

CITY OF WILLIAMSBURG, KENTUCKY

ORDINANCE NO. 24-009

AN ORDINANCE OF THE CITY OF WILLIAMSBURG, KENTUCKY ASSIGNING ZONING CLASSIFICATIONS TO THE COMMONWEALTH OF KENTUCKY'S REGULATED MEDICAL CANNABIS LICENSING FRAMEWORK.

WHEREAS, the COMMONWEALTH OF KETUCKY through KRS 218B has legalized and created a regulatory frame work for Medical Cannabis; and

WHEREAS, the City of Williamsburg pursuant to KRS 218B.095(3)(a)(1) has approved by this Ordinance the operation of Cannabis Business Operations.

WHEREAS, the Williamsburg City Council having carefully considered the Kentucky General Assembly's legalization and framework created by KRS 218B now by this ordinance defines and assigns zoning classification to medical cannabis dispensaries and cultivation businesses within the City of Williamsburg limits.

BE IT HEREBY ORDAINED by the Council of the City of Williamsburg, Kentucky, as follows:

Definitions:

The City of Williamsburg hereby adopts and incorporates the Definitions as established by KRS 218B.010.

Zoning based on Type of Use:

1. Agriculture-2 with structures (AG-2) and Industrial (I-1):

Teir I and Teir II Medical Cannabis Cultivators, Cultivation, Production, Safer Compliance, or Wholesaling as defined by KRS 218B, are hereby and shall be permitted, regulated, and restricted to operation within the boundaries of Agriculture-2 with structures (AG-2) and Industrial (I-1)

However, location and operation any Teir I and Teir II Medical Cannabis Cultivator, Production, Safer Compliance Facility, or Wholesaling seeking to operate or operating in Agriculture-2 with structures (AG-2) or Industrial (I-1) shall not be permitted as follows:

- 1) Within one thousand (1,000.00) feet of an existing elementary school, secondary school, or day care. A day care being a place of business as defined by KRS 199.894(3).

Or

- 2) Within one thousand (1,000.00) feet of an existing and operating church or house of worship.

Teir III and Teir IV Medical Cannabis Cultivator shall not be permitted within 1. Agriculture-2 with structures (AG-2) and Industrial (I-1).

All other cannabis business operations/uses as permitted by KRS 218B is hereby prohibited within Agriculture-2 (AG-2).

2. General Business/HWY and Shopping (B-2) Central Business District (B-3):

Dispensaries as defined by KRS 218B are hereby are hereby and shall be permitted, regulated, and restricted to operation within the boundaries of General Business/HWY and Shopping (B-2) Central Business District (B-3).

However, location and operation any Dispensaries shall not be permitted as follows:

- 1) Within one thousand (1,000.00) feet of an existing elementary school, secondary school, or day care. A day care being a place of business as defined by KRS 199.894(3).

Or

- 2) Within one thousand (1,000.00) feet of an existing and operating church or house of worship.

All other cannabis business operations/uses as permitted by KRS 218B is hereby prohibited within General Business/HWY and Shopping (B-2) Central Business District (B-3).

3. Residential Single Family (R-1), Residential Multi-Family (R-2) Publix/Semi Public (P/SP Neighborhood Business (B-1), Agricultural No Structures (AG-1):

All Cannabis Business Operation/Use as permitted, regulated, and legalized by KRS 218B is hereby prohibited from the following zones: **Residential Single Family (R-1), Residential Multi-Family (R-2) Publix/Semi Public (P/SP Neighborhood Business (B-1), Agricultural No Structures (AG-1).**

BUSINESS LICENSE AND OCCUPATIONAL TAX:

Any Cannabis Business Operation operating within the City of Williamsburg shall apply for, receive, and maintain a Business License subject to any fees and Occupational Tax of the City of Williamsburg.

FULL FORCE AND EFFECT:

In the event, any of this Ordinance is deemed by a court of competent jurisdiction to be unenforceable or unconstitutional the remaining provisions of this Ordinance shall continue in full force and effect.

First Reading: November 12, 2024

Second Reading: November 14, 2024

Enacted this the 14th **day of** November, 2024.



RODDY HARRISON, MAYOR

ATTEST: 

TERESA BLACK, CITY CLERK

Enacted this 14th **day of** November, 2024