

ARTICLE 10. Use Matrix¹

| Use | Primary Zoning Districts | | | | | | | | Use Performance Standards |
|------------------------|--|------|------|-----|-----|-----|-----|----|---------------------------|
| | P = Permitted CUP = Conditional Use Permit Blank = Not Permitted | | | | | | | | |
| | R-1 | R-12 | R-18 | C-1 | C-2 | C-3 | M-1 | IT | |
| Commercial Uses | | | | | | | | | |
| Cannabis Retail Store | | | | | CUP | CUP | | | 11-3-# |
| Industrial Uses | | | | | | | | | |
| Cannabis Microbusiness | | | | | CUP | P | P | | 11-4-# |

ARTICLE 13. Definitions.

Division 4. Use Terms.

Editor’s Note: The following proposed definitions are derived from Code of Virginia § 4.1-600 and HB642.

Cannabis. Any part of a plant of the genus Cannabis, whether growing or not; its seeds or resin; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, its resin, or any extract containing one or more cannabinoids, as provided in Code of Virginia § 4.1-600.

Cannabis Canopy. The space used by a licensed operator to produce flowering cannabis plants, including areas between plants, pathways, walkways, and empty space between rows that allow for airflow, light, growth, access for watering, trimming, and other activities associated with marijuana cultivation, as provided in Code of Virginia § 4.1-600.

Cannabis Microbusiness. A facility licensed under Code of Virginia § 4.1-803 that is permitted to conduct onsite:

- Cultivation in accordance with Code of Virginia § 4.1-800;
- Processing in accordance with Code of Virginia § 4.1-801; and
- Retail operations in accordance with Code of Virginia § 4.1-801.

Cannabis Retail Store. A facility licensed under Code of Virginia § 4.1-802 that is permitted to purchase or take possession of retail cannabis, retail marijuana products, immature cannabis plants, or cannabis seeds from a cannabis cultivation facility, cannabis manufacturing facility, or cannabis wholesaler and

¹ Editor’s Note: This draft is presented in the format of the proposed new DMO using BG’s template. If adopted prior to the full DMO update, revisions to this draft will be made to align with the DMO’s current structure.

to sell retail cannabis, retail cannabis products, immature cannabis plants, or marijuana seeds to consumers. This term does not include cultivation or processing.

ARTICLE 11. Use Performance Standards.

Division 3. Commercial Use Standards.

Section 11-3-#. Cannabis Retail Store.

- (A) **Effective Date.** This Section shall become effective [insert effective date of state law].
- (B) **State License Required.** A valid license issued by the Virginia Cannabis Control Authority shall be maintained at all times. Evidence of such license shall be provided to the Zoning Administrator upon request.
- (C) **Hours of Operation.** Hours of operation shall be limited to 9:00 a.m. to 9:00 p.m.
- (D) **Distance Between Uses.**
 - (1) **Measurement of Distance.** All distances specified in this Section shall be measured from the property line of the subject parcel to the nearest property line of the use specified in (D)(2), below.
 - (2) **Minimum Distance.**
 - (i) No Retail Cannabis Store shall be located within 500 ft. of:
 - (a) Places of religious worship;²
 - (b) Hospitals;
 - (c) Colleges, universities, and vocational training schools;
 - (d) Public or private primary or secondary schools;
 - (e) Public or private playground;
 - (f) Child day cares;
 - (g) Substance use treatment facilities;
 - (h) Federal, state, or local government-operated facility; or
 - (i) Another Cannabis Retail Store or Cannabis Microbusiness.
- (E) **General Standards.**
 - (1) All Cannabis Retail Store operations shall be located within a fully enclosed building. There shall be no outdoor display or storage of cannabis or cannabis related products.
 - (2) On-site consumption of cannabis products shall be prohibited.

² Editor's Note: The revised DMO will retain these uses; however, use names may change to align with the new format.

- (3) There shall be no emission of dust, fumes, vapors, or odors detectable to adjacent properties.
- (4) Signage shall not depict cannabis plants, products, or imagery.
- (5) Blackout windows shall be prohibited on any façade. Window signage, decals, or coverings shall not exceed 30% of the total window area on any façade facing a public street.

Division 4. Industrial Use Standards.

Section 11-4-#. Cannabis Microbusiness.

- (A) **Effective Date.** This Section shall become effective [insert effective date of state law].
- (B) **State License Required.** A valid license issued by the Virginia Cannabis Control Authority shall be maintained at all times. Evidence of such license shall be provided to the Zoning Administrator upon request.
- (C) **Hours of Operation.** Hours of operation shall be limited to 9:00 a.m. to 9:00 p.m.
- (D) **Distance Between Uses.**
 - (1) **Measurement of Distance.** All distances specified in this Section shall be measured from the property line of the subject parcel to the nearest property line of the use specified in (D)(2), below.
 - (2) **Minimum Distance.**
 - (i) No Cannabis Microbusiness shall be located within 500 ft. of:
 - (a) Places of religious worship;
 - (b) Hospitals;
 - (c) Colleges, universities, and vocational training schools;
 - (d) Public or private primary or secondary schools;
 - (e) Public or private playground;
 - (f) Child day cares;
 - (g) Substance use treatment facilities;
 - (h) Federal, state, or local government-operated facility; or
 - (i) Another Cannabis Microbusiness or Cannabis Retail Store.
- (E) **General Standards.**
 - (1) On-site consumption of cannabis products shall be prohibited.
 - (2) There shall be no emission of dust, fumes, vapors, or odors detectable to adjacent properties from any cultivation, processing, or retail operations.
 - (3) Outdoor display, storage, or sales of cannabis or cannabis-related products shall be prohibited.

(4) Signage shall not depict cannabis plants, products, or imagery.

(F) Cultivation Standards.

(1) Indoor cultivation shall not exceed a canopy of 10,000 sq. ft.

(2) Outdoor cultivation shall not exceed a canopy of 10,000 sq. ft.

(G) Processing Standards.

(1) All processing operations shall be conducted indoors within a fully enclosed building and shall meet the performance standards of Section 4-15.

(H) Retail Operations.

(1) All retail operations shall be located indoors within a fully enclosed building.

(2) Blackout windows shall be prohibited on any façade. Window signage, decals, or coverings shall not exceed 30% of the total window area on any façade facing a public street.