

and Article V regarding Tobacco, Vape and Cannabinoid Retailers, be and hereby is amended as specified in Exhibit "A" attached hereto and incorporated herein by reference as if set forth at length verbatim, the health and welfare of the Town of Smyrna requiring it.

Section 2. This ordinance shall take effect immediately upon its adoption on second and final reading, the public health and welfare of the Town of Smyrna requiring it.

PASSED on first reading by the Town Council the ____ day of _____, 2026.

PASSED on second reading by the Town Council the ____ day of _____, 2026.

TOWN OF SMYRNA, TENNESSEE

MARY ESTHER REED, Mayor

ATTEST:

AMBER HOBBS, Town Clerk

Tobacco, Vape and Cannabinoid Retailers

This amendment seeks to create a definition within the Zoning Ordinance regarding establishments conducting retail sales of tobacco, vape or cannabinoid derived products as the primary business operation. The various amendments would lead to the use being allowed by right within the C-5, I-1, I-2 and I-3 zoning districts with supplementary provisions applying to the locations of such operations within the aforementioned zoning districts.

Article II - Definitions

Section 2.020 Definitions

TOBACCO, VAPE AND CANNABINOID RETAIL ESTABLISHMENT: An establishment where twenty-five percent (25%) or more of the net floor or shelf area is dedicated to, or fifty-one percent (51%) or more of gross sales are derived from, the display, sale, distribution, or marketing of tobacco products, electronic smoking devices (vapes), and/or products derived from the *Cannabis sativa L.* plant (including but not limited to CBD, Delta-8, Delta-9, or other hemp-derived cannabinoids). This includes all associated paraphernalia, delivery devices, components, and liquids. This definition shall not include any establishment where such products are incidental to the primary retail use, such as a full-service grocery store or a licensed pharmacy.

2.036.14 Activity Type - General Retail Trade

B. Use Listing

- ~~Tobacco Shops~~

2.036.23 Activity Type - Retail Sales of Tobacco, Vape and Cannabinoid

A. Intent and Limitations

This grouping includes the storage and retail sales from the premise or on-site consumption, primarily for personal use, of tobacco products, electronic smoking devices and/or products derived from the *Cannabis sativa L.* plant as well as associated paraphernalia, delivery devices, components, and liquids.

B. Use Listing

- Cigar and Tobacco Shops
- Vape/E-Cigarette Lounges or Retailers
- Cannabinoid Retailers (Non-Medical)
- Hookah/Water Pipe Lounges or Retailers
- Head Shops/Paraphernalia Retail

5.052.7 C-5, Highway Service District.

B. Uses Permitted:

31. Tobacco, Vape and Cannabinoid Retail Establishment.

5.053.1 I-1, Light Industrial District.

B. Uses Permitted:

15. Tobacco, Vape and Cannabinoid Retail Establishment.

5.053.2 I-2, Light Industrial District.

B. Uses Permitted:

14. Tobacco, Vape and Cannabinoid Retail Establishment.

Article IV - Supplementary Provisions Applying to Specific Districts

Section 4.210 Supplementary Provisions for tobacco, vape and cannabinoid retail establishments

In the C-5, I-1, I-2 and I-3 zoning districts wherein tobacco, vape and cannabinoid retail establishments are allowed, the following special provisions shall apply:

- A. Shall not be located within the H-1, Historic Overlay District.
- B. Shall not be permitted as a home based business.
- C. Shall have a minimum of one thousand (1,000) feet separation from another tobacco, vape and cannabinoid retail establishment, public or private school, town park, daycare center or church. Such measurement shall be from the closest property line to the closest property line.
- D. Shall have a minimum two hundred and fifty (250) feet separation from properties zoned or used for residential purposes measured from the closest property line to the closest property line.