

For office use only	
Received:	Project Name:



# PLANNING & ZONING

City of Huntington  
**Planning & Zoning**  
 P.O. Box 1659 | Huntington, WV 25717  
 (304) 696-5540, option 3  
 planningdept@huntingtonwv.gov

## Smoke Shop/Tobacco Store Establishment Checklist

**Business address:** \_\_\_\_\_

**Applicant name:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Mailing Address (city, state, zip):** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Property owner:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Previous business:** \_\_\_\_\_ **Date use ended:** \_\_\_\_\_

*Applications will be reviewed for compliance with Article 1315.02, Article 1320.04 & Article 1341.55. Applicants should be familiar with those regulations when submitting this application for review.*

\_\_\_\_\_  
 Signature of Applicant

\_\_\_\_\_  
 Date

***\*All applications to be submitted must be typed or legibly written in blue or black ink.***

### FOR OFFICE USE ONLY

Reviewer must check compliance with Article 1315.02, 1320.04 & Article 1341.55:

- Any smoke shop/tobacco store located within the C-2 Highway Commercial District and the I-2 Heavy Industrial District is a permitted use. Any smoke shop/tobacco store located within the C-1 Neighborhood Commercial District, C-3 Central Business District, and the I-1 Light Industrial/Commercial District is allowed with a conditional use.

Zoning: \_\_\_\_\_

Conditional Use Permit Required:     Yes     No

Smoke Shop/Tobacco Store
<input type="radio"/> Continuation <div style="margin-left: 40px;">Number of days from closure: _____</div>
<input type="radio"/> New

**\*A smoke shop/tobacco store closed within 180 days from this application may recommence operation in that location.**

- It shall be unlawful to operate a smoke shop/tobacco store within:
  - 1500 feet of an existing establishment that already provides smoke shop/tobacco shop. Yes     No    If no, distance: \_\_\_\_\_

- 1500 feet of an existing day care center.  
o Yes   o No   If no, distance: \_\_\_\_\_
- 1500 feet from an existing school.  
o Yes   o No   If no, distance: \_\_\_\_\_

In addition, the following should be noted:

- o *Measurement distance.* The distance between any two smoke shop/tobacco store establishments **shall be measured in a straight line, without regard to intervening structures, from the closest property line** of each business. The distance from a smoke shop/tobacco store establishment **shall be measured in a straight line, without regard to intervening structures, from the closest property line** of such business to the closest day care center or school.
- o A smoke shop/tobacco store is not rendered a nonconforming use by the subsequent location of another smoke shop/tobacco store, day care center, or school with 1500 feet; however, if the smoke shop/tobacco store **ceases operation for a period of 180 days or more regardless of any intent to resume operation**, it may not recommence operation in that location.
- o Any smoke shop/tobacco store shall conform to **all** Federal, State, and Local laws correlated with the sale of tobacco and vape products (including electronic cigarettes).

**In summary:**

Zoning:

Conditional Use Permits Required:

Variances Required:

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

Staff Determination:

Approved

Denied

Approved to move forward with the following conditions:

Explanation:

Conditional Use Application

Variance Application

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_