

ORDINANCE NUMBER 01-21-2025

AN ORDINANCE AMENDING SECTIONS 80.006, 80.432, 80.433 AND 80.440 OF THE CITY OF PRINCETON, KENTUCKY CODE OF ORDINANCES, AND ADDING SECTION 80.434 TO THE CITY OF PRINCETON, KENTUCKY CODE OF ORDINANCES, PERTAINING TO MEDICAL CANNABIS ESTABLISHMENTS WITHIN THE CITY OF PRINCETON, KENTUCKY.

WHEREAS, the City of Princeton, Kentucky, currently has in place regulations setting forth definitions which are applicable to the sections of the Code of Ordinances governing planning and zoning within the City of Princeton as set forth in Section 80.006; and

WHEREAS, the City of Princeton, Kentucky, currently has in place regulations regarding permitted uses in Central Business District (B-2) areas, Highway Business District (B-3) areas, and Light Industrial District (I-1) areas within the City of Princeton, Kentucky as set forth in Section 80.432, Section 80.433, and Section 80.440 of the Code of Ordinances; and

WHEREAS, the City of Princeton, Kentucky, currently does not have in place any regulations regarding medical cannabis establishments within the City of Princeton, Kentucky; and

WHEREAS, the City Council of the City of Princeton, Kentucky ("City Council") has received from the Planning Commission a written recommendation for an amendment to Section 80.006 of the Code of Ordinances to add definitions pertaining to medical cannabis establishments within the City of Princeton, Kentucky; and

WHEREAS, the City Council has received from the Planning Commission a written recommendation for an amendment to Section 80.432, Section 80.433 and Section 80.440 of the Code of Ordinances to provide for medical cannabis establishments within Central Business District (B-2) areas, Highway Business District (B-3) areas, and Light Industrial District (I-1) areas within the City of Princeton, Kentucky; and

WHEREAS, the City Council has received from the Planning Commission a written recommendation for the addition of Section 80.434 to the Code of Ordinances for the purpose of establishing regulations for Cannabis Dispensary establishments within the City of Princeton, Kentucky; and

WHEREAS, the City Council desires to approve the recommended amendment to Section 80.006, Section 80.432, Section 80.433, and Section 80.440; and

WHEREAS, the City Council desires to approve the recommended addition of Section 80.434 to the Code of Ordinances;

THEREFORE, BE IT ORDAINED by the City Council that Section 80.006, Section 80.432, Section 80.433, and Section 80.440 of the Code of Ordinances are hereby amended, and a new Section 80.434 is hereby added to the Code of Ordinances, as follows:

1. Section 80.006 is hereby amended to read as follows:

§ 80.006 DEFINITIONS

For the purpose of this chapter the following definitions shall apply unless the context indicates or clearly requires a different meaning. Words with self-evident meanings are not defined here. Words used in the present tense include the future; words used in the singular include the plural and the plural includes the singular; the word "shall" is mandatory; the word "may" is permissive; the word "should" is preferred; the word "building" includes the word "structure" the word "lot" includes the words "plot" and "parcel"; the word "person" includes a firm or corporation as well as an individual; and the word "submission" indicates a complete filing as called for by the chapter. These definitions shall be first used in the interpretation of any words or phrases used in this chapter. Any words or phrases not defined in this chapter shall be given the definition provided in KRS

Chapter 100 or KRS Chapter 219. Words neither defined in this chapter nor in KRS Chapter 100 and KRS Chapter 219 shall be given their ordinary meaning and usage.

"ACCESSORY USE" or "STRUCTURE". Any use or structure subordinate to the principal use or structure located on the same lot serving a purpose customarily incidental to the use of the principal structure or the land use.

"ADMINISTRATIVE/ENFORCEMENT OFFICER". An individual who shall be appointed by the Mayor upon recommendation of the Planning Commission, and approved by the City Council, to administer this chapter. This officer may also be known as the Building Inspector, Enforcement Officer, Zoning Administrator, or various other titles descriptive of the work performed. The duties and titles may be split between one (1) or more persons as required.

"ALLEY". Any public or private way affording a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

"ALTERATION". Any change or addition to the supporting members or foundation of a building or other structure.

"APARTMENT". A room or suite of rooms in a multi-family building, consisting of at least one (1) habitable room, together with a kitchen or kitchenette and sanitary facilities.

"AGRICULTURAL USE". The use of a tract of at least five (5) contiguous acres for the production of agricultural or horticultural crops, including, but not limited to, livestock, livestock products, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard fruits, vegetables, flowers, or ornamental plants, including provision for dwellings for persons and their families who are engaged in the above agricultural use on the tract, but not including residential building for sale or lease to the public.

"APPROVING AUTHORITY". The Princeton Planning Commission unless a different agency is specifically designated by ordinance.

"AUTOMOTIVE REPAIR, MAJOR". Repair of motor vehicles or trailers, including rebuilding or reconditioning or engines and/or transmissions; collision services including body, frame, or fender straightening or repair; overall painting or paint shop and vehicle steam cleaning.

"AUTOMOTIVE REPAIR, MINOR". Incidental minor repairs, upholstering, replacement of parts and motor service to passenger cars and trucks not exceeding one and one-half (1 ½) tons capacity, but not including any operation named under "AUTOMOTIVE REPAIR, MAJOR", or any other similar thereto. Cars or trucks being repaired or under repair shall not be stored outside the building for more than forty-eight (48) hours.

"AUTOMOTIVE WRECKING". The dismantling or disassembling of used motor vehicles, or the storage, sale, or dumping of dismantled, obsolete, or wrecked vehicles or their parts.

"BASEMENT". A story whose floor line is below grade at any entrance or exit and whose ceiling is not more than five (5) feet above grade at any such entrance or exit.

"BED AND BREAKFAST". A residential unit where four (4) or fewer sleeping rooms are provided for transient persons for compensation, and in which meals may be served to overnight guests.

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"BILLBOARD". A sign, or structure, which directs attention to a business, commodity, service, activity, or entertainment not conducted, sold, or offered upon the premises upon which the sign is located.

"BOARD". The Board of Adjustment for the city and/or Caldwell County.

"BOARDING" or "LODGING HOUSE". A dwelling or part thereof occupied by a single housekeeping unit where meals and lodgings are provided for four (4) or more persons (not transients) for compensation by previous arrangement.

"BUILDING". Any structure having enclosed space and a roof, used or intended to be used for the shelter of persons, animals, or property.

"BUILDING, HEIGHT OF". The vertical distance from the average contact ground level at the front wall of the building to the highest point of the copying of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip, or gambrel roofs.

"BUILDING LINES". The line beyond which no building or part thereof shall project, except as otherwise provided by this chapter.

"BUILDABLE LOT AREA". The part of a lot not included within the open areas required by this chapter.

"BUILDING PERMIT". A permit issued by the Administrative/Enforcement Officer authorizing the construction or alteration of a specific building on a specific lot.

"CANNIBAS CULTIVATOR". An entity licensed by the State of Kentucky pursuant to the Kentucky Revised Statute and 915 KAR 1:030 to plant, grow, cultivate, raise, harvest, trim, store, test, package, label, transfer, transport, sell medical cannabis seed, seedlings, medical plant, medical cannabis, or medicinal cannabis product to other licensed cannabis business in the state.

"CANNABIS DISPENSARY". An entity licensed by the State of Kentucky pursuant to the Kentucky Revised Statute and 915 KAR 1:070 to perform retail sales of medical cannabis to registered qualified patient or visiting qualified patient as defined by Kentucky Revised Statutes and corresponding regulations.

"CANNABIS PROCESSOR". An entity licensed by the State of Kentucky pursuant to the Kentucky Revised Statute and 915 KAR 1:040 to process and/or package raw medical cannabis plants, plants material or plants into approved forms of medical cannabis under Kentucky Revised Statutes and regulations.

"CANNABIS PRODUCER". An entity licensed by the State of Kentucky pursuant to the Kentucky Revised Statute and 915 KAR 1:050 which operates as both a cannabis cultivator and processor.

"CERTIFICATE OF OCCUPANCY". A certificate issued by the Administrative/Enforcement Officer, after construction has taken place, which certifies that the building meets minimum standards for human occupancy.

"CLINIC". A place used for the diagnosis and treatment of sick, ailing, infirmed, and injured persons and those who are in need of medical or surgical attention, but limited to outpatients only.

"COMMERCIAL FLOOR AREA". Building floor area devoted to the display of merchandise, the performance of consumer services, or the circulation and accommodation of customers.

"COMMON OPEN SPACE". An open space area within or related to a site designated as a development, and designed and intended for the use or enjoyment of residents and owners of the development. Common open space may contain such complementary structures and improvements as are necessary and appropriate for the use or enjoyment of residents and owners of the development.

"COMMISSION, PLANNING". The Planning Commission of the city and Caldwell County.

"COMPREHENSIVE PLAN". A plan prepared to serve as a guide for public and private actions and decisions to assure the development of public and private property in the most appropriate manner within the planning area.

"CONDITIONAL USE". A use which is essential to or would promote the public health, safety, and/or welfare in one (1) or more zones, but which would impair the integrity and character of the zone in which it is located, or of adjoining zones, unless restrictions on location, size, extent, and character of performance are imposed in addition to those set forth by the land protection regulations.

"CONDITIONAL USE PERMIT". Legal authorization to undertake a conditional use, issued by the Board of Zoning Adjustment, consisting of two (2) parts:

(A) A statement of the factual determination of the Board of Zoning Adjustment, which justifies the issuance of the permit; and

(B) A statement of the specific conditions which must be met in order for the use to be permitted.

"CONSOLIDATION". The joining together of two (2) or more contiguous lots for the purpose of sale, lease, or building development.

"CONVALESCENT" or "NURSING HOME". An establishment which provides full-time convalescent or chronic care or both for three (3) or more individuals who are not related by blood or marriage to the operator and who by reason of chronic illness or infirmity, are unable to care for themselves. No care for the acutely ill or surgical or obstetrical services shall be provided in such a home. Hospital or sanitarium shall not be construed to be included in this definition.

"COURT". An open, unoccupied and unobstructed space other than a yard, on the same lot with a building or a group of buildings.

"CONSUMER SERVICES". Sale of any service to individual customers for their own personal benefit, enjoyment, or convenience, and for fulfillment of their own personal needs.

"CITY COUNCIL". The legislative body for the city.

"COVERAGE". The percentage of the lot area covered by the building including all overhanging roofs.

"DEVELOPER". The legal or beneficial owner or owners of all land proposed to be included in a development, including the holder of options or contracts to purchase or other such persons having a proprietary interest in such land.

"DEVELOPMENT PLAN". A presentation in the form of sketches, maps, and drawings of a proposed use and/or structure by the owner of the land which sets forth in detail the intended development (see "SITE PLAN").

"DISTRICT". An area or zone of the municipality for which regulations governing the use of premises and structures or the height and area of buildings are uniform.

"DWELLING". A building or portion thereof designed or used exclusively as the residence or sleeping place of one (1) or more persons, but not including a tent, cabin, boarding, or rooming house, motel, or mobile home.

"DWELLING GROUP". A group of two (2) or more detached dwellings located on a parcel of land in one (1) ownership and having any yard or court in common.

"DWELLING, MULTI-FAMILY". A building or portion thereof designed for or occupied by three (3) or more families living independently of each other.

"DWELLING, SINGLE-FAMILY". A building occupied exclusively for residential purposes by one (1) family.

"DWELLING, TWO-FAMILY". A building designed to be occupied by two (2) families living independently of each other.

"DWELLING UNIT". One (1) or more rooms designed for or used by one (1) family for living or sleeping purposes and having one (1) kitchen or kitchenette.

"EASEMENT". A grant by the property owner to the public, a corporation, or persons, of the use of a strip of land for specific purposes.

"FAMILY". A person living alone or two (2) or more persons related by blood, marriage, or adoption, or not more than five (5) unrelated persons living together in a dwelling unit, for non-profit purposes, as distinguished from a group occupying a boarding house, lodging house, hotel, or motel.

"FILING". Filing with the County Court Clerk of Caldwell County unless a different county official is designated by ordinance.

"FINAL APPROVAL". The official action of the Planning Commission taken on a final plan after all conditions, engineering plans, and other requirements have been completed or fulfilled and the required improvements have been installed or guarantees properly posted for their completion.

"FLOOR AREA, TOTAL". The area of all floors of a building including finished attics, finished basements, and covered porches.

"GARAGE, PRIVATE". A detached accessory building or a portion of the principal building used by the occupants of the premises for the shelter or storage of vehicles owned or operated by the occupants of the principal building.

"GARAGE, PUBLIC". A building or structure used for the parking of vehicles on an intended profit basis.

"GOVERNING BODY". The chief legislative body of the city and/or Caldwell County.

"HEIGHT OF STRUCTURE". The vertical distance measured from the average finished grade at the front building line to the highest point of a structure.

"HOME OCCUPATION". An occupation or profession carried on within a dwelling by the occupant thereof which is clearly incidental and secondary to the use of the dwelling for residential purposes; provided that no trading in merchandise is carried on and there is no display of merchandise or sign other than one (1) non-illuminated sign two (2) square feet in area attached to the main or accessory building.

"HOME OCCUPATION, AGRICULTURAL". Any occupation as defined in "HOME OCCUPATION" which occurs in the residential dwelling on the farm, plus any occupation conducted in an accessory building in any agricultural zone, provided that:

(A) No more than three (3) persons other than members of the family residing on the premises shall be engaged in such occupation;

(B) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one (1) non-illuminated sign, not exceeding eight (8) square feet in area, and not placed in such a manner as to create a traffic visibility problem or obstruction; and

(C) That the use is clearly incidental and subordinate to the land's principal agricultural use.

"HOSPITAL" or "SANITARIUM". An establishment which provides accommodations, facilities, and services over a continuous period of twenty-four (24) hours or more for observation, diagnosis, and care of two (2) or more individuals suffering from illness, injury, deformity, or abnormality, or from any condition requiring medical services. Convalescent homes and nursing homes are not included.

"INDUSTRY, HEAVY". Those industries whose processing of products result in the emission of any atmospheric pollutant, light flashes or glare, odor, noise, or vibration which may be heard and/or felt off the premises and those industries which constitute a fire or explosion hazard.

"INDUSTRY, LIGHT". Those industries whose processing of products result in none of the conditions described for heavy industry.

"JUNK YARD". A place where junk, waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including auto wrecking yards, house wrecking for storage of salvaged house wrecking and structural steel materials and equipment; but not including such uses when conducted entirely within a completely enclosed building, and not including pawn shops, and establishments for the sale, purchase, or storage of used furniture and household equipment, used cars in operable condition, or the processing of used, discarded or salvaged materials as a minor part of manufacturing operations.

"KENNEL, COMMERCIAL". A compound where three (3) or more dogs over four (4) months of age are kept and where the owner is actively engaged in buying dogs for resale, consistently selling offspring of the owner's dogs, and/or boarding dogs which are not owned by the owner for compensation.

"KENNEL, NONCOMMERCIAL". A compound in or adjoining a private residence where hunting or other dogs are kept for the hobby of the householder or for protection of the householder's property. The occasional sale of pups by the keeper of a noncommercial kennel does not change the character of residential property.

"LAND USE PLAN". Proposals for the most appropriate economic, desirable, and feasible patterns for the general location, character, extent, and inter-relationship of the manner in which the community should use its public and private land.

"LIMITED FOOD SERVICE". The preparation and service of food carried on within a residential unit by the occupant thereof for compensation, provided that such food service shall not be available to the general public, but shall be provided to private groups on a pre-arranged basis.

"LOADING SPACE". An off-street space or berth on the same lot with a building or contiguous to a group of buildings and accessory buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts on a street, alley, or other appropriate means of access.

"LOT". A piece or parcel of land occupied or intended to be occupied by a principal building or group of such buildings and accessory building, or utilized for a principal use and uses accessory thereto, together with such open spaces as required by the ordinance and having frontage on a public street. Agricultural tracts are not included.

"LOT AREA". The computed area contained within the lot lines.

"LOT, CORNER". A lot abutting and situated at the intersection of two (2) streets.

"LOT DEPTH". The mean horizontal distance between the front and rear lot lines.

"LOT, INTERIOR". A lot other than a corner lot.

"LOT LINES". The property lines bounding a lot.

(A) "LOT LINE, FRONT". The property line separating the lot front and the street.

(B) "LOT LINE, REAR". The lot line opposite and most distant from the front lot line.

(C) "LOT LINE, SIDE". Any lot line other than a front or rear lot line. A side lot line separating a lot from a street is called a side street lot line. A side lot line separating a lot from another lot or lots is called an interior side lot line.

"LOT OF RECORD". Recorded lot on file in the County Court Clerk's office.

"LOT, THROUGH". A lot having frontage on two (2) parallel or approximately parallel streets.

"LOT WIDTH". The mean width of the lot measured at right angles to its depth.

"MANUFACTURED HOME". See Article IX for definitions of Type I, II, and III Manufactured Homes.

"MAP". A map of the jurisdiction indicating district boundaries according to this chapter.

"MEDICAL CANNABIS". Marijuana as defined in KRS 3218A010 when cultivated, harvested, processed, produced, transported, dispensed, distributed, sold, possessed, or used in accordance with KRS 218B. This definition includes medical cannabis products and raw plant material, but does not include industrial hemp or industrial products as defined in KRS 260.850.

"MINI-STORAGE FACILITY." A building composed of and partitioned into individual storage units not exceeding five hundred (500) square feet, leased for the storage of personal property, which units are directly accessible to the lessees.

"MOBILE HOME" or "TRAILER". See definitions relating to the three (3) types of manufactured homes, certified mobile homes, and mobile homes/trailers in Article IX.

"MOBILE HOME PARK" or "TRAILER PARK". An area of land upon which two (2) or more occupied mobile homes are placed, either free of charge or for revenue purposes, and which is constructed in compliance with the standards of this chapter as specified in Article IX.

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"MOTEL" or "MOTOR HOTEL". A series of attached, semi-attached or detached sleeping or living units, for the accommodation of automobile transient guests, said units having convenient access to off-street parking spaces, for the exclusive use of the guest or occupants.

"MUNICIPALITY". Any incorporated city, borough, town, township, or village.

"MUNICIPAL AUTHORITY". The City Council of Princeton, Kentucky.

"NONCONFORMING USE OR STRUCTURE". An activity or a building, sign, structure, or a portion thereof which lawfully existed before the adoption or amendment of the Land Protection Chapter, but which does not conform to all of the regulations contained in the zoning regulation which pertain to the zone in which it is located.

"OPEN SPACE". Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment of owners and occupants of land adjoining or neighboring such open space. Such areas may be improved with only those buildings, structures, streets, and off-street parking and other improvements that are designed to be incidental to the natural openness of the land.

"PARKING SPACE". A space with a minimum rectangular dimension of not less than nine (9) feet in width and nineteen (19) feet in length for ninety (90) degree parking.

"PLAN". The provisions for development of a planned unit development including a plat of subdivision, all covenants relating to use, location, and bulk of buildings and other structures, intensity of use or density of development, private streets, ways, and parking facilities, common open space and public facilities. The phrase "provisions of the plan" when used in this act shall mean the written and graphic materials referred to in this definition.

"PLANNED UNIT DEVELOPMENT". An area with a specified minimum contiguous acreage of ten (10) acres to be developed as a single entity according to a plan, containing one (1) or more residential clusters or planned unit residential developments and one (1) or more public, quasi-public, commercial, or industrial areas in such ranges of ratios of nonresidential uses to residential uses as shall be specified in the Land Protection Chapter.

"PLANNED UNIT RESIDENTIAL DEVELOPMENT". An area with specified minimum contiguous acreage of five (5) acres to be developed as a single entity according to a plan containing one (1) or more residential clusters, which may include appropriate commercial or public or quasi-public uses primarily for the benefit of the residential development.

"PLANNING COMMISSION". The Princeton Planning Commission as established pursuant to Chapter 100 of the Kentucky Revised Statutes.

"PLAT". A map or maps of a subdivision showing lot lines therein.

"PRINCIPAL USE OF STRUCTURE". The primary use of the land or the main structure on a lot which determines the primary activity that takes place on the land or in the structure.

"PRELIMINARY APPROVAL". The conferral of certain rights pursuant to this act prior to final approval after specific elements of a subdivision plan have been agreed upon by the Planning Commission.

"PREMISES". A lot or other tract of land under one (1) ownership and all the structures on it.

"PUBLIC OPEN SPACE". An open space area conveyed or otherwise dedicated to a municipality, municipal agency, board of education, state or county agency, or other public body for recreational or conservational uses.

"RESIDENTIAL CLUSTER". An area developed as a single entity according to a plan containing residential housing units in which the individual lots have a common or public open space area.

"RESIDENTIAL UNIT". Any unit designed for use by one (1) family for living purposes being self-contained, and being either a detached, semi-detached, attached, multi-family, or multi-story structure.

"SETBACK LINE". The distance between a given lot line, easement, or right-of-way line and any structure - front, rear, or side, as specified.

"SITE PLAN". A development plan of one (1) or more lots on which is shown (a) the existing and proposed topography of the lots, (b) the location of all existing and proposed buildings, drives, parking spaces, means of ingress and egress, drainage facilities, landscaping, structures and signs, lighting, screening devices, and (c) any other information that may be reasonably required in order to make an informed decision.

"STORY". That portion of a building, other than a basement, included between the surface of any floor and the ceiling next above it.

"STREET". A public right-of-way which provides a public means of access to abutting property. The term "street" shall include avenue, drive, circle, road, parkway, boulevard, highway, thoroughfare, or any other similar term.

"SUBDIVISION". The division of a parcel of land into three (3) or more lots or parcels for the purpose, whether immediate or future, of sale, lease, or building development, or if a new street is involved, any division of a parcel of land; provided that a division of land for agricultural purposes into lots or parcels of five (5) acres or more and not involving a new street shall not be deemed a subdivision. The term includes re-subdivision and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided.

"SUBDIVISION REGULATIONS". The regulations governing the subdivision of land within the city and Caldwell County as adopted by the Planning Commission.

"VARIANCE, DIMENSIONAL". A departure from the terms of the zoning regulations pertaining to height or width of structures and size of yards and open spaces, where such departures will not be contrary to the public interest, and where, owing to conditions peculiar to the property because of its size, shape, or topography and not as a result of actions of the applicant, the literal enforcement of the zoning regulations would result in unnecessary and undue hardship.

"YARD". An open space or lot other than a court, unoccupied and unobstructed from the ground upward except as otherwise provided in this chapter.

(A) "YARD, FRONT". That portion of the yard extending the full width of the lot and extending between the front lot line and the nearest part of the principal building.

(B) "YARD, REAR". That portion of the lot extending the full width of the lot and extending between the rear lot line and the nearest part of the principal building.

(C) "YARD, SIDE". Those portions of the yard extending from the nearest part of the principal building to the side lot line.

2. Section 80.432 of the Princeton Code of Ordinances is hereby amended to read as follows:

§ 80.432 CENTRAL BUSINESS DISTRICT (B-2)

The central business district is intended for the conduct of retail business and for personal and business service for the city and its trade area. It is the most intensely developed district and contains stores and services for all areas of the city, requiring a high degree of internal interaction that demands close proximity and freedom of movement by pedestrians within the district.

(A) Principal permitted uses. Any consumer and personal service establishment such as:

- (1) Shoe repair shops;
- (2) Drug stores;
- (3) Hardware stores;
- (4) Barber and beauty shops;
- (5) Clothing stores;
- (6) Banks and other financial institutions;

- (7) Hotels;
- (8) Office buildings;
- (9) Walk-in restaurants;
- (10) Poolrooms;
- (11) Gift shops and variety stores;
- (12) Printing shops;
- (13) Jewelry stores;
- (14) Mail-order houses;
- (15) Radio and television studios;
- (16) Health centers;

(17) Dry cleaning establishments, provided that establishments meet all fire code requirements, have installed venting which assures dispersion of all obnoxious fumes and odors at least twenty-five (25) feet above the street level or five (5) feet above the roof level of the highest adjoining building, whichever is the higher; use only nonflammable solvents as specified by the Underwriters' Laboratory, Incorporated; receive and disburse merchandise for processing on the premises; and provide at least two (2) off-street parking spaces for customers.

(18) Cannabis dispensary.

In no case shall the following uses be permitted within the central business district:

- (1) New or used car sales;
- (2) Farm implement sales;
- (3) Trailer sales;
- (4) Drive-in theaters;
- (5) Drive-in restaurants; or

(6) Any other similar uses which the Board of Adjustment determines to be detrimental to the district as a pedestrian-oriented retail consumer-service district.

(B) Conditionally permitted uses. The following uses are special exceptions and require written approval of the Board of Adjustment:

- (1) Churches and other places of worship;
- (2) Parish houses;
- (3) Public libraries;
- (4) Passive recreation and/or public parks;
- (5) Service stations;
- (6) Municipal county, state, and federal buildings;
- (7) Public utilities;

- (8) Funeral homes;
- (9) Hospitals and clinics for human care;
- (10) Philanthropic institutions and clubs, including a club of which the chief activity is customarily carried on as a business;
- (11) Use of upper floors as residential dwellings by the owner of the business on the lower floors, the owner of the building, or as rental property.

The Board of Adjustment may attach certain conditions to its approval which it feels are necessary to preserve and protect the character of the district in which the proposed use would locate.

(C) Accessory uses. Any accessory use or building customarily incidental to the above permitted uses is permitted.

(D) Required conditions. All permitted and conditionally permitted uses within the central business district shall be conducted wholly within an enclosed building except for off-street parking and loading facilities provided for under Article X of this chapter.

(E) Development standards.

Minimum lot area	None
Minimum yard requirements	None
Maximum building height	36 feet or 3 stories
Signs	See Article XI
Parking	See Article X

3. Section 80.433 of the Code of Ordinances is hereby amended to read as follows:

§ 80.433 HIGHWAY BUSINESS DISTRICT (B-3)

The B-3 district is for the conduct of retail sales and personal business oriented to vehicles and vehicular travel primarily on major streets, roads, and arterials. Characteristically, the district is centering about major road intersections and along arterial routes. Travel within the district is mainly by way of private automobile.

(A) Principal permitted uses.

- (1) Any uses in the neighborhood business district (B-1).
- (2) New or used car sales, farm implement sales, trailer sales, drive-in theaters, drive-in restaurants, or any other similar uses are also permitted within the highway business district.

(B) Conditionally permitted uses. The following uses are special exceptions and require written approval of the Board of Adjustment:

- (1) Churches and other places of worship;
- (2) Public libraries;
- (3) Public parks and commercial public recreational facilities;
- (4) Public utilities;

- (5) Funeral homes and cemeteries;
- (6) Roadside stands and clubs, including a club of which the chief activity is customarily carried on as a business;
- (7) Dwelling units occupying the same building as the principal commercial use and being for the use of the owner and/or operator of the permitted commercial use;
- (8) Mobile home parks and subdivisions;
- (9) Recreational vehicle parks; ~~and~~
- (10) Mini-storage facilities; and
- (11) Cannabis dispensary.

The Board of Adjustment may attach certain conditions to its approval which it feels are necessary to preserve and protect the character of the district in which the proposed use would locate.

- (C) Accessory uses. Any accessory use or building customarily incidental to the above permitted uses is permitted.
- (D) Special use. A planned unit development for highway business shall be permitted as a special use in conformance with Article XII of this chapter.
- (E) Required conditions. Same as the required conditions for the B-1 District.
- (F) Development standards.

Minimum lot area	None
Minimum lot frontage	100 feet
Minimum front yard	25 feet, or one-half (1/2) of the street right-of-way, whichever is greater
Minimum side yard	If adjacent to residential district, must comply with adjacent district's requirements.
Minimum rear yard	Same as side yard
Maximum building height	36 feet or 3 stories
Signs	See Article XI

4. A new Section 80.434 shall be added to the Code of Ordinances to read as follows:

§ 80.434 CANNABIS DISPENSARY

A Cannabis Dispensary must meet all of the following conditions:

- (1) Shall not be located within one thousand (1000) feet of all existing elementary or secondary school(s) or daycare center(s) as defined by the applicable KAR;
- (2) Shall not be located within one (1) mile of another cannabis dispensary as measured from the property line.
- (3) Shall not be next to a residential structure.
- (4) Exterior signage may only, at most, include text that is the licensee's (i) business or trade name; (ii) business type. Exterior signage cannot include a licensee's logo, symbol, branded colors, or any images, including, but not limited to, depicting cannabis/cannabis products or the imagery or action of smoking/vaping. Exterior signs also cannot include mottos, selling messages, or any other non-essential text. Exterior Signs must be on the same parcel as the store affixed to a building or permanent structure (e.g. signpost). Exterior signs cannot be larger than

necessary to reasonably display the information on the sign to individuals within or near the licensed premises and cannot be illuminated by neon lights.

5. Section 80.440 of the Code of Ordinances is hereby amended to read as follows:

§ 80.440 LIGHT INDUSTRIAL DISTRICT (I-1)

The Light Industrial District is primarily intended for production and assembly plants and industrial operations or services that are conducted in such a manner that noise, odor, dust, glare, and vibration produced is essentially contained within the premises.

(A) Principal permitted uses.

- (1) Adding machine manufacture;
- (2) Artificial flower manufacture;
- (3) Automobile assembly;
- (4) Automobile rental agency;
- (5) Automobile, trailer, and farm implement dealers;
- (6) Animal hospitals, veterinary clinics, and associated kennels;
- (7) Baggage transfer, storage, and warehouse;
- (8) Bakery;
- (9) Bottling works and beverage manufacture;
- (10) Bicycle and motorcycle repair;
- (11) Blacksmith;
- (12) Book publishing;
- (13) Boot and shoe manufacture;
- (14) Broom manufacture;
- (15) Building materials and yard;
- (16) Cabinet maker;
- (17) Candy manufacture;
- (18) Canning and preserving factory;
- (19) Cap and hat manufacture;
- (20) Carpenter shop;
- (21) Carpet cleaning;
- (22) Car wash;
- (23) Chicken hatchery;
- (24) Cigar and cigarette manufacture;

- (25) Coal yard;
- (26) Coffin and concrete burial vault manufacture;
- (27) Cold storage warehouse;
- (28) Condensed milk manufacture;
- (29) Contractors' storage yard;
- (30) Cosmetic manufacture;
- (31) Creamery;
- (32) Dry goods, wholesale or storage;
- (33) Dyeing and cleaning;
- (34) Electrical supply manufacture;
- (35) Enameling and painting;
- (36) Engraving plant;
- (37) Envelope manufacture;
- (38) Express storage and delivery station;
- (39) Feed, wholesale, flour and grain storage and elevators;
- (40) Food products manufacture;
- (41) Fruit and vegetable drying;
- (42) Fuel distributing station and fuel gas storage;
- (43) Fur warehouse;
- (44) Furniture warehouse or storage;
- (45) Garage, repair;
- (46) Garment factory;
- (47) Grocery store, wholesale;
- (48) Ice manufacture;
- (49) Laundry;
- (50) Lumber yard, not including sawmill;
- (51) Moving company and storage facilities;
- (52) Paper box, can, tube, and sack manufacture;
- (53) Screw and bolt manufacture;
- (54) Seed company;

- (55) Sheet metal shop;
- (56) Sporting goods manufacture;
- (57) Tinsmith shop;
- (58) Tire manufacture, including recapping plants;
- (59) Warehouses;
- (60) Welding shop; and
- (61) Wood products manufacturing;
- ~~(62) Cannabis cultivator;~~
- ~~(63) Cannabis processor;~~
- ~~(64) Cannabis producer;~~
- ~~(65) Medical Cannabis Safety Compliance Facility.~~

(B) Conditionally permitted uses. The following uses are special exceptions and require written approval of the Board of Adjustment:

(1) Any industrial, manufacturing, fabrication, processing, or industrial service use which the Board of Adjustment determines would not emit obnoxious noise, odor, smoke, dust, or vibration beyond the confines of its property.

(2) The Board may attach certain conditions to its approval which it feels are necessary to preserve and protect the character of the district in which the proposed use could locate.

(C) Accessory uses. Any accessory use or building customarily incidental to the above permitted and conditionally permitted uses.

(D) Special uses. A planned unit development for light industries shall be permitted as a special use in conformance with Article XII of this chapter.

(E) Required conditions.

(1) Yards. On lots adjacent to a residential district, all buildings shall be located so as to provide a minimum yard of fifty (50) feet.

(2) Loading docks. No loading dock shall be constructed fronting on any public street or roadway.

(3) Storage facilities. No materials or supplies shall be stored or permitted to remain on any part of the property outside the buildings constructed thereon without proper screening and adequate distances from adjoining properties.

(4) Waste disposal. No waste material or refuse shall be dumped upon or permitted to remain upon any part of an industrial property outside of buildings constructed thereon. In addition, the property shall not be used by an industry whose primary business requires industrial sewerage, unless the governing municipal body authorizes the use of its sewage disposal facilities or the industry constructs its own sewage disposal plant.

(E) Development standards.

Minimum lot area	None
Minimum lot frontage	100 feet

Minimum front yard	40 feet, or one-half (1/2) of the street right-of-way, whichever is greater
Minimum side yard	25 feet minimum; 50 feet if adjacent to residential district
Minimum rear yard	25 feet
Maximum building height	36 feet or 3 stories
Signs	See Article XI
Parking	See Article X

6. This Ordinance shall be immediately effective upon its adoption.

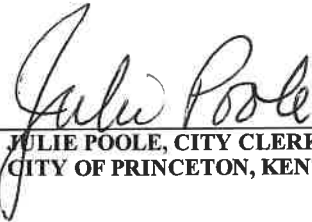
SO PASSED on FIRST READING this 21st day of January, 2025.

SO PASSED on SECOND READING this _____ day of February, 2025.



BROCK THOMAS, MAYOR
CITY OF PRINCETON, KENTUCKY

ATTEST:



JULIE POOLE, CITY CLERK
CITY OF PRINCETON, KENTUCKY