

PLANNING AND ZONING COMMISSION

NOTICE OF MEETING

Notice is hereby given that the Planning and Zoning Commission will meet at 4:00 p.m. on February 12, 2018 at City Hall, 301 16th Street, in the Commission Chambers, Second Floor. Agenda items will be as follows:

- (1) Call to Order.
- (2) Approval of Minutes from the January 15, 2018 meeting.
- (3) Hold Public Hearing and Consider and Take Appropriate Action on a Specific Use Permit Request by 806 Vapes to Operate and Electronic Cigarette Store at 306 23rd Street.
- (4) Adjourn.

I certify that the above Notice of Meeting was posted on the bulletin board of the Civic Complex of the City of Canyon, Texas on the 9th Day of February, 2018.

Gretchen Mercer

City Clerk

Planning and Zoning Commission Meeting
Minutes – January 15, 2018

The Planning and Zoning Commission of the City of Canyon met in regular session at 4:00 pm in the City Commission Chambers of the Civic Complex. Chairman Bill Craddock presided over the meeting with the following Commissioners in attendance: John Pletcher, Larry Ramaekers, Bobbie Jo Krutsch, Charles Munger, Kevin Luetkahans, Laurie Sharp, and Leesa Wood Calvi. Commissioner Jon Davis was unable to attend.

Also present were the following City Staff: Assistant City Manager Chris Sharp, Assistant City Manager Jon Behrens, and Director of Code Enforcement Danny Cornelius.

Item 1: Call to Order.

Chairman Craddock called the meeting to order at 4:03 pm.

Item 2: Approval of Minutes from the December 11, 2017 Meeting.

Commissioner Munger moved, duly seconded by Commissioner Pletcher, to approve the minutes from the December 11, 2017 meeting. The motion passed unanimously.

Item 3: Consider and Take Appropriate Action on a Plat for Nester Estate Unit No. 2

The City received a plat for Nester Estate Unit No. 2. The proposed use is a store for production and sale of honey. Rachelle Mullins and Steve Davis, representing the owners, spoke to the commission. They will produce and sale honey, soap, and other products from their bee hives. Classes will also be offered.

After discussion, Commissioner Pletcher moved, duly seconded by Commissioner Krutsch, to recommend approval of the plat. The motion passed unanimously.

Item 4: Consider and Take Appropriate Action on a Plat for Hix Road Unit No. 1.

The City received a plat for Hix Road Unit No. 1. The property is located within the City's Extraterritorial Jurisdiction (ETJ) south of 4th Ave on Hix Road. The owner, Clay Adams, is subdividing 21.68 acres into 2 lots. Lot 1, a 10 acre tract, will be used to build an RV park with 10 spaces. Mr. Adams will build a house on Lot 2, the remaining 11.68 acres.

After discussion, Commissioner Luetkahans moved, duly seconded by Commissioner Sharp, to recommend approval of the plat. The motion passed unanimously.

Item 5: Adjourn.

Chairman Craddock adjourned the meeting at 4:20 pm.

Bill Craddock, Chairman
Planning and Zoning Commission

ATTEST:

Gretchen Mercer, City Clerk

AGENDA

To: Planning and Zoning Commission
From: Danny Cornelius, Director of Code Enforcement
Date: February 6, 2018
Re: Hold Public Hearing and Consider and Take Appropriate Action on a Specific Use Permit Request by 806 Vapes to Operate and Electronic Cigarette Store at 306 23rd St.

Chris Goodwin of 806 Vapes has submitted a Specific Use Permit application to operate an Electronic Cigarette Store at 306 23rd St. The City adopted Ordinance No. 1074 in November of 2017. The ordinance allows Smoke Lounges/Retail Stores in the RC-1, RC-2, I-1 and I-2 Zoning Districts by Specific Use Permit only. The property is located in the RC-2 Zoning District.

Letters were sent to 13 property owners within 200 feet. One response was received. They were opposed to the request.

APPLICATION FOR A SPECIFIC USE PERMIT

Application is hereby made to the Planning and Zoning Commission for a *Specific Use Permit*, as set forth in the Zoning Ordinance.

Applicant: Christopher Goodwin

Applicant Address: 7907 Vail Dr Amarillo TX 79118

Applicant Email: Chrisgoodwin31@gmail.com

Description of Property All of 7 + 8 less 15' ROW

Lot(s): (property ID R-078-1830-0140.0)

Block: 0003

Addition: W.W. Thompson

Physical Address: 306 23rd Canyon TX 79015

Square Footage: 1640

Frontage (in feet): 140 on 23rd St or Ave

Applicant's Interest In Property: lease
(owner, agent, lease, option, etc.)

Zoning of Area: RC2

Proposed use for Specific Use Permit:
(Yard area, parking spaces, etc. proposed - **Please attach a scaled drawing**)

To open an 806Vapes. 806Vapes is a tobacco harm reduction company based out of Amarillo Tx.

Chris Goodwin
(Signature of Applicant & Date)

Chris Goodwin
(Printed Applicant Name)



806 Vapes
3217 Danvers Dr.
Amarillo, TX 79118

Please allow a Specific Use Permit for 806 Vapes in zone RC-2, at 306 23rd St. in Canyon, TX

At 806 Vapes we believe that the public health in Canyon Texas is in jeopardy. Tobacco related illness is a very serious, very common issue, and at 806 Vapes we specialize in tobacco harm reduction. With the help of the community and having a store front in Canyon we believe that we can overcome the overwhelming smoking issues in Canyon. We would like to provide the committee with some health facts about vaping now.

Royal College of Physicians Report

The Royal College of Physicians' new report, 'Nicotine without smoke: tobacco harm reduction', has concluded that e-cigarettes are likely to be beneficial to public health. Smokers can therefore be reassured and encouraged to use them, and the public can be reassured that e-cigarettes are much safer than smoking. E-cigarettes are not a gateway to smoking – use of e-cigarettes is limited almost entirely to those who are already using, or have used, tobacco.

E-cigarettes do not result in normalization of smoking – there is no evidence that either nicotine replacement therapy (NRT) or e-cigarette use has resulted in renormalization of smoking. None of these products has to date attracted significant use among adult never-smokers, or demonstrated evidence of significant gateway progression into smoking among young people. Remember the Royal College of Physicians are the same group of trusted doctors that told us cigarettes were going to kill us some years ago.

-source 1 (<https://www.rcplondon.ac.uk/news/promote-e-cigarettes-widely-substitute-smoking-says-new-rcp-report>)

The good news is: e-cigarettes are almost certainly less lethal than conventional cigarettes. Cigarette smoking is a uniquely dangerous addiction. In fact, cigarettes might be the only consumer product that kills when used as directed. Cigarettes are the number one cause of preventable death in the United States, killing 480,000 people every year. That's more deaths than HIV, heroin, methamphetamine, cocaine, alcohol, motor vehicle accidents, and firearms combined. Smoking increases the risk of stroke, heart attack, COPD, asthma, diabetes, and most cancers. The free radicals in cigarette smoke physically age the human body.

-source 2 (Harvard Health Publishing - Harvard Medical School)

Why do we see so many bad studies about vaping?

The Master Settlement Agreement (MSA) is an accord reached in November 1998 between the state Attorney Generals of 46 states, 5 U.S. territories, the District of Columbia, and the 5 largest tobacco companies in America concerning the advertising, marketing and promotion of tobacco products. In



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addition to requiring the tobacco industry to pay the settling states approximately \$10 billion annually for the indefinite future, the MSA also set standards for, and imposed restrictions on, the sale and marketing of cigarettes by participating cigarette manufacturers. Over the years, the states have collected record amounts of tobacco revenue, but are spending less of it on tobacco prevention programs. According to the Campaign for Tobacco-Free Kids, which tracks state tobacco prevention spending vs. state tobacco revenues, only one state to date – North Dakota—currently funds a tobacco prevention at even half the level recommended by the Centers for Disease Control and Prevention. We believe at 806 Vapes that we can combat the misuse of funds appointed by the tobacco MSA by offering smokers a more effective way to quit. Smoking cessation methods of the past such as patches, gums, and pharmaceuticals have not been effective as only about 3% of smokers successfully quit with these methods. When using e-cigarette devices, about 85% are able to quit smoking.

-source 3 (<http://www.publichealthlawcenter.org/topics/tobacco-control/tobacco-control-litigation/master-settlement-agreement>)

It has also been found that second hand vapor is relatively harmless.

Drexel University's Igor Burstyn, a toxicology expert, concluded that there is no risk to bystanders breathing vapor. "Exposures of bystanders are likely to be orders of magnitude less, and thus pose no apparent concern," wrote Burstyn. There are several studies that find no harmful effects of vaping on the lungs. One of the most impressive is Dr. Polosa's discovery that in asthmatic smokers, switching to vaping — or even just using vaping to reduce smoking — had improved lung function.

"The e-cig may help smokers with asthma to reduce their cigarette consumption or remain abstinent and hence reduce the burden of smoking-related asthma symptoms," wrote Polosa. "The positive findings observed with e-cigs allows us to advance the hypothesis that these products may be valuable for smoking cessation and/or tobacco harm reduction also in asthma patients who smoke."

-source 4 (US National Library of Medicine)

Sales of e-cigarette products to underage individuals (18 or under) is strictly forbidden at 806 Vapes

In the first week of opening 806 Vapes in Canyon, we had multiple customers come in and tell us that they were glad we were here. Not because we provide great products or prices, but because of the apparent issue with minors being able to buy e-cigarette products at one of the other two shops in Canyon. At 806 Vapes, we require proof of age via a state ID for every customer that comes in. We hold this policy very strictly, and have it posted on the front door where it is very visible. We absolutely do not support conducting business with minors, therefore keeping the community at ease that their children will not be allowed to purchase e-cigarette devices, accessories, or e-liquid.



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Conclusion

At 806 Vapes we believe that tobacco use is detrimental to public health in Canyon Texas. We aim to help college students at WTAMU quit smoking cigarettes as well as the people of Canyon. We have successfully helped over 1000 people stop smoking in Amarillo alone (that doesn't include the thousands of online customers we have helped as well). In conclusion we hope that the committee will consider all of the facts provided here and grant the Specific Use Permit for 806 Vapes in zoning district RC-2, at 306 23rd St., in order to help the community of Canyon Texas kick the habit of smoking. We appreciate everyone taking the time to read or listen to this letter, and hope you take these topics in to consideration when considering a Specific Use Permit for 806 Vapes.

806 VAPES





NOTICE OF REQUEST FOR SPECIFIC USE PERMIT
CITY OF CANYON, TEXAS

Re: A Specific Use Permit application to operate an Electronic Cigarette or E-Cigarette Store. The request has been submitted by Chris Goodwin of 806 Vapes. The property is located at 306 23rd St, also described as all of Lot 7 and Lot 8 less the 15' ROW, Block 3, WW Thompson Addition, Randall County, Canyon, Texas.

As an interested property owner, I (support) (oppose) the request for the Specific Use Permit as represented at the above address for the following reasons:

- (1) Reports show that these
are worse than the Real
thing.
- (2) I don't think they should
be available to any
one. Especially young peopl
- (3) _____

Signed: Buell B. Martin 2110 4th Ave
Print Name: Buell MARTIN
Address: 1206-23rd St - Canyon
Date: JAN. 23, 2018

Please return responses to our office by February 2, 2018.

Mail to: Danny Cornelius
Director of Code Enforcement
City of Canyon
301 16th Street
Canyon, TX 79015