

**VIII. COMMISSION ITEMS**

- A. **INITIATION OF A ZONING ORDINANCE TEXT AMENDMENT** – The staff requested Planning Commission initiation of a text amendment to the Zoning Ordinance with regard to medicinal cannabis business regulations in response to adoption of KRS 218B. The staff is preparing the required mailings in order to hold a public hearing as early as May 2024.

Staff Presentation – Ms. Wade requested that the Planning Commission initiate a ZOTA regarding medicinal cannabis businesses operating in Fayette County. She told the Commission that this was necessary because of a newly adopted state law. She briefly described some of the cannabis business types and what zones that staff felt were appropriate for each type. She stated that the effective date of the state law was likely to be amended to July 1, 2024, and it would need to be completed faster than it would typically. She presented a suggested timeline so that the ZOTA could be heard and approved by Council before the date of July 1<sup>st</sup>.

Commission Comments – Ms. Worth suggested to include the definition of a cardholder.

Ms. Worth asked why the word plant was excluded from the text while seeds and seedlings were included. Ms. Wade opined that the sale of a plant was not allowed whereas the sale of seeds or seedlings were allowed.

Mr. Michler asked why Tier I and Tier II Cultivators were not suggested for only a conditional use, when greenhouses in the Agricultural zones were conditional uses. He further asked how the growing facilities would be regulated. Ms. Wade suggested that a cannabis cultivator should not be defined like a greenhouse and explained that it has to be in secure facilities that are more industrial in nature. She further explained that other items that are in agricultural zones that are not agricultural uses already have to apply for a conditional use permit and are limited to 10,000 sq. feet.

Mr. Zach Davis commented that he would prefer Tier I and II as Conditional Use Permits.

Ms. Wade told the Planning Commission that a copy of the suggested ZOTA would be sent to the Rural Land Management Board for feedback before the public hearing.

Action - Mr. Michler made a motion, seconded by Mr. Johnathon Davis, and carried 9-0 (Forester and Owens absent) to initiate the Medical Cannabis Business ZOTA.

Mr. Duncan reminded the Planning Commission of the next work session the following week.

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\* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.