

PUBLIC NOTICE

The Planning Commission of the Town of Warsaw will conduct a public hearing on Thursday, May 7, 2026, at 6:00 p.m., or as soon thereafter as the matter may be called on the agenda, in Town Council Chambers in the Town offices, 78 Belle Ville Lane, Warsaw, VA, for the purpose of receiving comments from the public on the proposed amendment of the Town's Development Management Ordinance to adopt regulations concerning cannabis microbusinesses or cannabis retail stores, as well as to define areas within the Town where such uses would be prohibited. After the public hearing, the Planning Commission may consider recommendations to Town Council concerning the proposed ordinance. Members of the public are invited to attend and express their views.

Warsaw Town Council will conduct a public hearing on Thursday, May 14, 2026, at 6:00 p.m., or as soon thereafter as the matter may be called on the agenda, in Town Council Chambers in the Town offices, 78 Belle Ville Lane, Warsaw, VA, for the purpose of receiving comments from the public on the proposed amendment of the Town's Development Management Ordinance to adopt regulations concerning cannabis microbusinesses or cannabis retail stores, as well as to define areas within the Town where such uses would be prohibited. The proposed ordinance would establish the required local sales tax rates for such businesses at 3.5% of taxable sales. Members of the public are invited to attend and express their views.

Information regarding the above may be examined at the offices of the Town Manager, 78 Belle Ville Lane, Warsaw, Virginia during normal business hours, 8:30 a.m. to 4:30 p.m., Monday through Friday. Additional information can be obtained by telephone at (804) 333-3737.

ORDINANCE # _____

AN ORDINANCE TO AMEND THE DEVELOPMENT MANAGEMENT ORDINANCE TO REGULATE AND IMPOSE LIMITATIONS ON THE LOCATION OF CERTAIN CANNABIS-ORIENTED BUSINESSES WITHIN THE TOWN OF WARSAW AND TO ENACT A NEW ARTICLE IX TO CHAPTER 16 OF THE WARSAW MUNICIPAL CODE TO ESTABLISH THE SALES TAX RATE REQUIRED BY VIRGINIA CODE § 4.1-1001

WHEREAS, as a result of the legalization and regulation of certain cannabis-oriented businesses within the Commonwealth of Virginia, the Town Council of the Town of Warsaw (“Council”) finds it appropriate and advisable to plan for such businesses, to ensure that they are appropriately regulated and that the location of such businesses is consistent with the Comprehensive Plan, and does not pose a conflict with other established uses within the Town, including schools; and

WHEREAS, as provided in Virginia Code § 4.1-1001, each locality in Virginia is directed to adopt a sales tax rate, applicable to the sale of marijuana projects within such locality, in an amount not less than one percent and no greater than 3.5 percent; and

WHEREAS, on the 7th day of May, 2026, after duly advertising and holding a public hearing, the Town Planning Commission provided its recommendations to Council, pursuant to Virginia Code Section 15.2-2285; and

WHEREAS, Council conducted a public hearing after due advertisement on the 14th day of May, 2026; and

WHEREAS, the Council finds the proposed amendments to the Town’s Development Management Ordinance to be in the best interests of the citizens of the Town, and required by the public necessity, convenience, general welfare, and good zoning practice; and

WHEREAS, the Council finds that establishing the required sales tax rate at 3.5 percent of all gross sales for marijuana and marijuana products is in the public interest.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Town Council of the Town of Warsaw, Virginia, the Development Management Ordinance be amended to incorporate the provisions set forth in Exhibit A, attached hereto;

AND BE IT FURTHER ORDAINED that a new Article IX to Chapter 16, Revenue and Finance, of the Warsaw Municipal Code is hereby adopted to read as follows:

Article IX. Marijuana Products Sales Tax

Section 16-235. Definitions

Marijuana. 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. "Marijuana" does not include (i) the mature stalks of such plant, fiber produced from such stalk, or oil or cake made from the seed of such plant, unless such stalks, fiber, oil, or cake is combined with other parts of plants of the genus Cannabis; (ii) industrial hemp, as defined in Virginia Code § 3.2-4112, that is possessed by a person registered pursuant to subsection A of Virginia Code § 3.2-4115 or his agent; (iii) industrial hemp, as defined in Virginia Code § 3.2-4112, that is possessed by a person who holds a hemp producer license issued by the U.S. Department of Agriculture pursuant to 7 C.F.R. Part 990; (iv) a hemp product, as defined in Virginia Code § 3.2-4112; (v) an industrial hemp extract, as defined in Virginia Code § 3.2-5145.1; or (vi) any substance containing a tetrahydrocannabinol isomer, ester, ether, salt, or salts of such isomer, ester, or ether that has been placed by the Board of Pharmacy into one of the schedules set forth in the Drug Control Act (Virginia Code § 54.1-3400 et seq.) pursuant to Virginia Code § 54.1-3443.

Marijuana products. Any (i) products that are composed of marijuana and other ingredients and are intended for use or consumption, ointments, and tinctures or (ii) marijuana concentrate.

Section 16-236. Levy and Rate.

There is hereby levied and imposed upon all sales of marijuana or marijuana products within the Town of Warsaw a tax in the amount of 3.5 percent of all gross sales.

AND BE IT FURTHER ORDAINED that this Ordinance shall become effective as of the 1st day of January, 2027.

ADOPTED this ___ day of _____, 2026.

ATTACHMENT: Exhibit A

CERTIFICATION OF ADOPTION OF ORDINANCE

The undersigned Clerk of the Town Council of the Town of Warsaw, Virginia, certifies that the Ordinance set forth above was duly adopted during an open public meeting on the ___ day of _____, 2026, by a majority of the members of the Town Council of the Town of Warsaw, Virginia, with the following votes:

AYE:

NAY:

ABSTENTION:

ABSENT:

Signed this ___ day of _____, 2026.

ATTEST:

Clerk
Town Council of the Town of Warsaw, Virginia

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) **Reserved.**
- (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,

Exhibit A

**Town of Warsaw Development Management Ordinance Update
Cannabis Retail Ordinance**



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.