

ORDINANCE NO. 1325

APPROVED BY THE BOARD OF SUPERVISORS: July 9, 2024

**ORDINANCE — To Amend and Reordain Section 24-4205 Titled “Principal Use Table,” Section 24-4323 Titled “Commercial Uses: Retail Sales and Services,” Section 24-5110 Titled “Minimum Number of Off-Street Parking Spaces,” Section 24-5508 Titled “Crime Prevention Through Environmental Design,” and Section 24-8405 Titled “Commercial Use Classification” of the Code of the County of Henrico to Add “Vaping Shop” as a Regulated Use Type and Allow “Vaping Shops” by Provisional Use Permit in the B-3 and M-1 Districts**  
 BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

- That Section 24-4205 of the Code of the County of Henrico be amended as follows, solely to add vaping shops as a use type in the Retail Sales and Service use category allowed by provisional use permit in certain districts, and reordained accordingly:

**Sec. 24-4205. Principal Use Table**

Principal uses are allowed in each of the zoning districts in accordance with 4205: Principal Use Table. The cross-references in the “Use Specific Standards” column are provided for ease of reference and are not exhaustive.

Table 4205: Principal Use Table																																										
R=Permitted by right   C=Allowed subject to conditional use permit   P=Allowed subject to provisional use permit - =Prohibited   A=Allowed subject to an approved PD Master Plan and PD Terms and Conditions Document																																										
Use Category	Use Type	C&A	Residential										Nonresidential & Mixed-Use					PD			FBA-O Dev. Area					Use-Specific Standards																
		C-1	A-1	R-0	R-0A	R-1	R-1A	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5A	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD	LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge			
Click on category to jump to definitions																																										
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2. That Section 24-4323 of the Code of the County of Henrico be amended and reordained as follows:

***Sec. 24-4323. Commercial Uses: Retail Sales and Services***

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**F. Vaping Shops**

A vaping shop must not be located within 1,000 feet of a school or within 2,000 feet of a public park or an existing vaping shop.

3. That Section 24-5110 of the Code of the County of Henrico be amended as follows, solely to provide minimum off-street parking for vaping shops as a principal use type in the Retail Sales and Services principal use category, and reordained accordingly:

***Sec. 24-5110. Minimum Number of Off-Street Parking Spaces***

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Table 5110: Minimum Number of Off-Street Parking Spaces		
Principal Use Category	Principal Use Type	Minimum Off-Street Parking Spaces <sup>[1, 2]</sup>
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Retail Sales and Services	Vaping shop	3.5 per 1,000 sf
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4. That Section 24-5508 of the Code of the County of Henrico be amended and reordained as follows:

***Sec. 24-5508. Crime Prevention Through Environmental Design***

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**B. Specific Uses Requiring a CPTED Plan**

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6. Pawn shops;

7. Vaping shops; and,
8. Video game rooms.

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5. That Section 24-8405 of the Code of the County of Henrico be amended and reordained as follows:

***Sec. 24-8405. Commercial Use Classification***

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**H. Retail Sales and Services**

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***Vaping Shop***

A retail establishment that sells e-cigarettes and related equipment, materials, and products as its primary business, including any establishment that dedicates 15% or more of its display space to such items and establishments that allow on- premises smoking or vaping. The term does not include convenience stores or other establishments that sell e-cigarettes and related equipment, materials, and products incidental to their principal business, provided that less than 15% of their display space is dedicated to such items.

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6. That this ordinance will be in full force and effect on and after its passage as provided by law.