Discussion Item
Timeline for Implementation of Virginia's Retail Cannabis Marketplace

Town Council Work Session

November 4, 2026

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&

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Zoning Administrator

LIVE DIFFERENTLY. TOWN OF Herndon VIRGINIA

Zoning Ordinance Amendments - Optional

- Initiating Resolution – November 17, 2026
  - Authorizes staff to bring forward draft language to the Planning Commission

- Planning Commission – December 14, 2026
  - Present draft language to the Planning Commission
    - Public hearing item with public comment
  - Planning Commission makes a recommendation to the Town Council
    - Recommend approval
    - Recommend approval with edits
    - Recommend denial
    - Continue to January 25, 2027, public hearing

- Town Council – January 26, 2027
  - Present draft language to the Town Council
    - Vote on Zoning Ordinance Text Amendment ZOTA #26-09
  - Alternate date of February 23, 2027, if continued by Planning Commission or Town Council

Sales Tax Ordinance - Mandatory

- Adopt Ordinance Establishing a Tax on Cannabis – May 1, 2027
  - Virginia Code § 4.1-1004(A)
  - Must be at least 1 percent and no more than 3.5 percent
  - Rate must remain consistent for 3 years after adoption
  - Adoption of tax by Fairfax County does not include Herndon or other towns within its borders
  - Retail cannabis sales start on July 1, 2027
  - Delay between adoption and effective date
    - First day of the second month after adoption
- Provide Notice of the Tax Ordinance
  - Must notify Virginia Cannabis Control Authority
  - Must notify each marijuana retail store and microbusiness if ordinance is adopted after a license is issued

Public Consumption Ordinance - Optional

- Prohibition in Certain Public Places – 2027 Discussion Item
  - School property
  - Public places
- Time of Sale Restrictions – 2027 Discussion Item
  - Provisions to restrict hours of sale at retail marijuana establishments