



TECHNICAL ADVISORY

2025-004

Date: March 7, 2025

Subject: Guidance for Cultivator Licensees regarding Calculating Canopy Square Footage

Relevant authority: KRS 218B.105; 915 KAR 1:001; 915 KAR 1:030

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Kentucky Office of Medical Cannabis

The purpose of this technical advisory is to provide cultivator licensees with guidance on the Office of Medical Cannabis's definition of “canopy,” including how canopy square footage is calculated, and how a licensee may maintain compliance with KRS Chapter 218B and 915 KAR Chapter 1.

Background

The language of 915 KAR 1:001, Section 1(12) defines “canopy” as the total surface area within a cultivation area that is dedicated to live plant production.

Per 915 KAR 1:030, Section 4(3), “[a] cultivator shall not exceed the indoor growth area specified in KRS 218B.105(3) for its respective cultivator tier. The surface area of the plant canopy shall be calculated in square feet. Measurement shall include all of the area within the boundaries where the cultivation of medicinal cannabis plants occurs. If a tiered or shelving system is used in the cultivation area, the surface of each tier or shelf shall be included in the calculation. Calculation of the area of the plant canopy shall not include square footage within a cultivator’s enclosed, locked facility used for the storage of seeds, seedlings, tissue cultures, or clones not taller than eight (8) inches, supplies, pesticides, fertilizers, or other products as well as square footage used for quarantine, office space, or other non-cultivation activities.”

Canopy square footage calculation

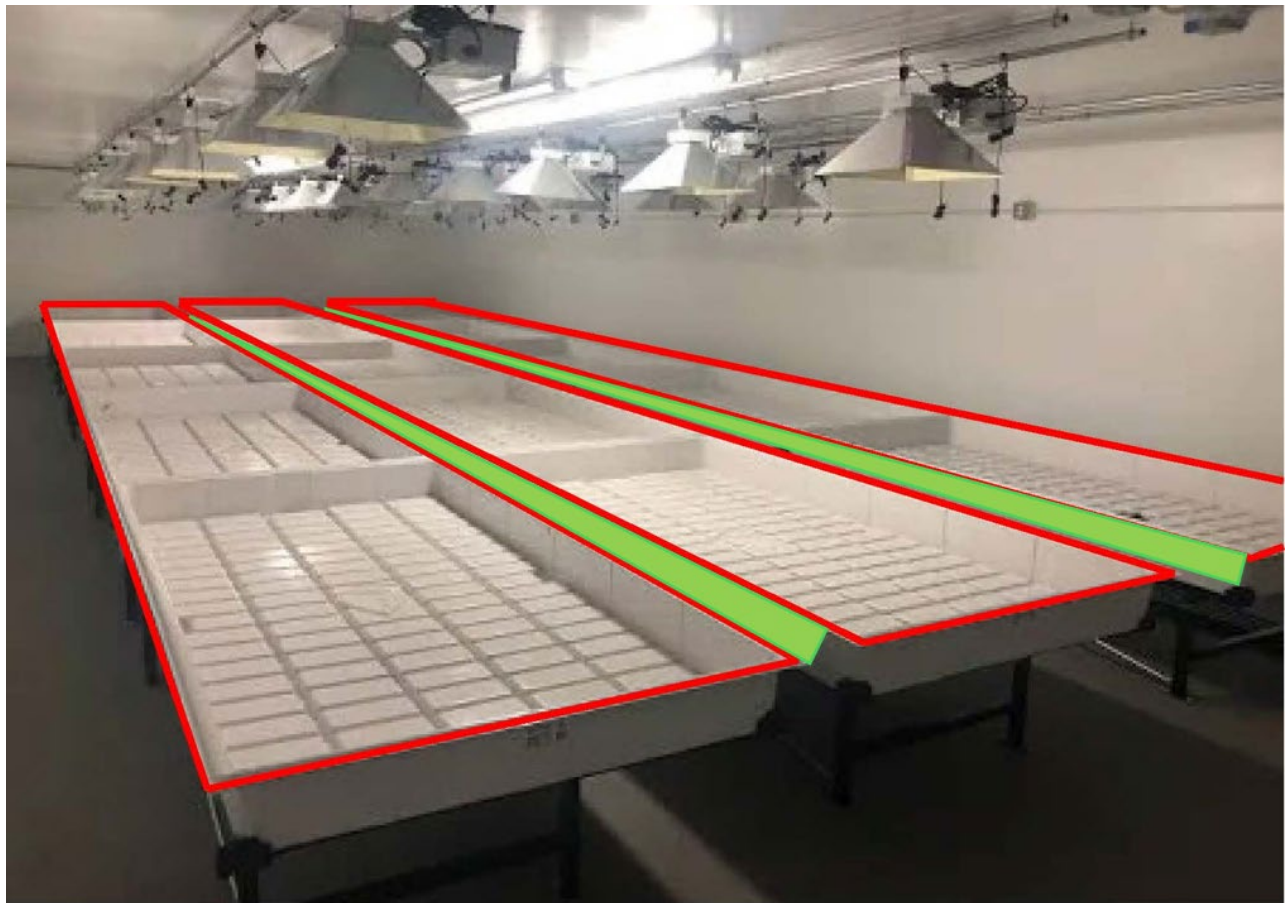
In accordance with the above stated definition for “canopy,” the total surface area within the cultivation area that is dedicated to live plant production shall determine the square footage used by the cultivator licensee.

For example, please see the illustrations below. For cultivator licensees that utilize a single shelving system (**Illustration 1**), the areas outlined in red are the areas that will be used to calculate canopy

square footage. For cultivator licensees that utilize a double tier shelving system (**Illustration 2**), the areas outlined in **red** are the areas that will be used to calculate canopy square footage.

Please note that if a cultivator licensee is not using benches or shelving units as shown in the illustrations for live plant production, the Office of Medical Cannabis, Division of Enforcement and Compliance will require the licensee to clearly demonstrate the areas in its facility subject to the canopy square footage calculation and any future change to the areas subject to the canopy square footage calculation must be submitted to the Division of Enforcement and Compliance for approval.

ILLUSTRATION 1:



*Please note that the space between each bench (highlighted in **green**) is **not** included in the canopy square footage calculation as that space is not dedicated to live plant production. Again, the areas outlined in **red** are the areas used to calculate canopy square footage.

ILLUSTRATION 2:



*Please note that the areas outlined in red are the areas used to calculate canopy square footage.

ISSUED BY:

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