
AN ORDINANCE TO AMEND, REVISE, AND REORDAIN CHAPTER 106, ZONING, ARTICLE II, DISTRICT REGULATIONS, SECTIONS 106-214 HIGHWAY BUSINESS DISTRICT; SECTION 106-214.2(B)(5) PERTAINING TO PERMITTED USES; ARTICLE III, USE AND DESIGN STANDARDS, SECTION 106-310 COMMERCIAL USES, ARTICLE VI, DEFINITIONS AND USE TYPES, SECTION 106-600 DEFINITIONS, SECTION 106-602.9 PERTAINING TO COMMERCIAL USE TYPES AND ADOPTING SECTION 106-310.25 PERTAINING TO RETAIL SALES, SMOKE SHOP OF THE CODE OF THE CITY OF SALEM, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, THAT SECTION 106-214.2(B)(5), AND SECTION 106-602.9 OF CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA BE AMENDED, REVISED, AND REORDAINED AND SECTION 106-310.25, BE ADOPTED TO READ AS FOLLOWS:

Chapter 106
ZONING

ARTICLE II. - DISTRICT REGULATIONS

Sec. 106-214. - HBD—Highway business district.

Sec. 106-214.2. Permitted uses.

- (A) The following uses are permitted by right in the HBD Highway Business District, subject to all other applicable requirements contained in this chapter. An asterisk (*) indicates that the use is subject to additional, modified or more stringent standards as listed in article III, use and design standards.
- (B) The following uses are permitted by special exception in the HBO Highway Business District, subject to all other applicable requirements contained in this chapter. An asterisk (*) indicates that the use is subject to additional, modified or more stringent standards as listed in article III, use and design standards.

5. *Commercial Use Types*

- Adult Business*
- Automobile Dealership, Used*
- Automobile Repair Services, Major*
- Dance Hall
- Flea Market
- Hospital
- Manufactured Home Sales*
- Massage Parlor
- Pawn Shop
- Personal Storage*
- Retail Sales, smoke shop***
- Truck Stop

Article III. Use and design standards

Section 106-310. Commercial uses

Sec. 106-310.25. Retail sales, smoke shop.

(A) General standards:

1. No retail sale location of tobacco products, nicotine vapor products, alternative nicotine products, or hemp shall be located within 1000 feet of a child day care center or a public, private, or parochial school.
2. All windows and doors facing the street right of way shall be maintained as transparent and shall not be tinted or obscured. Smoking, vaping or other related products and paraphernalia shall not be displayed as to be seen from adjacent properties.

Article VI. Definitions and use types

Section 106-600. Definitions

Sec. 106-602.9. Commercial use types

Retail sales, smoke shop. Establishments for the sale of tobacco, nicotine, and hemp products, as defined in Section 15.2-912.4 of the Code of Virginia, as amended, including paraphernalia, cigar and hookah products.

This ordinance shall be in full force and effect ten (10) days after its final passage.

Upon a call for an aye and a nay vote, the same stood as follows:

H. Hunter Holliday, III
William D. Jones -
Byron Randolph Foley -
James W. Wallace, III –
Renee F. Turk –

Passed:
Effective:

Mayor

ATTEST:

H. Robert Light
Clerk of Council
City of Salem, Virginia