



Hardin County Planning & Development Commission

3 September 2024

Hardin County Government Center
2nd Floor Meeting Room

**100.211 Procedure for amending zoning map and text of regulation -- Notice --
Hearing -- Time limit for final action.**

- (3) A proposal to amend the text of any zoning regulation which must be voted upon by the legislative body or fiscal court may originate with the planning commission of the unit or with any fiscal court or legislative body which is a member of the unit. Regardless of the origin of the proposed amendment, it shall be referred to the planning commission before adoption. The planning commission shall hold at least one (1) public hearing after notice as required by KRS Chapter 424 and make a recommendation as to the text of the amendment and whether the amendment shall be approved or disapproved and shall state the reasons for its recommendation. In the case of a proposed amendment originating with a legislative body or fiscal court, the planning commission shall make its recommendation within sixty (60) days of the date of its receipt of the proposed amendment. It shall take an affirmative vote of a majority of the fiscal court or legislative body to adopt the proposed amendment.



LEGAL NOTICE

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Hardin County Planning and Development Commission will hold a Public Hearing on Tuesday, September 3, 2024 at 5:00 p.m. at the Hardin County Government Building, Second Floor Meeting Room, 150 N. Provident Way, Elizabethtown, KY, 42701. The purpose of the hearing is to consider a text amendment to the DEVELOPMENT GUIDANCE SYSTEM, Zoning Ordinance 2009 – Table 1: Land Use Table (Medical Cannabis).

The text amendment is available for public examination at the Hardin County Planning and Development Office, 150 N. Provident Way, Suite 225, Elizabethtown, KY, during regular business hours from 8:00 a.m. to 4:30 p.m., Monday through Friday. After the conclusion of the hearing, a recommendation will be submitted to the Hardin County Fiscal Court for consideration.

b. First Reading of **Ordinance 342, Series 2024** Prohibiting the Operation of Cannabis Businesses in Hardin County.

Prior to the motion, Judge Taul explained that members of Fiscal Court had gone through training on this issue. He said the purpose of the law is to make medical cannabis available to those in need. He went through some of the legislative action and administrative actions that have taken place to license future cannabis businesses. He described the types of businesses allowed and the fees associated with those businesses. He stated he believes because of Hardin County's size; our community would only see one dispensary. He also stated that school boards will need to make decisions on what they would allow. He described the types of ordinances available, then read Ordinance 342, Series 2024 into the record. He then stated his reasons for voting to prohibit the operation of cannabis businesses in Hardin County. He said with Elizabethtown already approving it, availability would not be an issue, but it could be compromised if the lottery put a dispensary in a more remote part of the county. He also stated that the state's system for dealing with medical cannabis is untested. He also warned that if the county opted in, it could not undo that action. He also stated that since this will be available, there was no need for the county to rush into this. He said he's not opposed to medical cannabis, but would vote to opt out.

Motion to Approve by Squire Clem and seconded by Squire Thompson.

When the Judge opened the floor to discussion, Squire Yates stated that the discussion had begun before the motion.

Squire Clem stated that despite the thorough training, that no one could have a full understanding of the pros and cons of medical cannabis, but he believes it will be a benefit to some. He raised concerns that the county will have no way of knowing what decisions will be made in Frankfort. He said that opting out will give the county some control over its future. He said we can reserve the right to monitor this program before opting in. He said the ability to expand this program lies with the regulatory agency and not the legislature. He also said the county could still consider this without pressure so that decisions could be made based on facts. He will vote yes on this ordinance.

Voting:

Squire Fred Clem, Jr.: yes; Squire Larry Hicks: yes; Squire Kenny Muse: no; Squire Aaron Pennington: no; Squire Kenny Saltsman: no; Squire EG Thompson: yes; Squire Patsy Whitehead: no; Squire Chris Yates: no; County Judge/Executive Keith Taul: yes.

Motion failed.

c. Approve **Resolution 2024-134** related to Operation of Cannabis Businesses in Hardin County. Judge Taul read the resolution into the records, then opened the floor for comments from members of Fiscal Court.

Motion to Approve by Squire Yates and seconded by Squire Saltsman.

Squire Yates said he was elected to be the voice of his constituents. He laid out the options available under the law. He said he believes whenever there is an option to put a question before the voters, he will support it. He said to do otherwise would deny voters the right to vote on this issue and citizens should have that right. He said we live in a great county that is home to heroes who have fought and sacrificed for our right to vote.

Squire Whitehead said medical cannabis is a personal issue, medical issue and ethical issue. After talking with folks, she said many people need it. Others may not today, but could in the future. She wants to allow voters to make the choice and have a voice. If the resolution passes, she encourages all voters to become educated on this issue. She said voter's opinions are important and would be reflected on the ballot. She said she would vote in favor of putting this on the ballot.

Squire Clem stated that there was a difference of opinion, but no one is suppressing the vote. He said that members of Fiscal Court have had the opportunity to learn about this issue that not every constituent can do that and understand the ramifications. Access and need are not the issue. Rather, he wants to let this play out allowing the county to opt in in the future.

Judge Taul said since the opt out ordinance failed, he would now prefer to put this before the voters.

Voting:

Squire Fred Clem, Jr.: no; Squire Larry Hicks: no; Squire Kenny Muse: yes; Squire Aaron Pennington: yes; Squire Kenny Saltsman: yes; Squire EG Thompson: no; Squire Patsy Whitehead: yes; Squire Chris Yates: yes; County Judge/Executive Keith Taul: yes.

Motion passed.

HARDIN COUNTY FISCAL COURT
RESOLUTION NO. 2024-134

**A Resolution Directing the Question of Prohibiting Cannabis Business Operations in
Hardin County**

WHEREAS, Senate Bill 47 passed by the General Assembly in the 2023 Session and House Bill 829 passed by the General Assembly in the 2024 Session amended KRS 218B.130 to allow local governments to determine whether to authorize the operation of cannabis businesses within its territory;

WHEREAS, KRS 218B.130 authorizes a county government to choose from several options in its determination;

WHEREAS, one of the statutory options for a county government is to enact a Resolution directing that the question of prohibiting cannabis businesses from operating within the territory be submitted to the voters of its territory at the next regular election;


THEREFORE, BE IT RESOLVED, that the question of prohibiting cannabis businesses from operating within the territory of Hardin County, Kentucky be submitted to the voters of Hardin County, Kentucky at the next regular election as set out in KRS 218B.130.

Effective upon passage this 25 day of June, 2024.




Keith L. Taul
Hardin County Judge/Executive

Attest:



Brian D. Smith
Hardin County Clerk

Prepared:



Jennifer B. Oldham
Hardin County Attorney

<https://kymedcan.ky.gov/laws-and-regulations/Pages/Regulations.aspx>

STATE ZONING LAWS FOR MEDICAL CANNABIS

Kentucky's medical cannabis laws provide that a cannabis business shall not be located within one thousand (1,000) feet of an existing elementary, secondary school, or daycare center. The Program defines "Daycare center" as any "child-care center" as defined by KRS 199.894(3), any "family child-care home" as defined by KRS 199.894(5), and any registered childcare providers in the Child Care Assistance Program as regulated by 922 KAR 2:180.

The Program measures one thousand (1,000) feet as a straight line from the nearest property line of an existing elementary school, secondary school, or daycare center to the nearest property line of the proposed place of business.

Local governments may impose additional zoning limitations for cannabis businesses.

Regulations

On January 4, 2024, the Program filed 10 ordinary regulations that will govern cannabis businesses. These regulations will go through the ordinary administrative regulation process, which you can read more about below under "Learn How Regulations Are Made."

- [915 KAR 1:001 Definitions](#)
- [915 KAR 1:030 Cultivator](#)
- [915 KAR 1:040 Processor](#)
- [915 KAR 1:050 Producer](#)
- [915 KAR 1:060 Safety compliance facility](#)
- [915 KAR 1:070 Dispensary](#)
- [915 KAR 1:080 Transportation and delivery of medicinal cannabis](#)
- [915 KAR 1:090 Advertising](#)
- [915 KAR 1:100 Packaging and labeling of medicinal cannabis](#)
- [915 KAR 1:110 Medicinal cannabis testing](#)
 - [Appendix A: List of Solvents for Testing](#)
 - [Appendix B: List of Pesticides for Testing](#)

On March 14, 2024, the Program filed 5 ordinary regulations that will establish how medical cannabis patients and caregivers will participate in the Kentucky Medical Cannabis Program. These regulations will go through the ordinary administrative regulation process, which you can read more about below under "Learn How Regulations Are Made."

- [915 KAR 2:001 Definitions](#)
- [915 KAR 2:010 Procedures for registry identification cards](#)
- [915 KAR 2:020 Supply limits and equivalency formula](#)
- [915 KAR 2:030 Written certifications](#)
- [915 KAR 2:040 Procedures to publish list of varieties of medicinal cannabis](#)

On April 18, 2024, the Program filed 2 emergency regulations with accompanying identical ordinary regulations. These regulations provide how proposed cannabis businesses can apply to become licensed in the Commonwealth and the requirements following licensure. The emergency regulations take effect immediately. You can read the regulations below:

Emergency Regulations:

[915 KAR 1:010E Initial and renewal applications for cannabis business licenses](#)

[915 KAR 1:020E Cannabis business licenses](#)

Ordinary Regulations:

[915 KAR 1:010 Initial and renewal applications for cannabis business licenses](#)

[915 KAR 1:020 Cannabis business licenses](#)

Business Regulations

License Types

Cultivator



Responsible for **planting, raising, harvesting, trimming, and curing** medical cannabis

Processor



Responsible for **processing and packaging** raw plant material into usable product formats

Producer



Vertically-integrated license combining Cultivator and Processor licensees

Safety compliance facility



Responsible for **contamination and purity testing** of raw plant material and products

Dispensary



Responsible for **purchasing and selling finished products** to cardholders

**Producer licenses will not be available during initial license application availability period*

Business Regulations

Safety and Security Requirements

Testing



All harvest and production batches are subject to **testing for THC and cannabinoid concentrations and toxins.**

Recalls



Cannabis businesses may initiate **voluntary or mandatory recalls** based on complaints or risks to public safety and health.

Age Restrictions



All patients **under 18** are required to have a registered caregiver, and no product packaging can appeal to **minors.**

Surveillance and Alarms



Professionally monitored **surveillance and alarm systems** must be used to prevent unauthorized access.

Physical Security and Lighting



All entrances and exits to and from the facility must be **locked** during non-working hours with **proper lighting** used at all times.



As of last Wednesday

Business Applications

Please note: the information provided below are the total number of applications the Office has received in each of the business license categories.

The information has been updated as of August 28, 2024 at 7:30 AM EST.

- Total:** 590
- Cultivator Tier I:** 41
- Cultivator Tier II:** 40
- Cultivator Tier III:** 18
- Processor:** 39
- Dispensary:** 450
- Safety Compliance Facility:** 2

As of Friday afternoon

Business Applications

Please note: the information provided below are the total number of applications the Office has received in each of the business license categories.

The information has been updated as of August 30, 2024 at 4:17 PM EST.

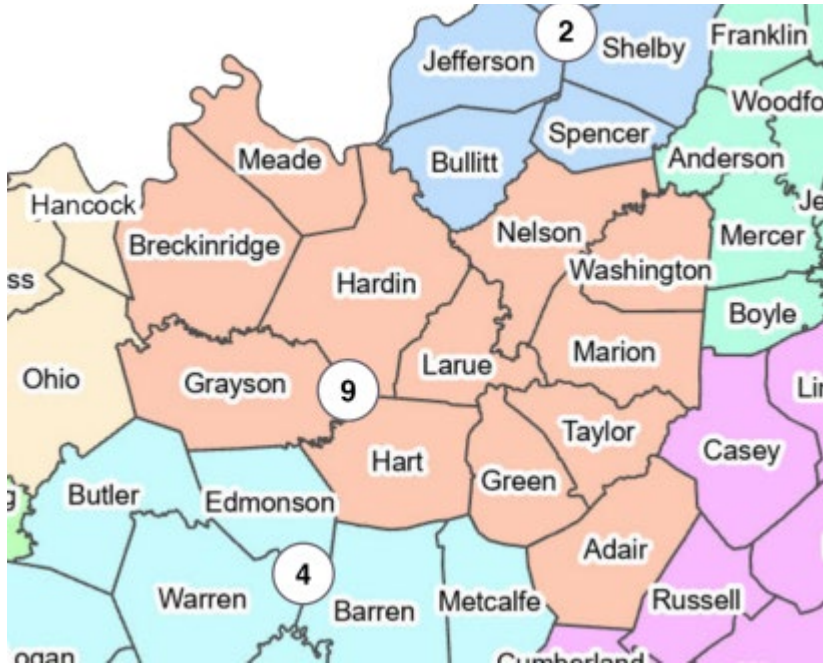
- Total:** 2650
- Cultivator Tier I:** 96
- Cultivator Tier II:** 96
- Cultivator Tier III:** 56
- Processor:** 117
- Dispensary:** 2282
- Safety Compliance Facility:** 3

Business Regulations

Initial License Availability

Business license category	Initial licenses to be issued
Tier I cultivator	10
Tier II cultivator	4
Tier III cultivator	2
Tier IV cultivator	0
Processor	10
Dispensary	48
Safety compliance facility	No Limitation

Medical Cannabis Dispensary Licensing Regions



Region 9 (Lincoln Trail): Four (4) Dispensary licenses.

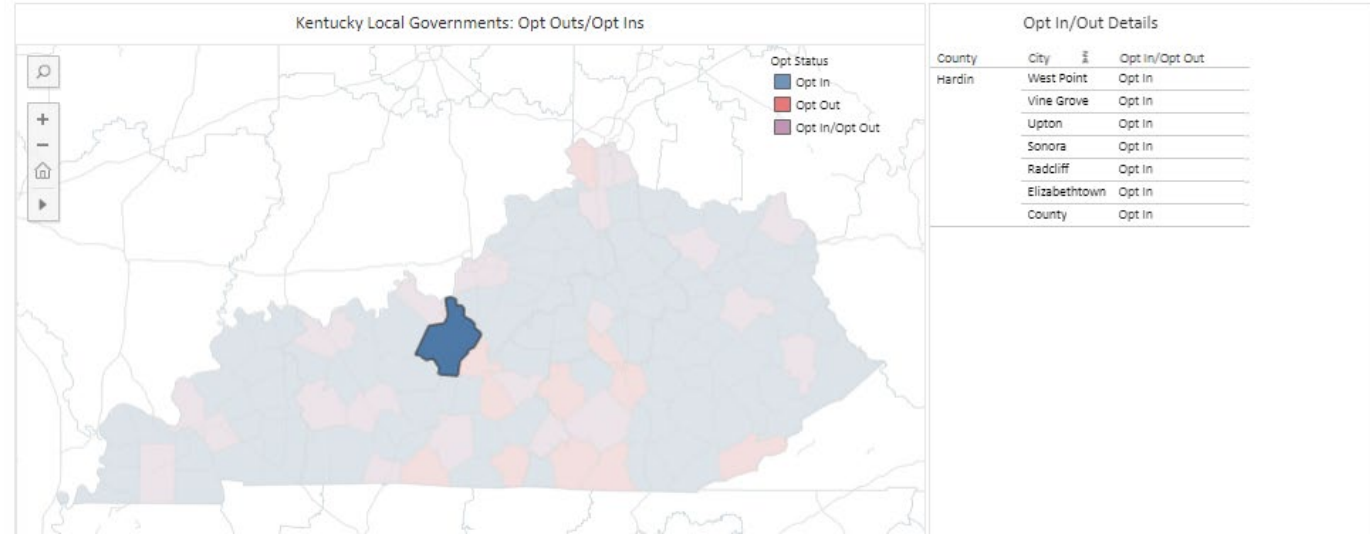
Region 9 (Lincoln Trail):

Adair, Breckinridge, Grayson, Green, Hardin, Hart, Larue, Marion, Meade, Nelson, Taylor, and Washington

Total Population: 356,091
Households: 156,212
17 Years and Under: 84,202
18 Years and Older: 271,889

Kentucky Local Governments Opt Outs/Opt Ins

Last Updated On: 8/28/2024 12:00:20 PM

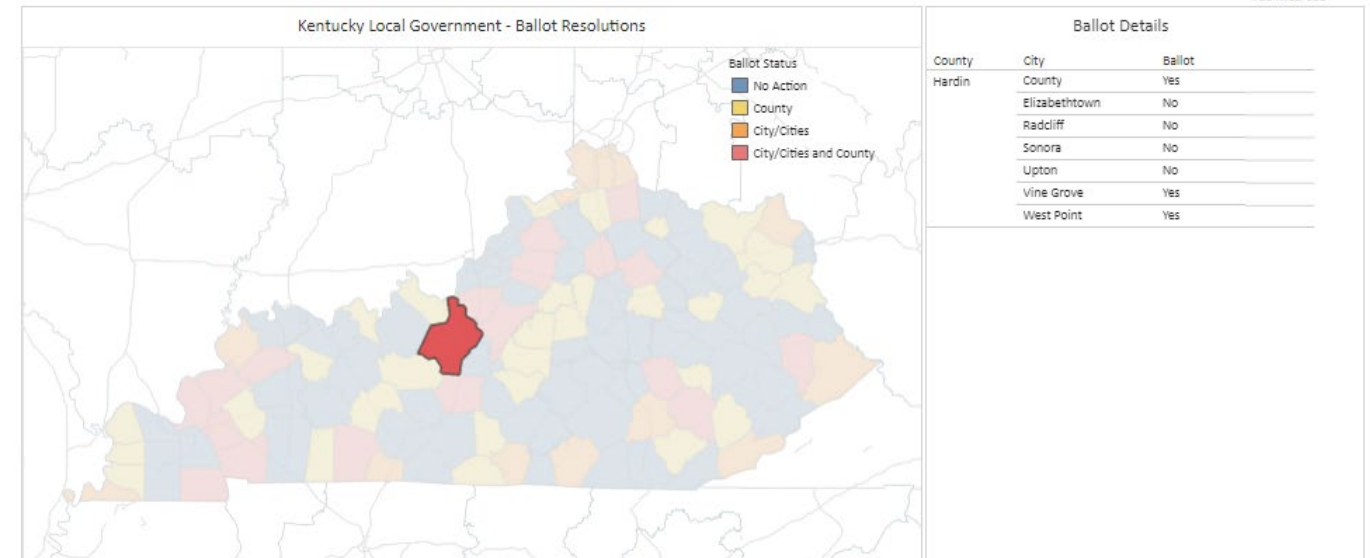


Opt In/Out Details

County	City	Opt in/Opt Out
Hardin	West Point	Opt In
	Vine Grove	Opt In
	Upton	Opt In
	Sonora	Opt In
	Radcliff	Opt In
	Elizabethtown	Opt In
	County	Opt In

Kentucky Local Government- Ballot Resolutions

Last Updated On: 8/28/2024 12:00:20 PM



Ballot Details

County	City	Ballot
Hardin	County	Yes
	Elizabethtown	No
	Radcliff	No
	Sonora	No
	Upton	No
	Vine Grove	Yes
	West Point	Yes

LISTED USES	P = Permitted Use		C = Conditional Use		A = Accessory Use		-- = Not Permitted								
	A-1	R-1	R-2	R-3	R-4	R-5	C-0	C-1	C-2	B-1	B-2	I-1	I-2	I-H	PD-1
1. Accessory Structures	A	A/C	A/C	A/C	A	--	P	P	P	P	P	P	P	P	A
2. Agricultural Tourism	C	--	--	--	--	--	--	--	--	--	--	--	--	--	--
3. Agricultural Use	P	P	P	P	P	--	P	P	P	P	P	P	P	P	P
4. Agriculture Equipment Sales & Service	C	--	--	--	--	--	--	P	P	--	--	--	--	--	--
5. Airports	--	--	--	--	--	--	--	--	--	--	--	C	C	--	--
6. Amusement Enterprises (Indoor)	--	C	C	C	--	C	C	C	C	--	A	A	--	--	--
7. Antique, Gift & Craft Shops	C	C	C	C	--	P	P	P	--	P	A	A	--	--	P
8. Apparel Store	--	--	--	--	--	--	P	P	P	P	--	--	--	--	--
9. Asphalt Manufacturing	--	--	--	--	--	--	--	--	--	--	C	C	--	--	--
10. Automobile Manufacturing	--	--	--	--	--	--	--	--	--	--	P	P	--	--	--
11. Automotive Repair	--	C	C	C	--	C	C	C	C	--	C	C	--	--	--
12. Automotive Sales	--	--	--	--	--	--	C	C	C	--	--	--	--	--	--
13. Automotive Storage (2-5 vehicles)	C	C	C	C	C	--	--	--	--	--	--	--	--	--	C
14. Bank, Savings & Loan	--	--	--	--	--	--	P	P	P	--	A	A	--	--	P
15. Beauty & Barber Shop	C	C	C	C	--	P	P	P	--	P	A	A	--	--	P
16. Bed & Breakfast	C	C	C	C	--	P	P	P	--	P	--	--	--	--	P
17. Blast Furnaces, Metal Smelting, Ore or Metal Reducing	--	--	--	--	--	--	--	--	--	--	P	P	--	--	--
18. Boarding House and/or Group Home	C	C	C	C	--	--	--	--	--	--	--	--	--	--	--
19. Building Material Sales	--	--	--	--	--	--	--	P	P	--	P	P	--	--	--
20. Cemetery	--	--	--	--	--	--	P	P	--	--	--	--	--	--	--
21. Charitable Gaming Activity	--	C	C	C	--	--	C	C	C	--	--	--	--	--	--
22. Child Care Center	C	P/C	P/C	P/C	P/C	P/C	P	P	C	C	A/C	A/C	P/C	P/C	--
23. Church (with Cemetery)	P	P	P	P	--	--	P	P	P	P	C	C	--	--	P
24. Contractor's Equipment Yard	--	--	--	--	--	--	--	P	--	--	P	P	--	--	--
25. Convenient Store and/or Filling Station	--	--	--	--	--	--	--	P	P	P	--	C	C	--	--
26. Crushed Stone, Sand, Gravel Operation	--	--	--	--	--	--	--	--	--	--	--	C	C	--	--
27. Cultural Services	C	C	C	C	--	P	P	P	P	P	--	--	--	--	P
28. Dry Cleaner	--	--	--	--	--	--	P	P	--	P	--	--	--	--	P
29. Dwelling, Accessory	C	C	C	C	--	--	--	--	--	--	--	--	--	--	C
30. Dwelling, Mobile Home	C	C	C	C	--	P	--	--	--	--	--	--	--	--	C
31. Dwelling Multiple, Two Dwellings on 11.0 acres or greater	P	--	--	--	--	--	--	--	--	--	--	--	--	--	--
32. Dwelling, Single Family	P	P	P	P	P	P	C	C	C	C	C	C	C	P	P
33. Educational Institution	P	P	P	P	--	--	--	P	P	--	--	P	P	--	P
34. Farmers Market	C	--	--	--	--	--	--	P	P	--	--	--	--	--	P
35. Funeral Home	--	--	--	--	--	--	--	P	P	--	--	--	--	--	--
36. Furniture Store	--	--	--	--	--	--	--	P	P	P	--	--	--	--	--
37. Grain Bin Facility	C	--	--	--	--	--	--	P	P	P	--	--	--	--	--
38. Greenhouse & Plant Nursery	C	C	C	C	--	P	P	P	P	P	--	--	--	--	--
39. Home Occupation	A/C	A/C	A/C	A/C	A/C	A/C	--	--	--	--	--	--	--	A/C	A/C
40. Hotel & Motel	--	--	--	--	--	--	--	--	P	P	--	--	--	--	--
41. Indoor Storage-Construction Equipment	--	--	P	P	--	--	P	P	P	P	--	P	P	--	--
42. Junk Yard	--	--	--	--	--	--	--	C	C	C	--	C	C	--	--
43. Kennels	C	C	C	C	--	--	--	C	C	C	--	C	C	--	--
44. Livestock Auction and/or Stock Yard	C	--	--	--	--	--	--	--	--	--	--	--	--	--	--
45. Machinery Sales & Service	--	--	--	--	--	--	--	--	P	P	--	P	P	--	--
46. Manufactured Home Dealers	--	--	--	--	--	--	--	--	P	P	P	--	--	--	--
47. Manufacturing Use	--	--	--	--	--	--	--	--	--	--	--	P	P	--	--

LISTED USES	P = Permitted Use		C = Conditional Use		A = Accessory Use		-- = Not Permitted								
	A-1	R-1	R-2	R-3	R-4	R-5	C-0	C-1	C-2	B-1	B-2	I-1	I-2	I-H	PD-1
48. Medical Marijuana - Cultivator, Dispensary, Processor, Producer, Safety Compliance Facility	--	--	--	--	--	--	--	--	--	--	--	P	P	--	--
49. Meat Packing Plant	--	--	--	--	--	--	--	--	--	--	--	C	C	--	--
50. Medical Office	--	C	C	C	--	--	P	P	P	--	P	C	C	--	P
51. Mobile Home Park	--	--	--	--	--	P	--	--	--	--	--	--	--	--	--
52. Mobile Office	--	C	C	C	--	--	--	C	C	C	--	C	C	--	--
53. Multi-Family Housing	--	--	--	--	--	P	--	--	--	--	--	--	--	--	P
54. Non-Commercial Saw Mill	P	--	P	P	--	--	--	--	--	--	--	--	--	--	--
55. Nursing Home	--	C	C	--	--	--	--	P	P	--	--	--	--	--	P
56. Outlet Mall and/or Department Store	--	--	--	--	--	--	--	--	P	P	--	--	--	--	--
57. Owner-Operated, Specially Skilled Shop for Agricultural Related Use	C	--	--	--	--	--	--	--	--	--	--	--	--	--	--
58. Parking Lot	C	C	C	C	--	--	P	P	P	P	P	--	--	--	P
59. Petroleum Production, Refining and/or Storage	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--
60. Plumbing & Electrical Supply	--	--	--	--	--	--	--	--	P	P	P	--	P	P	--
61. Printing, Publishing & Engraving	--	--	--	--	--	--	--	--	P	P	--	--	P	P	--
62. Private Club	C	C	C	C	--	--	--	P	P	--	--	C	C	--	P
63. Private School	P	P	P	P	--	--	--	P	P	--	--	--	--	--	P
64. Professional Office	--	C	C	C	--	--	--	P	P	P	--	P	P	--	P
65. Rail Road Siding Operation	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--
66. Ready Mix and/or Concrete Plant	--	--	--	--	--	--	--	--	--	--	--	--	C	C	--
67. Recreational Enterprises (Outdoor)	C	C	C	C	--	--	C	P	P	--	--	--	--	--	--
68. Recycling Center	--	--	--	--	--	--	--	C	C	C	--	C	C	--	--
69. Repair of Household Appliances	--	C	C	C	--	--	P	P	P	--	--	--	--	--	--
70. Restaurants	C	C	C	C	--	--	P	P	P	P	P	A	A	--	P
71. Research Laboratory	--	--	--	--	--	--	--	P	P	P	--	P	P	--	--
72. Retail Food Store	--	--	--	--	--	--	--	P	P	P	--	--	--	--	P
73. Retail Neighborhood Use	--	C	C	C	C	C	P	--	--	--	--	--	--	--	P
74. Retail Sales of Merchandise	--	C	C	C	C	C	P	P	P	C	--	A	A	--	P
75. Saw mills	C	--	--	--	--	--	--	C	C	C	--	C	C	--	--
76. Scrap Metal	--	--	--	--	--	--	--	--	C	--	--	C	C	--	--
77. Self / Mini Storage Units	--	C	C	C	C	C	--	P	P	P	--	--	--	--	P
78. Self Serve Laundry	--	C	C	C	C	C	P	P	P	--	--	--	--	--	P
79. Sexually Oriented Business	--	--	--	--	--	--	--	--	--	--	--	P	P	--	--
80. Shoe Repair	--	C	C	C	C	--	P	P	P	--	P	--	--	--	P
81. Signage (On and Off-Site)	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C
82. Slaughter House	C	--	--	--	--	--	--	--	--	--	--	C	C	--	--
83. Tailors Shop	--	C	C	C	--	--	P	P	P	--	P	--	--	--	P
84. Temporary Real Estate Sale Office	--	C	C	C	C	C	--	--	--	--	--	--	--	--	P
85. Temporary Use- See Definition	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
86. Theater	--	--	--	--	--	--	--	--	P	P	P	C	--	--	--
87. Tractor Trailers (Parking & Storage)	P	C	C	C	--	--	C	P	P	P	C	P	P	C	C
88. Truck or Freight Terminal	--	--	--	--	--	--	--	--	--	C	--	C	C	--	--
89. Veterinary Clinics	C	C	C	C	--	--	C	P	P	--	--	--	--	--	--
90. Warehousing	--	--	--	--	--	--	--	--	P	P	--	P	P	--	--
91. Welding Shop	C	C	C	C	--	--	C	P	P	--	--	P	P	--	--
92. Wholesaling	--	--	--	--	--	--	--	--	P	--	--	P	P	--	--

RESOLUTION 2024-018

RESOLUTION RECOMMENDING APPROVAL OF TEXT AMENDMENTS TO THE DEVELOPMENT GUIDANCE SYSTEM, ZONING ORDINANCE 2009

Table 1: Land Use Table - Medical Cannabis (Cultivator, Dispensary, Processor, Producer, Safety Compliance Facility)

- WHEREAS** the Hardin County Fiscal Court and the Hardin County Planning and Development Commission have adopted a Comprehensive Plan, Land Use Regulations, and Subdivision Regulations;
- WHEREAS** the above-mentioned regulations are designed to protect the public health, safety and welfare of the citizens of Hardin County;
- WHEREAS** the Hardin County Planning and Development Commission adopted a new Comprehensive Plan entitled *Comprehensive Development Guide, 2024* on March 5, 2024 and the Hardin County Fiscal Court adopted the Goals and Objectives contained therein on March 12, 2024;
- WHEREAS** the 2023 Kentucky General Assembly passed Senate Bill 47 (2023 KY. Acts Ch. 146) and on March 31, 2023 Governor Beshear signed Senate Bill 47 into law codified in Kentucky Revised Statutes (“KRS”) 218B, legalizing the use of medical cannabis and establishing a framework for state licensure of cannabis businesses such as cultivators, dispensaries, processors, producers and safety compliance facilities in the Commonwealth effective January 1, 2025;
- WHEREAS** the Kentucky Cabinet for Health and Family Services (Cabinet) Medical Cannabis Program filed Administrative Regulations (915 KAR) establishing procedures for the issuance, renewal, suspension and revocation of cannabis business licenses;
- WHEREAS** Kentucky Revised Statute 218B.130(2)(b) authorizes local governments to enact ordinances that are no less restrictive than the Kentucky Revised Statutes or Administrative Regulations;
- WHEREAS** the Hardin County Planning and Development Commission believes it necessary to place reasonable limitations on the geographic locations of cannabis businesses to protect the public health, safety and welfare of the citizens of Hardin County, KY;
- WHEREAS** it is necessary to establish general provisions and determine zoning requirements of cannabis businesses by January 1, 2025 prior to the Cabinet issuing any cannabis business license;
- WHEREAS** the proposed amendment to Table 1: Land Use Table will allow for Medical Cannabis (cultivator, dispensary, processor, producer, safety compliance facility) as a permitted use within the I-1 (Light Industrial) and I-2 (Heavy Industrial) zones in unincorporated Hardin County, KY;

NOW THEREFORE, BE IT RESOLVED, that based upon the hearing record, including the staff recommendation and the testimony provided in the public hearing, the Hardin County Planning and Development Commission hereby recommends that the text amendment to Table 1: Land Use Table of the *DEVELOPMENT GUIDANCE SYSTEM, Zoning Ordinance 2009* be approved by Hardin County

Fiscal Court, which is attached hereto and incorporated herein. The proposed text amendment is in agreement with the following Goals, Objectives and Action Steps of the Comprehensive Plan:

- GOAL 5: Create opportunities for commerce and industry that support a broad range of workforce opportunities, increase the quality of life, and capitalize on the region’s lower cost of living.
- Objective 5.4: Provide adequate space for the proper location of commercial and industrial land.
- GOAL 8: Proactively plan for quality development that is compatible with surrounding land uses and responds to market demands.
- Objective 8.2: Define areas within the county for the highest and best use for residential, commercial, industrial, and agricultural that make effective use of existing and proposed services and facilities.
- Objective 8.3: Evaluate and revise the Hardin County Zoning Ordinance and Subdivision Regulations to align with the goals, objectives, and policies of the Comprehensive Plan.
- Objective 8.8: Encourage that all land uses are developed in a manner compatible with surrounding land uses.
- Action Step 1: Complete a periodic review of the zoning ordinance and subdivision regulations to identify any amendments that are needed to align with future comprehensive plan updates, market trends, or other issues.

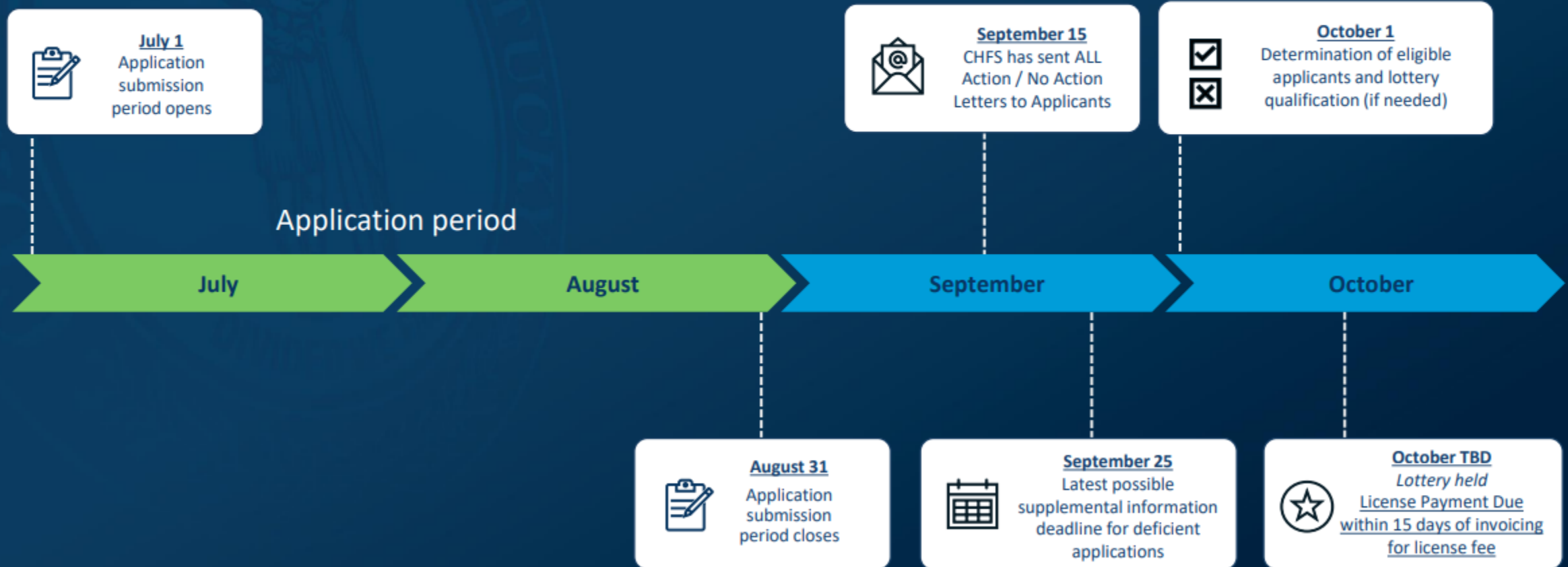
ADOPTED THIS THIRD DAY OF SEPTEMBER 2024.

Mark Hinton, Chairman

Adam C. King, AICP Director

Business Regulations

Licensing Application Submission and Review Timeline



Business Regulations *Dispensary Regions*



Dispensary licenses will be issued in eleven (11) regions.

Local Government Laws *Overview*

- Local governments may enact ordinances regarding or entirely prohibit licensed cannabis businesses within their jurisdictions
- If a city is within the jurisdiction of a county government that prohibits cannabis business operations, that city may approve licensed cannabis business operations within their city limits through ordinance or public vote
- A public question and petition may be initiated to permit licensed cannabis businesses to operate within a jurisdiction if the local legislative body of that jurisdiction has prohibited such operations through ordinance
- Note: School boards must establish policies to permit or prohibit minor registered patients to consume medicinal cannabis at school pursuant to KRS Chapter 218B

Local Government Regulations *Relevant Statutes*

Summary



Local Government Regulations

Statutory Requirements - Local Governments

KRS 218B.130 provides:

- Local governments may enact ordinances that are not less restrictive than the statues or regulations governing the Program relating to time, place, and manner of cannabis business operations.
- Local governments may not “...enact ordinances that impose an undue burden or make cannabis business operations unreasonable or impractical...”
- Local governments may “...establish and assess reasonable local fees to compensate for any additional costs caused by the operation of cannabis businesses within its territory.”
- If a local government prohibits cannabis business operations within its territory prior to January 1, 2025, a licensed cannabis business located within that territory must comply with the prohibition and relocate if they desire to continue business operations.

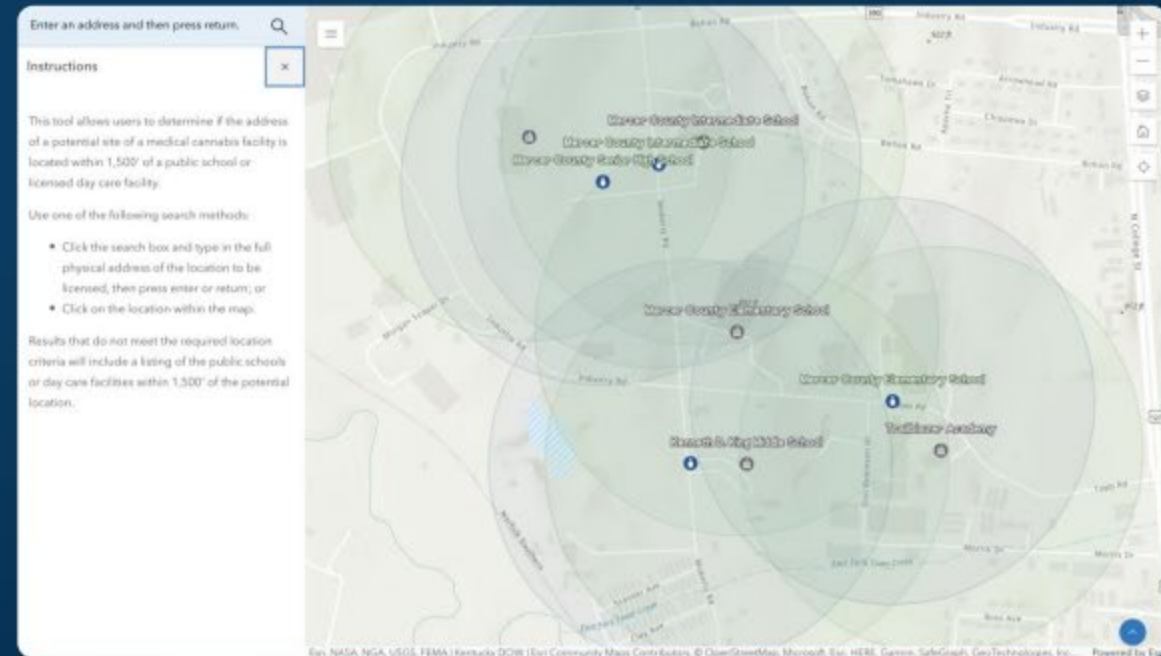
Local Government Regulations

Statutory Requirements – Additional Guidance

Zoning Tool

Resource for prospective
businesses available at:

kymedcan.ky.gov



Kentucky law **prohibits** cannabis businesses from locating within **1,000 feet** of existing elementary or secondary schools or a daycare centers.



Cultivators



Processors



Safety Compliance
Facilities



Dispensaries

**TEAM
KENTUCKY**

OFFICE OF
MEDICAL CANNABIS

Categories of cultivator licenses and associated financial commitments

Cultivator license category	Allowable sq. ft. of grow area	Nonrefundable application fee	Annual licensing fee	Capital requirements
Tier I	Less than or equal to 2,500 sq. ft.	\$3,000	\$12,000	\$50,000
Tier II	Less than or equal to 10,000 sq. ft.	\$10,000	\$25,000	\$200,000
Tier III	Less than or equal to 25,000 sq. ft.	\$20,000	\$50,000	\$500,000
*Tier IV	Less than or equal to 50,000 sq. ft.	\$30,000	\$100,000	\$1,000,000

**Tier IV cultivator licenses will not be available during the initial licensing phase*

Associated financial commitments

Nonrefundable application fee	\$5,000
Initial licensing fee	\$25,000
Annual licensing fee	\$25,000
Capital requirements	\$150,000

Associated financial commitments

Nonrefundable application fee	\$3,000
Initial licensing fee	\$12,000
Annual licensing fee	\$12,000
Capital requirements	\$150,000

Associated financial commitments

Nonrefundable application fee	\$5,000
Initial licensing fee	\$30,000
Annual licensing fee	\$30,000
Capital requirements	\$150,000