

Miami- Dade County	City of Miami Beach	City of Miami	City of North Miami Beach
MERCHANDISING OF TOBACCO PRODUCTS SECTION 8A-8. – 8A-8.4	DIVISION 11. TOBACCO/VAPE DEALERS	ARTICLE VII. RETAIL HEMP ESTABLISHMENTS AND SMOKE SHOPS	PROPOSED SMOKE SHOP USE TEXT AMENDMENT ORDINANCE
DEFINITION	DEFINITION	DEFINITION	DEFINITION
Tobacco retailer means any person or business that operates a store, stand, booth, concession, or other place at which sales of tobacco products are made to purchasers for consumption or use. Tobacco products means any substance which contains tobacco, including, but not limited to, cigars, chewing tobacco, pellets, film strips, twisted sticks, other forms designed to look like candy, loose tobacco leaves, and products made from tobacco leaves, in whole or in part, and cigarette wrappers, which can be used for smoking, sniffing, or chewing.	Retail tobacco products dealer means the holder of a retail tobacco products dealer permit that is authorized to sell tobacco products. Retail smoking devices dealer means any retail establishment that sells smoking devices. Retail vape products dealer means any retail establishment that sells vapor-generating electronic devices and components, parts, and accessories for such products.	Smoke shop shall mean commercial retail sales or wholesale establishments primarily engaged in selling tobacco and/or tobacco products, where 20 percent or more of the tenant floor space of the business is dedicated to any combination of the following activities, or related activities: 1. Retail sale, offering, and/or furnishing of cigarettes, pipes, and/or electronic cigarette devices and/or the retail sale of related paraphernalia including but not limited to pipes, punctured metal bowls, bongs, water bongs, electric pipes, e-cigarettes, e-cigarette juice, vaporizers, hookahs, and devices for holding burning material; or 2. Storage, mixing, rolling, display of products including nicotine-enriched solutions or other liquid products that are manufactured for use with vaping or e-cigarettes; or 3. A retail hemp establishment as defined in this section	Retail Smoke shop: A commercial retail or wholesale establishment fully enclosed primarily engaged in selling tobacco, tobacco products, and accessories for such products. Smoke shop accessories may include but not be limited to e-cigarettes; vaporizers; hookahs; bongs; cigarette papers or wrappers; rolling machines; and other similar paraphernalia not enumerated.
DISTANCE SEPARATION REQUIREMENT	DISTANCE SEPARATION REQUIREMENT	DISTANCE SEPARATION REQUIREMENT	DISTANCE SEPARATION REQUIREMENT
None	No tobacco/vape dealer shall be located within 1,200 feet of another tobacco/vape dealer. 500 feet of any property used as a public or private, elementary, middle, or secondary school.	<u>Retail hemp establishments, smoke shops and smoking lounges in the city as a primary use shall be located no closer than one (1) mile from another such use as measured from property line to property line in a straight line from the nearest point of the subject property to the nearest point of the existing retail hemp establishment, smoke shop, or smoking lounge, inclusive of such locations that may be outside of the city limits.</u>	<u>Retail smoke shop; provided that any such use shall not be located within 1,200' feet of any residential uses, government facilities, hospitals places of worship, schools (preschool, elementary, middle, or secondary), and other smoke shop establishments including medical marijuana dispensary/treatment centers</u>

SUMMARY	SUMMARY	SUMMARY	SUMMARY
Tobacco sales is permitted by right under the retail use category where goods or services are sold.	Tobacco sales is permitted by right under the retail use category; however distance separation requirements shall be met.	Tobacco sales is permitted by right under the retail use category, however a one (1) mile distance separation requirements shall be met.	The proposed ordinance would allow for all smoke shop establishments (sales of tobacco) to meet the following requirements: 1. Distance separation requirement of 1,200' ft must be met. 2. Conditional Use Approval is required for Smoke Shop Establishments.