

ORDINANCE NO. 24-06

AN ORDINANCE AMENDING THE TEXT OF ORDINANCE NO. 00-18, BASED ON THE RECOMMENDATIONS MADE BY THE PLANNING AND ZONING BOARD, AND BASED ON SAID BOARD'S RECOMMENDATION OF A ZONE ORDINANCE TEXT CHANGE TO ADDRESS CANNABIS BUSINESSES LICENSED UNDER 23 REGULAR SESSION SENATE BILL 47, KRS 218B.080, 218B.085, and 218B.090 AND SUBSEQUENT CANNABIS REGULATION;

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

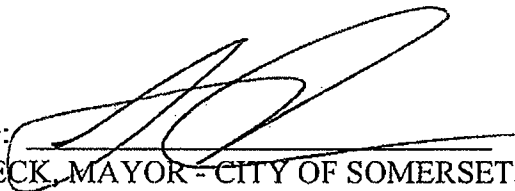
Somerset's Zoning Ordinance's Text shall be amended to include the following provisions at a relevant place:

- (1) Zoning for any Cannabis "Dispensary" as licensed under KRS 218B.080, 218B.085, and 218B.090, or any subsequent law, and any other cannabis business allowed in Senate Bill 47 where any cannabis product is sold, dispensed, retailed, or otherwise traded to the public at large shall be limited to Zones B-1 and B-2.
- (2) Any "Cultivation", "Production", "Storage", "Safety Compliance Facility" or "Wholesaling" of cannabis pursuant to Senate Bill 47, KRS 218B.080, 218B.085, and 218B.090 or subsequent law shall be limited to Industrial Zones and any Special Agricultural Zones (if the Agricultural Zone Designation is applicable.)
- (3) Somerset recognizes the law of the Commonwealth of Kentucky: A cannabis business shall not be located within one thousand (1,000) feet of an existing elementary or secondary school or a 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 measurement shall be 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.
- (4) In addition to the State Law above, the City of Somerset requires.
 - a. A cannabis business shall not be located within one thousand (1,000) feet of a recreational facility or property (playground, park, pool or water attraction) used by youth.
 - b. A cannabis business shall not be located within one thousand (1,000) feet of a Church or house of Worship.

c. A cannabis business shall not abut or adjoin a residential zone.

FIRST READING: 8th day of April 2024.

SECOND READING & PASSAGE: 22nd day of April 2024.

APPROVED: 
ALAN L. KECK, MAYOR - CITY OF SOMERSET, KY

ATTEST: 
NICK BRADLEY, CITY CLERK