



Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Legislation Details (With Text)

File #: 0577-24 **Version:** 1 **Name:** PLN-ZOTA-24-00002: REGULATION OF MEDICINAL CANNABIS BUSINESSES

Type: Ordinance **Status:** Approved

File created: 5/31/2024 **In control:** Urban County Council

On agenda: 6/27/2024 **Final action:** 6/27/2024

Enactment date: 6/27/2024 **Enactment #:** O-057-2024

Title: An Ordinance amending the Lexington-Fayette County Zoning Ordinance as follows: amending Article 1-11 to create definitions for Cannabis business, Cardholder, Medicinal cannabis, Medicinal cannabis cultivator, Medicinal cannabis dispensary, Medicinal cannabis processor, Medicinal cannabis producer, Medicinal cannabis product, and Medicinal cannabis safety compliance facility; amending Article 1-11 to exclude Medicinal cannabis cultivators, Producers, and Processors from the definition of Commercial Greenhouse; and amending the following Sections to define and allow for Medical Cannabis-Based Businesses under the Zoning Ordinance: Sections 8-1(d) and (e), 8-2(d) and (e), 8-3(d) and (e), 8-4(d) and (e), 8-5(e), 8-13(e), 8-14(e), 8-15(b) and (e), 8-16(b) and (e), 8-17(e), 8-19(e), 8-20(b) and (e), 8-21(b) and (e), 8-22(b) and (e), 8-23(e), 8-24(e), and Sections 23A-9(b) and (e) and 23A-10(b) and (e) of Appendix 23A to the Zoning Ordinance, all effective upon passage of Council. (Urban County Planning Commission). Approval of Alternative Text 7-1 [Div. of Planning, Duncan]

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1-Final Report, 2. 2-Application, 3. 3-Initiation Minutes, 4. 4-Staff Report, 5. 5-Updated Proposed Text, 6. 6-Minutes, 7. 0577-24 PLN-ZOTA-024-00002 Medical Cannabis 4893-8392-6981 v.1.pdf, 8. O-057-2024

Date	Ver.	Action By	Action	Result
6/27/2024	1	Urban County Council	Approved	Pass
6/13/2024	1	Urban County Council	Received First Reading	

An Ordinance amending the Lexington-Fayette County Zoning Ordinance as follows: amending Article 1-11 to create definitions for Cannabis business, Cardholder, Medicinal cannabis, Medicinal cannabis cultivator, Medicinal cannabis dispensary, Medicinal cannabis processor, Medicinal cannabis producer, Medicinal cannabis product, and Medicinal cannabis safety compliance facility; amending Article 1-11 to exclude Medicinal cannabis cultivators, Producers, and Processors from the definition of Commercial Greenhouse; and amending the following Sections to define and allow for Medical Cannabis-Based Businesses under the Zoning Ordinance: Sections 8-1(d) and (e), 8-2(d) and (e), 8-3(d) and (e), 8-4(d) and (e), 8-5(e), 8-13(e), 8-14(e), 8-15(b) and (e), 8-16(b) and (e), 8-17(e), 8-19(e), 8-20(b) and (e), 8-21(b) and (e), 8-22(b) and (e), 8-23(e), 8-24(e), and Sections 23A-9(b) and (e) and 23A-10(b) and (e) of Appendix 23A to the Zoning Ordinance, all effective upon passage of Council. (Urban County Planning Commission). Approval of Alternative Text 7-1 [Div. of Planning, Duncan]

[An Ordinance amending the Zoning Ordinance to define and allow for medical cannabis-based businesses in the Zoning Ordinance. Approval of Alternative Text 7-1 [Div. of Planning, Duncan]]

WHEREAS, the Lexington-Fayette Urban County Planning Commission considered at a meeting on

May 9, 2024 text amendments to Articles 1-11; 8-1(d) and (e); 8-2(d) and (e); 8-3(d) and (e); 8-4(d) and (e); 8-5(e); 8-13(e); 8-14(e); 8-15(b) and (e); 8-16(b) and (e); 8-17(e); 8-19(e); 8-20(b) and (e); 8-21(b) and (e); 8-22(b) and (e); 8-23(e); 8-24(e); and Sections 23A-9(b) and (e) and 23A-10(b) and (e) of Appendix 23A to the Zoning Ordinance, to define and allow for medical cannabis-based businesses under the Zoning Ordinance. The Planning Commission did recommend approval of the alternative text amendment by a vote of 7-1; and

WHEREAS, this Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation of the Planning Commission is attached hereto and incorporated by reference herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That Article 1, Section 1-11 of the Lexington-Fayette Urban County Government Zoning Ordinance (“Definitions”) be and hereby is amended in pertinent part to create definitions for “Cannabis business”, “Cardholder”, “Medicinal cannabis”, “Medicinal cannabis cultivator”, “Medicinal Cannabis dispensary”, “Medicinal cannabis processor”, “Medicinal cannabis producer”, “Medicinal cannabis product”, and “Medicinal cannabis safety compliance facility”, and further amending the definition of “Commercial greenhouse,” to read as follows:

Sec. 1-11. Definitions.

[...]

Cannabis business means an entity licensed under KRS 218B as a cultivator, dispensary, processor, producer, or safety compliance facility. Such licensed cannabis businesses shall not be located within one thousand (1,000) feet of an existing elementary or secondary school or a daycare center.

Cardholder means a registered qualified patient, designated caregiver, or visiting qualified patient who has applied for, obtained, and possesses a valid registry identification card issued by the Kentucky Cabinet for Health and Family Services for medicinal cannabis in compliance with KRS 218B; or a visiting qualified patient who has obtained and possesses (1) a valid out-of-state registry identification card, and (2) documentation of having been diagnosed with a qualifying medical condition.

[...]

Commercial greenhouse means an establishment primarily engaged in propagating and growing plants in containers, in soil or in other growing medium for the purpose of being sold and transplanted. The term "commercial greenhouse" shall include sale of the following items: plants grown on the premises or tended in a controlled environment of the greenhouse or plant nursery; sale of fungicides, insecticides, chemicals, peat moss, humus, mulches, and fertilizer, all to be used in the soil or upon the live plant to preserve the life and health of the plants sold; landscape counseling, site planning and Contracting services when not the primary activity and when using plants grown or tended on the premises of the greenhouse or plant nursery.

Note: The term "commercial greenhouse" applies only to land use as provided for in the zoning Ordinance and subdiv. regulations and is not intended to affect the status of any business with regard to any federal or state tax laws or similar statutes. A medicinal cannabis cultivator, producer, and processor are more specifically defined and regulated, and are not a "commercial greenhouse."

[...]

Medicinal cannabis means marijuana as defined in KRS 218A.010 when cultivated, harvested, processed, produced, transported, dispensed, distributed, sold, possessed, or used in accordance with KRS 218B. This definition includes medicinal cannabis products and raw plant material; but does not include industrial hemp or industrial hemp products as defined in KRS 260.850.

Medicinal cannabis cultivator means a business that is licensed to grow medicinal cannabis in compliance with KRS 218B, more specifically to:

- (a) Acquire, possess, plant, cultivate, raise, harvest, trim, or store cannabis seeds, seedlings, plants, or raw plant material;
- (b) Deliver, transport, transfer, supply, or sell raw plant material or related supplies to other licensed cannabis businesses in this state; or
- (c) Sell cannabis seeds or seedlings to similar entities that are licensed to cultivate cannabis in this state or in any other jurisdiction.

Medicinal cannabis cultivators are regulated in four tiers by KRS 218B, as follows:

- (1) A Tier I cultivator shall not exceed an indoor growth area of two thousand five hundred (2,500) square feet.
- (2) A Tier II cultivator shall not exceed an indoor growth area of ten thousand (10,000) square feet.
- (3) A Tier III cultivator shall not exceed an indoor growth area of twenty-five thousand (25,000) square feet.
- (4) A Tier IV cultivator shall not exceed an indoor growth area of fifty thousand (50,000) square feet.

Medicinal cannabis dispensary means an establishment that is licensed in compliance with KRS 218B to:

- (a) Acquire or possess medicinal cannabis from a cultivator, processor, or producer in this state;
- (b) Acquire or possess medicinal cannabis accessories or educational material;
- (c) Supply, sell, dispense, distribute, or deliver medicinal cannabis, medicinal cannabis accessories, and educational material to cardholders or other dispensaries;
- (d) Sell cannabis seeds to similar entities that are licensed to cultivate cannabis in this state or in any other jurisdiction; or
- (e) Acquire, accept, or receive medicinal cannabis products from a cardholder pursuant to KRS 218B.110.

Medicinal cannabis processor means a business that is licensed in compliance with KRS 218B to:

- (a) Acquire or purchase raw plant material from a cultivator, processor, or producer in this state;
- (b) Possess, process, prepare, manufacture, manipulate, blend, or package medicinal cannabis;
- (c) Transfer, transport, supply, or sell medicinal cannabis and related supplies to other cannabis businesses in this state; or
- (d) Sell cannabis seeds or seedlings to similar entities that are licensed to cultivate cannabis in this state or in any other jurisdiction.

Medicinal cannabis producer means a business that is licensed in compliance with KRS 218B to:

- (a) Acquire, possess, plant, cultivate, raise, harvest, trim, or store cannabis seeds, seedlings, plants, or raw plant material;
- (b) Deliver, transport, transfer, supply, or sell raw plant material, medicinal cannabis products, or related supplies to other licensed cannabis businesses in this state;
- (c) Sell cannabis seeds or seedlings to similar entities that are licensed to cultivate cannabis in this state or in any other jurisdiction;
- (d) Acquire or purchase raw plant material from a cultivator in this state; or
- (e) Possess, process, prepare, manufacture, manipulate, blend, or package medicinal cannabis.

Medicinal cannabis product means any compound, manufacture, salt, derivative, mixture, or preparation of any part of the plant Cannabis sp., its seeds or its resin; or any compound, mixture, or preparation which contains any quantity of these substances when cultivated, harvested, processed, produced, transported, dispensed, distributed, sold, possessed, or used in accordance with KRS 218B. This definition does not include industrial hemp products as defined in KRS 260.850.

Medicinal cannabis safety compliance facility means an establishment licensed in compliance with KRS 218B to:

- (1) Acquire or possess medicinal cannabis obtained from cardholders or cannabis businesses in this state;
- (2) Return the medicinal cannabis to cardholders or cannabis businesses in this state;

- (3) Transport medicinal cannabis that was produced by cannabis businesses in this state;
- (4) Produce or sell approved educational materials related to the use of medicinal cannabis;
- (5) Produce, sell, or transport of equipment or materials other than medicinal cannabis, including but not limited to lab equipment and packaging materials that are used by cannabis businesses and cardholders, to cardholders or cannabis businesses licensed under this Chapter;
- (6) Test medicinal cannabis produced in this state;
- (7) Train cardholders and cannabis business agents;
- (8) Receive compensation for actions allowed under this Section; and
- (9) Engage in any noncannabis-related business activities that are not otherwise prohibited or restricted by state law.

Section 2 - That Article 8, Sections 8-1(d) and (e) of the Lexington-Fayette Urban County Government Zoning Ordinance be and hereby are amended, creating a new Section 8-1(d)(9) and sequentially renumbering subsequent subSections of Section 8-1(d), and further creating a new Section 8-1(e)(28), to read as follows:

Sec. 8-1. - Agricultural Rural (A-R) Zone.

[...]

(d) Conditional Uses. (Permitted only with Board of Adjustment approval.)

[...]

9. Tier I, tier II or tier III medicinal cannabis cultivators, but only when the following minimum lot size requirements are met:
 - a. The minimum lot size for a tier I medicinal cannabis cultivator shall be ten (10) acres.
 - b. The minimum lot size for a tier II medicinal cannabis cultivator shall be forty (40) acres.
 - c. The minimum lot size for a tier III medicinal cannabis cultivator shall be one hundred (100) acres.

For any of the following conditional uses established after January 26, 1995, a total of ten thousand (10,000) square feet shall be the maximum allowable for all structures proposed for such uses.

[...]

(e) Prohibited Uses. (All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses, and are not intended to be a total listing of all the uses that are prohibited.)

[...]

28. Medicinal cannabis tier IV cultivators, dispensaries, producers, processors, and safety compliance facilities.

Section 3 - That Article 8, Sections 8-2(d) and (e) of the Lexington-Fayette-Urban County Government Zoning Ordinance be and hereby are amended, creating a new Section 8-2(d)(4) and sequentially renumbering subsequent subSections of Section 8-2(d), and further creating a new Section 8-2(e)(35), to read as follows:

Sec. 8-2. - Agricultural Buffer (A-B) Zone.

[...]

(d) Conditional Uses. (Permitted only with Board of Adjustment approval.)

[...]

4. Tier I, tier II or tier III medicinal cannabis cultivators, but only when the following minimum lot size requirements are met:
- a. The minimum lot size for a tier I medicinal cannabis cultivator shall be ten (10) acres.
 - b. The minimum lot size for a tier II medicinal cannabis cultivator shall be forty (40) acres.
 - c. The minimum lot size for a tier III medicinal cannabis cultivator shall be one hundred (100) acres.

For any of the following conditional uses established after January 26, 1995, except where the A-B zone is adjacent to the county boundary, and the property is a minimum of ten (10) acres, a total of 2% of the square footage of the property or ten thousand (10,000) square feet, whichever is greater, shall be the maximum allowable for all structures proposed for such uses:

[...]

(e) Prohibited Uses. (All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses, and are not intended to be a total listing of all the uses that are prohibited.)

[...]

35. Medicinal cannabis tier IV cultivators, dispensaries, producers, processors, and safety compliance facilities.

Section 4 - That Article 8, Sections 8-3(d) and (e) of the Lexington-Fayette Urban County Government Zoning Ordinance be and hereby are amended, creating a new Section 8-3(d)(13) and

Section 8-3(e)(36), to read as follows:

Sec. 8-3. - Agricultural-Natural Areas (A-N) Zone.

[...]

(d) Conditional Uses. (Permitted only with Board of Adjustment approval.) For any of the following conditional uses established after January 26, 1995, a total of ten thousand (10,000) square feet shall be the maximum allowable for all structures proposed for such uses. Prior to the approval of any conditional use containing environmentally sensitive land, such as flood hazard areas; areas of significant tree stands; sinkhole and karst areas; slopes exceeding fifteen percent (15%); "special natural protection" areas, as designated in the Comprehensive Plan; and stone fences, the applicant must prove, and the Board of Adjustment must find, that adequate safeguards will be in place to ensure the least negative impact on the land. This proof and finding shall extend to uses accessory to permitted conditional uses.

In making its determination, the Board of Adjustment shall:

- (1) Require the submission of an environmental assessment prepared by a qualified professional.
- (2) Consider mitigation of environmental impacts over time.
- (3) Consider the operational plan of any proposed agritourism or ecotourism activities.
- (4) Consider requiring certification for any proposed ecotourism activities.

[...]

13. Tier I, tier II or tier III medicinal cannabis cultivators, but only when the following minimum lot size requirements are met:
 - a. The minimum lot size for a tier I medicinal cannabis cultivator shall be ten (10) acres.
 - b. The minimum lot size for a tier II medicinal cannabis cultivator shall be forty (40) acres.
 - c. The minimum lot size for a tier III medicinal cannabis cultivator shall be one hundred (100) acres.

[...]

(e) Prohibited Uses. (All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses, and are not intended to be a total listing of all the uses that are prohibited.)

[...]

36. Medicinal cannabis tier IV cultivators, dispensaries, producers, processors, and safety compliance facilities.

Section 5 - That Article 8, Sections 8-4(d) and (e) of the Lexington-Fayette Urban County

Government Zoning Ordinance be and hereby are amended, amending Section 8-4(d)(1) and creating a new Section 8-4(e)(13), to read as follows:

Sec. 8-4. - Agricultural Urban (A-U) Zone.

[...]

(d) Conditional Uses. (Permitted only with Board of Adjustment approval.)

1. Sections 8-1
<[\[...\]](https://codelibrary.amlegal.com/codes/lexingtonfayettecoky/latest/lexingtonfayettecoky_zone/0-0-0-(d)1 through 5, 8, 9, 11 through 13 (but excluding outdoor rifle and other Firearm ranges), and 19 through 23 of the permitted conditional uses in the A-R zone, provided the square footage limitations shall not apply unless required by the Board of Adjustment.</div><div data-bbox=)

(e) Prohibited Uses. (All uses, other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses, shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses, and are not intended to be a total listing of all the uses that are prohibited.)

[...]

13. Medicinal cannabis tier IV cultivators, dispensaries, producers, processors, and safety compliance facilities.

Section 6 - That Article 8, Section 8-5(e) of the Lexington-Fayette Urban County Government Zoning Ordinance be and hereby is amended, creating a new Section 8-5(e)(7), to read as follows:

Sec. 8-5. - Single-Family Residential (R-1A) Zone.

[...]

(e) Prohibited Uses. (All uses, other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses, shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses, and are not intended to be a total listing of all the uses that are prohibited.)

[...]

7. Medicinal cannabis businesses.

Section 7 - That Article 8, Section 8-13(e) of the Lexington-Fayette County Zoning Ordinance be and hereby is amended, creating a new Section 8-13(e)(3), to read as follows:

Sec. 8-13. - Medium Density Residential (R-4) Zone.

[...]

(e) **Prohibited Uses.** (All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses, and are not intended to be a total listing of all the uses that are prohibited.)

[...]

3. Medicinal cannabis businesses.

Section 8 - That Article 8, Section 8-14(e) of the Lexington-Fayette Urban County Government Zoning Ordinance be and hereby is amended, creating a new Section 8-14(e)(3), to read as follows:

Sec. 8-14. - High Density Residential (R-5) Zone.

[...]

(e) **Prohibited Uses.** (All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses, and are not intended to be a total listing of all the uses that are prohibited.)

[...]

3. Medicinal cannabis businesses.

Section 9 - That Article 8, Sections 8-15(b) and (e) of the Lexington-Fayette Urban County Government Zoning Ordinance be and hereby are amended, creating a new Section 8-15(b)(26) and

Section 8-15(e)(9), to read as follows:

Sec. 8-15. - Professional Office (P-1) Zone.

[...]

(b) Principal Uses. (Other uses substantially similar to those listed herein shall also be deemed permitted.)

[...]

26. Medicinal cannabis safety compliance facilities.

[...]

(e) Prohibited Uses. (All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses, and are not intended to be a total listing of all the uses that are prohibited.)

[...]

9. Medicinal cannabis cultivators, dispensaries, producers and processors.

Section 10 - That Article 8, Sections 8-16(b) and (e) of the Lexington-Fayette Urban County Government Zoning Ordinance be and hereby are amended, creating a new Section 8-16(b)(49) and Section 8-16(e)(23), to read as follows:

Sec. 8-16. - Neighborhood Business (B-1) Zone.

[...]

(b) Principal Uses. (Other uses substantially similar to those listed herein shall also be deemed permitted.)

[...]

49. Medicinal cannabis dispensaries.

[...]

(e) Prohibited Uses. (All uses other than those listed as principal, accessory, or conditional uses shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses, and are not intended to be a total listing of all the uses that are prohibited.)

[...]

23. Medicinal cannabis cultivators, processors, producers, and safety compliance facilities.

Section 11 - That Article 8, Section 8-17(e) of the Lexington-Fayette Urban County Government Zoning Ordinance be and hereby is amended, creating a new Section 8-17(e)(8), to read as follows:

Sec. 8-17. - Downtown Business (B-2) Zone.

[...]

- (e) **Prohibited Uses.** (All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses, and are not intended to be a total listing of all the uses that are prohibited.)

[...]

8. Medicinal cannabis cultivators, processors, producers and safety compliance facilities.

Section 12 - That Article 8, Section 8-19(e) of the Lexington-Fayette Urban County Government Zoning Ordinance be and hereby is amended, creating a new Section 8-19(e)(15), to read as follows:

Sec. 8-19. - Lexington Center Business (B-2B) Zone.

[...]

- (e) **Prohibited Uses.** (All uses other than those listed as principal, accessory, or conditional uses shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses, and are not intended to be a total listing of all the uses that are prohibited.)

[...]

15. Medicinal cannabis businesses.

Section 13 - That Article 8, Sections 8-20(b) and (e) of the Lexington-Fayette Urban County Government Zoning Ordinance be and hereby are amended, creating a new Section 8-20(b)(32) and

Section 8-20(e)(12), to read as follows:

Sec. 8-20. - Highway Service Business (B-3) Zone.

[...]

(b) Principal Uses. (Other uses substantially similar to those listed herein shall also be deemed permitted.)

[...]

- 32. Medicinal cannabis dispensaries and safety compliance facilities.

[...]

(e) Prohibited Uses. (All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses, and are not intended to be a total listing of all the uses that are prohibited.)

[...]

- 12. Medicinal cannabis cultivators, processors, and producers.

Section 14 - That Article 8, Sections 8-21(b) and (e) of the Lexington-Fayette Urban County Government Zoning Ordinance be and hereby are amended, creating a new Section 8-21(b)(28) and Section 8-21(e)(17), to read as follows:

Sec. 8-21. - Wholesale and Warehouse Business (B-4) Zone.

[...]

(b) Principal Uses. (Other uses substantially similar to those listed herein shall also be deemed permitted.)

[...]

- 28. Medicinal cannabis safety compliance facilities.

[...]

(e) Prohibited Uses. (All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses, and are not intended to be a total listing of all the uses that are prohibited.)

[...]

17. Medicinal cannabis cultivators, dispensaries, processors, and producers.

Section 15 - That Article 8, Sections 8-22(b) and (e) of the Lexington-Fayette Urban County Government Zoning Ordinance be and hereby are amended, creating a new Section 8-22(b)(9) and Section 8-22(e)(6), to read as follows:

Sec. 8-22. - Light Industrial (I-1) Zone.

[...]

- (b) Principal Uses.** (Other uses substantially similar to those listed herein shall also be deemed permitted.)

[...]

9. Medicinal cannabis cultivators, processors, producers, and safety compliance facilities.

[...]

- (e) Prohibited Uses.** (All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory or conditional uses shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses, and are not intended to be a total listing of all the uses that are prohibited.)

[...]

6. Medicinal cannabis dispensaries.

Section 16 - That Article 8, Section 8-23(e) of the Lexington-Fayette Urban County Government Zoning Ordinance be and hereby is amended, amending Section 8-23(e)(1) to read as follows:

Sec. 8-23. - Heavy Industrial (I-2) Zone.

[...]

- (e) Prohibited Uses.** (All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses, and are not intended to be a total listing of

all the uses that are prohibited.)

1. The prohibited uses in the B-4 zone, Sections 8-21(e)3 through 11 and Section 8-21(e)14 through 17.

Section 17 - That Article 8, Section 8-24(e) of the Lexington-Fayette Urban County Government Zoning Ordinance be and hereby is amended, creating a new Section 8-24(e)(9), to read as follows:

Sec. 8-24. - University Research Campus (P-2) Zone.

[...]

(e) Prohibited Uses. (All uses other than those listed as principal, accessory, or conditional uses, or substantially similar to principal, accessory, or conditional uses shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses and are not intended to be a total listing of all the uses that are prohibited.)

[...]

9. Medicinal cannabis businesses.

Section 18 - That Appendix 23A, Sections 23A-9(b) and (e) of the Lexington-Fayette Urban County Government Zoning Ordinance be and hereby are amended, creating a new Section 23A-9(b)(37) and Section 23A-9(e)(25), to read as follows:

Sec. 23A-9. Community Center (CC) Zone.

[...]

(b) Principal Uses.

[...]

37. Medicinal cannabis dispensaries.

[...]

(e) Prohibited Uses.

[...]

25. Medicinal cannabis cultivators, producers, processors and safety compliance facilities.

Section 19 - That Appendix 23A, Sections 23A-10(b) and (e) of the Lexington-Fayette Urban County Government Zoning Ordinance be and hereby are amended, creating a new Section 23A-10(b)(14), sequentially renumbering subsequent subSections in Section 23A-10(b), and further creating a new Section 23A-10(e)(4), to read as follows:

Sec. 23A-10. Economic Development (ED) Zone.

[...]

(b) Principal Uses.

[...]

14. Medicinal cannabis cultivators, producers, processors, and safety compliance facilities.

[...]

(e) Prohibited Uses.

[...]

4. Medicinal cannabis dispensaries.

Section 20 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL
PUBLISHED: