Town Council Regular Meeting
Agenda Item 7.b.

Agenda Item: **Resolution 26-G-63 to initiate consideration of a Zoning Ordinance Text Amendment ZOTA #26-09 to amend Chapter 78 (ZONING), Article IV (Business Districts), Article VII (Use Regulations), Section 78-70.2 (Table of Permitted and Allowed Uses), Section 78-71.10 (Personal Services and Retail Sales Use Category), Section 78-71.15 (Light Manufacturing Use Category), and other sections as deemed necessary and appropriate to update sections for conformance with the Code of Virginia and regulations promulgated by the Virginia Cannabis Control Authority regarding the establishment of a cannabis retail market**

Meeting Date: November 17, 2026

Category: Consent

Prepared by: David Stromberg, Zoning Administrator

Description:
This Zoning Ordinance Text Amendment is related to regulations promulgated by the Virginia Cannabis Control Authority regarding the establishment of a retail cannabis marketplace in Virginia. The Code of Virginia Section 4.1-629 states that localities retain the ability to enforce their local ordinances pertaining to zoning and business licensing. If the Town Council adopts the initiating resolution, a draft of the proposed Zoning Ordinance Text Amendment will be presented as a public hearing item at the December 14, 2026, Planning Commission regular meeting. It is expected that the Zoning Ordinance Text Amendment will be presented to the Town Council for a vote as a public hearing item at the January 26, 2027, regular meeting.

Background/Timing Impact:
A briefing regarding the specific regulations established by the Virginia Cannabis Control Authority was provided to the Town Council during the October 6, 2026, work session. A second briefing regarding the critical dates and the anticipated timeline for adopting ordinances related to the Cannabis marketplace was provided to the Town Council during the November 4, 2026, work session.

Any proposed Zoning Ordinance Text Amendments should be adopted prior to February 1, 2027, because that is the date that the Virginia Cannabis Control Authority will begin accepting license applications for marijuana establishments. Localities are limited to a 30-day period to file an objection to a license application. The town might begin receiving notifications of license applications as early as February.

Strategic Focus Area:

Secure and Interconnected Community
Thriving Community

Fiscal Impact:
The town is required to pass a local marijuana tax between 1 and 3.5 percent as a separate ordinance. Town Council is required to adopt the marijuana tax, regardless of whether any Zoning Ordinance Text Amendments are adopted.

Legal Impact:
There is no mandatory requirement in the Cannabis Control Act to adopt a local Zoning Ordinance Text Amendment.

Staff Recommendation/Next Steps:
Staff recommends adoption of the initiating resolution so that draft language can be presented to the Planning Commission.

Attachments:
1. Resolution (Proposed)