

ARTICLE 3. Zoning

Section 3-4-2. Uses permitted and conditionally permitted by zoning district.

EXHIBIT 5

PERMITTED AND CONDITIONALLY PERMITTED USES BY ZONING DISTRICT

Use	R-1	R-12	R-18	C-1	C-2	C-3	M-1	CBPA	TT
<i>COMMERCIAL, OFFICE AND SERVICE</i>									
Cannabis Retail Store		CUP	CUP	CUP	CUP*	CUP			
<i>INDUSTRIAL</i>									
Cannabis Cultivation Facility					CUP	P	P		
Cannabis Microbusiness						CUP	CUP		
Cannabis Processing Facility					CUP	P	P		
Cannabis Testing Facility					CUP	P	P		

*Administrative CUP in accordance with DMP-a.

Section 3-4-12. Cannabis Retail Store.

- (A) **Effective Date.** This Section shall become effective January 1, 2027.
- (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) **Tax Rate:** The local retail tax rate is set at 3.5% of all gross sales.
- (D) **Hours of Operation.** Hours of operation shall be limited to 9:00 a.m. to 9:00 p.m., Monday through Saturday. No Sunday operations shall be permitted.
- (E) **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 1,000 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 Retail Store or Cannabis Microbusiness.

(F) **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.
- (3) There shall be no emission of dust, fumes, vapors, or odors detectable to adjacent properties.
- (4) 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.

Section 3-4-13. Cannabis Microbusiness.

- (A) **Effective Date.** This Section shall become effective January 1, 2027.
- (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 1,000 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.

(F) Cultivation Standards.

- (1) Indoor cultivation shall not exceed a canopy of 70,000 sq. ft., or as otherwise stated in CCA (Cannabis Control Authority) regulations.
- (2) Outdoor cultivation shall not exceed a canopy of 10,000 sq. ft., or as otherwise stated in CCA (Cannabis Control Authority) regulations.

(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.

Section 3-4-14. Cannabis Cultivation, Processing, or Testing Facility.

- (A) **Effective Date.** This Section shall be effective January 1, 2027.
- (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) **General Standards.**
 - (1) All operations shall be conducted indoors within a fully enclosed building and shall meet the performance standards of Section 4-15.
 - (2) Facilities shall incorporate and maintain adequate control measures such that no odors, fumes, vapors, dust, or other emissions are detectable from adjacent properties.
 - (3) There shall be no outdoor storage of equipment or cannabis waste.

- (4) Maximum cultivation canopy area shall not exceed the limits authorized under the applicable state-issued license.

(D) **Lighting.**

- (1) Exterior lighting shall be fully shielded and directed inward to prevent glare beyond the property line.
- (2) Interior high-intensity lighting used for plant cultivation shall be screened or otherwise shielded to prevent glare and light trespass beyond the property line.

(E) **Security.** A security fence with minimum height of 6 ft. is required.

(F) **Water Usage.**

- (1) Facilities utilizing public water shall submit an estimate of projected water demand as part of the application. Approval shall be contingent upon confirmation by the Director of Public Works that adequate system capacity is available.
- (2) Facilities utilizing a private water source shall provide documentation of well permit approval from the Virginia Department of Health.

ARTICLE 5. Definitions

Section 5-3. Definitions.

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 Cultivation Facility. A facility licensed under Code of Virginia § 4.1-800 for the planting, propagation, cultivation, and harvesting of cannabis plants. This term does not include processing, testing, or retail operations.

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 § 4.1-802.

Cannabis Processing Facility. A facility licensed under Code of Virginia § 4.1-801 for the extraction, processing, compounding, manufacturing, or packaging of cannabis or cannabis-related products,

including the production of concentrates, infused products, and other cannabis goods. This term does not include cultivation, testing, or retail operations.

Cannabis Retail Store. A facility licensed under Code of Virginia § 4.1-802 that is authorized 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 to sell retail cannabis, retail cannabis products, immature cannabis plants, or marijuana seeds to consumers. This term does not include cultivation, processing, or testing operations.

Cannabis Testing Facility. A facility licensed under Code of Virginia § 4.1-806 that is authorized to develop, research, or test cannabis and cannabis products. This term does not include cultivation, processing, or retail operations.