

F. Signage Standards

All way finding signage shall be clearly marked and comply with the American with Disabilities Act Guidelines. Property signage placement and standards shall comply with either property standards and guidelines or governmental standards, whichever is stricter. ~~Freestanding signs shall be permitted but are limited to the principal permitted uses, not to exceed 40 feet in height and setback same as requirement for buildings.~~ All proposed signage must be identified on the required development plan.

H. Development Plans and Operational Plans

~~Final Development Plans for Agricultural Marketing Centers shall require a public hearing before the Planning Commission and the plan shall include all information as required in Article V, Section 503.3 and shall follow the submission, review and approval process established therein.~~ In addition to the development plan an operational plan must also be submitted for review by the Commission and will be subject to the same approval process as development plans. Where the Commission deems appropriate, the Kentucky No Discharge Operational Permit (KYNDOP) or other appropriate permits from the Kentucky Division of Water or any other applicable federal, state or local agency, may be required prior to approval of an Operational Plan or Development.

1. The Operational Plan shall address the following:

- a. Provisions for a natural waste management plan subject to all applicable local, state, and federal requirements.
- b. Provisions for maintaining air and water quality
- c. Hours of operation and anticipated hours for truck deliveries and truck shipments
- d. Routing of trucks on the site, including truck stacking, parking and loading areas.
- e. Placement of all existing and proposed utilities should be clearly defined in the development plan and addressed in the operational plan.

511 Medicinal Cannabis Facilities

511.1 Characteristics: Medicinal Cannabis Facility: (a) Means marijuana as defined in KRS 218B.010 when cultivated, harvested, processed, produced, transported, dispensed, distributed, sold, possessed, or used in accordance with KRS 218B; (b) Includes medicinal cannabis products and raw plant material; and (c) Does not include industrial hemp or industrial hemp products as defined in KRS 260.850.

511.2 Accessory Uses: Medicinal Cannabis accessories or accessory use means any equipment, product, or material of any kind which is used, intended for use, or designed for use in the preparing, storing, using, or consuming medicinal cannabis in accordance with KRS 218B;

511.3 Definitions: KRS 218B.010 - For the purposes of this Section, unless the context otherwise requires:

- A. Cannabis Business - Means an entity licensed under this chapter as a cultivator, dispensary, processor, producer, or safety compliance facility.
- B. Cultivator - Means an entity licensed as such under KRS 218B.080, 218B.085, and 218B.090.
- C. Dispensary - Means an entity licensed as such under KRS 218B.080, 218B.085, and 218B.090;
- D. Enclosed, Locked Facility - Means an indoor growing space such as a room, greenhouse, building, or other indoor enclosed area that is maintained and operated by a cultivator or producer and is equipped with locks and other security devices that permit access only by authorized agents of the cultivator or producer, as required by the Cabinet.
- E. Medicinal Cannabis Practitioner - Means a physician or an advanced practice registered nurse who is authorized to prescribe controlled substances under KRS 314.042, who is authorized by his or her state licensing board to provide written certifications pursuant to KRS 218B.050.
- F. Medicinal Cannabis Product - (a) 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 this chapter; and (b) Does not include industrial hemp products as defined in KRS 260.850.

- G. Processor - Means an entity licensed as such under KRS 218B.080, 218B.085, and 218B.090;
- H. Producer - Means an entity licensed as such under KRS 218B.080, 218B.085, and 218B.090;
- I. Raw Plant Material - (a) Means the trichome-covered part of the female plant Cannabis sp. or any mixture of shredded leaves, stems, seeds, and flowers of the Cannabis sp. plant; and (b) Does not include plant material obtained from industrial hemp as defined in KRS 260.850;
- J. Safety Compliance Facility - Means an entity licensed as such under KRS 218B.080, 218B.085, and 218B.090;

511.4 Specific Use Standards

Medicinal Cannabis Facilities in the incorporated area of Versailles KY are subject to the following Specific Use Standards in all applicable zoning districts:

- A. Medicinal Cannabis Facilities shall be required to meet Fire and Building Codes. Medicinal Cannabis Facilities must adhere to all applicable local, state, and federal requirements and shall be in compliance with KRS 218B;
- B. In the Incorporated limits of the City of Versailles, Medicinal Cannabis Facilities shall be prohibited in any Residential zone;
- C. Medicinal Cannabis Facilities shall not be located within a floodplain;
- D. A Development Plan Application and Approval is required for any proposed Medicinal Cannabis Facility. In addition to the Development Plan requirements, the Planning Commission shall consider the impact of the proposed facility upon surrounding properties and institute other site design measures so that the character of the area is protected;
- E. Medicinal Cannabis Facilities must submit all applicable state, or federal construction-related permits to the Planning Commission prior to commencement of any project construction. Additionally, public water lines and hydrants shall be available to the project area

sufficient to meet the fire protection standards in accordance with the Versailles Fire Department;

- F. Medicinal Cannabis Facilities shall be setback a minimum of 50 feet from public rights-of-way and a minimum of 25 feet adjacent property lines. All structures shall be at least 100 feet from any residential district, adjacent residential use or adjacent residential structure. The setback distance may be increased by the Planning Commission as determined to be necessary to assure compatibility with other land uses depending on case-specific factors;
- G. Medicinal Cannabis Facilities shall not be located nearer than 1,000 feet from any licensed day care center, public or private elementary, middle, or secondary school;
- H. Medicinal Cannabis Facilities shall comply with the landscape requirements set forth in Article XI. In addition, the minimum landscape buffer width for Medicinal Cannabis Facilities shall be 25 feet along all rights-of-way and adjacent to other residential land uses;
- I. Medicinal Cannabis Facilities shall be limited to one externally illuminated on-premises monument sign not to exceed ten (10) feet in height and thirty-two (32) square feet in sign face area. Wall signs shall not exceed twenty-four (24) square in sign face area or 5% of any building wall façade, whichever is greater.
- J. Outdoor storage of materials, equipment, or supplies associated with a Medicinal Cannabis Facilities is not allowed, unless otherwise allowed by the underlying zoning district;
- K. All Medicinal Cannabis Facilities loading and unloading areas shall be oriented away from public streets;
- L. Cultivator and Cultivator Agent Permissible Actions (as required in KRS 218B) and Zoning District Requirements:
 - (1) A cultivator or cultivator agent acting on behalf of a cultivator shall not be subject to prosecution under state or local law, to search or inspection except by the cabinet pursuant to KRS 218B.100, or to seizure or penalty in any manner, or be denied any right or privilege, including but not limited to civil penalty or disciplinary action by a court or business licensing board, for acting pursuant to this chapter and the cabinet's administrative regulations for: (a) Acquiring, possessing, planting, cultivating, raising, harvesting,

- trimming, or storing cannabis seeds, seedlings, plants, or raw plant material; (b) Delivering, transporting, transferring, supplying, or selling raw plant material or related supplies to other licensed cannabis businesses in this state; or (c) Selling cannabis seeds or seedlings to similar entities that are licensed to cultivate cannabis in this state or in any other jurisdiction.
- (2) Cultivators and cultivator agents acting on behalf of a cultivator shall: (a) Only deliver raw plant material to a licensed processor, licensed producer, licensed safety compliance facility, or licensed dispensary for fair market value; (b) Only deliver raw plant material to a licensed dispensary, processor, or producer after it has been checked by a safety compliance facility agent for cannabinoid contents and contaminants in accordance with administrative regulations promulgated by the cabinet; (c) Not supply a dispensary with more than the amount of raw plant material reasonably required by a dispensary; and (d) Not deliver, transfer, or sell raw plant material with a delta-9 tetrahydrocannabinol content of more than thirty-five percent (35%) to a licensed dispensary, processor, or producer.
- (3) A Tier I cultivator shall not exceed an indoor growth area of two thousand five hundred (2,500) square feet. A Tier II cultivator shall not exceed an indoor growth area of ten thousand (10,000) square feet. A Tier III cultivator shall not exceed an indoor growth area of twenty-five thousand (25,000) square feet. A Tier IV cultivator shall not exceed an indoor growth area of fifty thousand (50,000) square feet.
- (4) Medicinal Cannabis Cultivator Facilities shall only be located in Agricultural (A-1), Light Industrial (I-1) or Heavy Industrial (I-2) zoning district.

M. Dispensary and Dispensary Agent Permissible Actions (as required in KRS 218B) and Zoning District Requirements:

- (1) A dispensary or dispensary agent acting on behalf of a dispensary shall not be subject to prosecution under state or local law, to search or inspection except by the cabinet pursuant to KRS 218B.100, to seizure or penalty in any manner, or be denied any right or privilege, including but not limited to a civil penalty or disciplinary action by a court or business licensing board, for acting pursuant to this chapter and the cabinet's administrative regulations for: (a) Acquiring or

possessing medicinal cannabis from a cultivator, processor, or producer in this state; (b) Acquiring or possessing medicinal cannabis accessories or educational material; (c) Supplying, selling, dispensing, distributing, or delivering medicinal cannabis, medicinal cannabis accessories, and educational material to cardholders or other dispensaries; (d) Selling cannabis seeds to similar entities that are licensed to cultivate cannabis in this state or in any other jurisdiction; or (e) Acquiring, accepting, or receiving medicinal cannabis products from a cardholder, except that a dispensary may not offer anything of monetary value in return for medicinal cannabis received from a cardholder. Any medicinal cannabis received by a dispensary under this paragraph or pursuant to KRS 218B.070 shall be destroyed by the dispensary or its agents and shall not be sold, dispensed, or distributed to another cardholder.

- (2) A dispensary or dispensary agent acting on behalf of a dispensary shall: (a) Maintain records that include specific notations of the amount of medicinal cannabis being dispensed to a cardholder and whether it was dispensed directly to a registered qualified patient or visiting qualified patient, or to a registered qualified patient's designated caregiver. Each entry shall include the date and time the medicinal cannabis was dispensed. The data required to be recorded by this paragraph shall be entered into the electronic monitoring system established pursuant to KRS 218A.202 in accordance with administrative regulations promulgated by the cabinet for the recording of medicinal cannabis dispensing; (b) Only dispense or sell medicinal cannabis after it has been checked by a safety compliance facility agent for cannabinoid contents and contaminants in accordance with administrative regulations promulgated by the cabinet; (c) Only dispense or sell medicinal cannabis to a registered qualified patient, visiting qualified patient, or designated caregiver after making a diligent effort to verify: 1. That the registry identification card or, for visiting qualified patients, the out-of-state registry identification card presented to the dispensary is valid, including by checking the verification system, if it is operational, or other cabinet-designated databases; 2. That the person presenting the registry identification

card or, for visiting qualified patients, the out-of-state registry identification card is at least eighteen (18) years of age and is the person identified on the registry identification card by examining at least one (1) other form of government-issued photo identification; and 3. The amount of medicinal cannabis the person is legally permitted to purchase pursuant to KRS 218B.025 by checking the electronic monitoring system established pursuant to KRS 218A.202; (d) Not acquire, possess, dispense, sell, offer for sale, transfer, or transport: 1. Raw plant material with a delta-9 tetrahydrocannabinol content of more than thirty-five percent (35%); 2. Medicinal cannabis products intended for oral consumption as an edible, oil, or tincture with more than ten (10) milligrams of delta-9 tetrahydrocannabinol per serving; 3. Any medicinal cannabis product not described in subparagraph 1. or 2. of this paragraph with a delta-9 tetrahydrocannabinol content of more than seventy percent (70%); or 4. Any medicinal cannabis product that contains vitamin E acetate; (e) Not acquire medicinal cannabis from any person other than a cannabis business licensed under this chapter, or an agent thereof, a registered qualified patient, or a designated caregiver; (f) Not sell or dispense medicinal cannabis products intended for consumption by vaporizing to a cardholder who is younger than twenty-one (21) years of age or to a designated caregiver for a registered qualified patient who is younger than twenty-one (21) years of age; (g) Not dispense or sell medicinal cannabis to a minor; (h) Not dispense or sell more medicinal cannabis to a cardholder than he or she is legally permitted to purchase at the time of the transaction; and (i) Not rent office space to a medicinal cannabis practitioner.

(3) A dispensary may operate a delivery service for cardholders and may deliver medicinal cannabis, medicinal cannabis accessories, and educational material to cardholders at the address identified on the cardholder's registry identification. (b) All delivery services operated or offered by a dispensary shall comply with administrative regulations promulgated by the cabinet pursuant to this section and KRS 218B.140.

(4) Medicinal Cannabis Dispensary Facilities shall only be located in Professional Office (P-1), Highway Business

(B-4), Highway Interchange Service (B-5), Light Industrial (I-1) or Heavy Industrial (I-2) zoning district.

N. Processor and Processor Agent Permissible Actions (as required in KRS 218B) and Zoning District Requirements:

- (5) A processor or processor agent acting on behalf of a processor shall not be subject to prosecution under state or local law, to search or inspection except by the cabinet pursuant to KRS 218B.100, to seizure or penalty in any manner, or be denied any right or privilege, including but not limited to civil penalty or disciplinary action by a court or business licensing board, for acting pursuant to this chapter and the cabinet's administrative regulations for: (a) Acquiring or purchasing raw plant material from a cultivator, processor, or producer in this state; (b) Possessing, processing, preparing, manufacturing, manipulating, blending, preparing, or packaging medicinal cannabis; (c) Transferring, transporting, supplying, or selling medicinal cannabis and related supplies to other cannabis businesses in this state; or (d) Selling cannabis seeds or seedlings to similar entities that are licensed to cultivate cannabis in this state or in any other jurisdiction.
- (6) A processor licensed under this section shall not possess, process, produce, or manufacture: (a) Raw plant material with a delta-9 tetrahydrocannabinol content of more than thirty-five percent (35%); (b) Medicinal cannabis products intended for oral consumption as an edible, oil, or tincture with more than ten (10) milligrams of delta-9 tetrahydrocannabinol per serving; (c) Any medicinal cannabis product not described in paragraph (a) or (b) of this subsection with a delta-9 tetrahydrocannabinol content of more than seventy percent (70%); or (d) Any medicinal cannabis product that contains vitamin E acetate.
- (7) Medicinal Cannabis Processor Facilities shall only be located in Light Industrial (I-1) or Heavy Industrial (I-2) zoning district.

O. Producer and Producer Agent Permissible Actions (as required in KRS 218B) and Zoning District Requirements:

- (1) A producer or producer agent acting on behalf of a producer shall not be subject to prosecution under state or local law, to search or inspection except by the cabinet pursuant to KRS 218B.100, to seizure or penalty in any manner, or be denied any right or privilege, including but not limited to civil penalty or disciplinary action by a court or business licensing board, for acting pursuant to this chapter and the cabinet's administrative regulations for: (a) Acquiring, possessing, planting, cultivating, raising, harvesting, trimming, or storing cannabis seeds, seedlings, plants, or raw plant material; (b) Delivering, transporting, transferring, supplying, or selling raw plant material, medicinal cannabis products, or related supplies to other licensed cannabis businesses in this state; (c) Selling cannabis seeds or seedlings to similar entities that are licensed to cultivate cannabis in this state or in any other jurisdiction; (d) Acquiring or purchasing raw plant material from a cultivator in this state; or (e) Possessing, processing, preparing, manufacturing, manipulating, blending, preparing, or packaging medicinal cannabis.
- (2) Producers and producer agents acting on behalf of a producer shall: (a) Only deliver raw plant material to a licensed processor, licensed producer, licensed safety compliance facility, or licensed dispensary for fair market value; (b) Only deliver raw plant material to a licensed dispensary, processor, or producer after it has been checked by a safety compliance facility agent for cannabinoid contents and contaminants in accordance with administrative regulations promulgated by the cabinet; (c) Not supply a dispensary with more than the amount of raw plant material reasonably required by a dispensary; and (d) Be limited to an indoor cannabis growth area of fifty thousand (50,000) square feet.
- (3) A producer licensed under this section shall not possess, process, produce, or manufacture: (a) Raw plant material with a delta-9 tetrahydrocannabinol content of more than thirty-five percent (35%); (b) Medicinal cannabis products intended for oral consumption as an edible, oil, or tincture with more than ten (10) milligrams of delta-9 tetrahydrocannabinol per serving; (c) Any medicinal cannabis product not described in paragraph (a) or (b)

of this subsection with a delta-9 tetrahydrocannabinol content of more than seventy percent (70%); or (d) Any medicinal cannabis product that contains vitamin E acetate.

- (4) Medicinal Cannabis Producer Facilities shall only be located in Light Industrial (I-1) or Heavy Industrial (I-2) zoning district.

P. Safety Compliance Facility and Safety Compliance Facility Agent Permissible actions. and Zoning District Requirements:

- (1) Acquiring or possessing medicinal cannabis obtained from cardholders or cannabis businesses in this state;
- (2) Returning the medicinal cannabis to cardholders or cannabis businesses in this state;
- (3) Transporting medicinal cannabis that was produced by cannabis businesses in this state;
- (4) The production or sale of approved educational materials related to the use of medicinal cannabis;
- (5) The production, sale, or transportation 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) Testing of medicinal cannabis produced in this state, including testing for cannabinoid content, pesticides, mold, contamination, vitamin E acetate, and other prohibited additives;
- (7) Training cardholders and cannabis business agents. Training may include but need not be limited to: (a) The safe and efficient cultivation, harvesting, packaging, labeling, and distribution of medicinal cannabis; (b) Security and inventory accountability procedures; and (c) Up-to-date scientific and medical research findings related to use of medicinal cannabis;
- (8) Receiving compensation for actions allowed under this section;
- (9) Engaging in any noncannabis-related business activities that are not otherwise prohibited or restricted by state law.
- (10) Medicinal Cannabis Safety Compliance Facilities shall only be located in Light Industrial (I-1) or Heavy Industrial (I-2) zoning district.