



## Washington State Liquor and Cannabis Board

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**Date:** June 4, 2025

**To:** Jim Vollendroff, Board Chair  
Ollie Garrett, Board Member  
Pete Holmes, Board Member

**From:** Denise Laflamme, Policy and Rules Coordinator

**Copy:** Will Lukela, Agency Director  
Toni Hood, Agency Deputy Director  
Larry Grant, Director of Enforcement and Education  
Becky Smith, Licensing Director  
Justin Nordhorn, Policy and External Affairs Director  
Kevin Walder, Policy & Rules Manager

**Subject:** **Approval to file a pre-proposal statement of inquiry (CR-101) regarding amending WAC 314-55-050(2) to redefine how the 1000 foot buffer requirement is measured between licensed cannabis premises and restricted entities.**

The Washington State Liquor and Cannabis Board (LCB) is considering amending WAC 314-55-050(2) to redefine how distance is measured from licensed cannabis premises to restricted entities such as schools to comply with the 1,000 feet requirement under RCW 69.50.331.

### Process

The Policy and Rules Coordinator requests approval to file the pre-proposal statement of inquiry (CR-101) for the rule making described above. A CR-101 Memorandum was presented at the Board meeting on June 4, 2025, and is attached to this order.

If approved for filing, the **tentative timeline** for the rule making process is outlined below:

June 4, 2025	Board is asked to approve filing pre-proposal statement of inquiry (CR-101). CR-101 is filed with the Office of the Code Reviser. Webpage is updated and notice circulated by GovDelivery distribution list. Informal comment period begins.
June 18, 2025	Notice is published in the Washington State Register under WSR 25-12.
July 4, 2025	Informal comment period ends.

July 2025	Stakeholder Engagement
August 13, 2025	Board is asked to approve filing proposed rules (CR-102). CR-102 is filed with the Office of the Code Reviser. Webpage is updated and notice circulated by the rules distribution list. Formal comment period begins.
September 3, 2025	Notice is published in the Washington State Register under WSR 25-17.
September 25, 2025	Public hearing is held and formal comment period ends.
October 8, 2025	Board is asked to adopt rules if no substantive changes are made (CR-103). Concise Explanatory Statement is provided to individuals offering written or oral comment at the public hearing or during the formal comment period, consistent with RCW 34.05.325. CR-103 and adopted rules are filed with the Office of the Code Reviser. Webpage is updated and notice circulated by GovDelivery distribution list.
November 8, 2025	Rules are effective 31 days after filing unless otherwise specified. See RCW 34.05.380(2).

_____ Approve	_____ Disapprove	_____	_____
		Jim Vollendroff, Chair	Date
_____ Approve	_____ Disapprove	_____	_____
		Ollie Garrett, Board Member	Date
_____ Approve	_____ Disapprove	_____	_____
		Pete Holmes, Board Member	Date

Attachments:  
CR 101 Memo



## Washington State Liquor and Cannabis Board

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### CR-101 Memorandum

**Re: Measuring distance from licensed cannabis premises to restricted entities**

Date: June 4, 2025

Presented by: Denise Laflamme, Policy and Rules Coordinator

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### Background

Cannabis applicants and licensees have indicated that finding a location for a cannabis business is difficult due in part to minimum distance requirements between a licensed premises and restricted entities such as schools, playgrounds, public parks, and child-care centers.

[RCW 69.50.331](#) describes the Liquor and Cannabis Board (Board) requirements to issue licenses to produce, process, transport, deliver or sell cannabis and cannabis products. RCW 69.50.331(8) stipulates that the Board may not issue a license for any licensed premises within a 1,000 foot buffer of the perimeter of the grounds of restricted entities. A city, county, or town may reduce the buffer distance to 100 feet, except for schools and playgrounds, by enacting an ordinance authorizing a reduction in size of the buffer.

[WAC 314-55-050\(2\)](#) specifies that the board will not issue a new cannabis license if the proposed licensed business is within 1,000 feet of the perimeter of the grounds of certain entities listed in RCW 69.50.331. Subsection (2) requires that the distance be measured as the shortest straight line distance from the property line of the proposed building or business location to the property line of restricted entities.

Evaluations of other states show less restrictive buffer distances (e.g. 500 feet from schools) or provide alternative methods for measuring buffer distances. For example, Alaska specifies the distance be measured by the shortest pedestrian route from the public entrance of the licensed premises building to the outer boundary of school grounds.<sup>1</sup> Montana requires the distance be measured in a straight line from the center of the nearest entrance of the entity to the nearest entrance of the licensee's premises.<sup>2</sup>

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<sup>1</sup> Alaska 3 AAC 306. [Regulations for the marijuana control board, updated 6/13/24.](#)

<sup>2</sup> Montana Code Annotated 2023. [Title 16 Alcohol, Tobacco, and Marijuana, Chapter 12, Part 2.](#)

Under [WSR 14-06-106](#) filed on March 5, 2014, WAC 314-55-050 was amended under emergency rulemaking to change the method for measuring distance to align with the enforcement approach used by the federal government.<sup>3</sup> This changed the following: “along the most direct route over or across established public walks, streets, or other public passageway between the proposed building/business location to the perimeter of the grounds of the entities listed below”<sup>4</sup> was changed to “as the shortest straight line distance from the property line of” the proposed building/business location to the “property line” of the entities listed.

## **Reasons Why Rulemaking Is Needed**

Rulemaking is needed to consider amending WAC 314-55-050(2) to allow a different, less restrictive method for measuring the 1,000 foot buffer requirement in statute that separates cannabis licensed premises from restricted entities such as schools.

Re-defining how the 1,000-foot buffer is measured could provide licensees more options for locating a cannabis business by potentially identifying more properties that would comply with existing buffer requirements. Further, modifying the approach of how distance is measured will better align with other measurement regulations for licensed businesses selling age restricted products.

## **Process**

The rulemaking process begins by announcing the Board’s intent to consider changes to existing rules, adding new rule sections, or both, by filing a preproposal statement of inquiry (CR-101) form with the Office of the Code Reviser. This allows staff, stakeholders, industry partners, and all members of the authorizing environment to begin discussing proposed rule changes.

At this stage of the rulemaking process, no proposed language is offered. Any interested party may comment on this possible rulemaking during the designated comment period. Notice will be sent to all who have indicated that they want to receive notice of rule activity related to this preproposal statement of inquiry. The notice will identify the public comment period and where comments can be sent.

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<sup>3</sup> [21 U.S. Code § 860 - Distribution or manufacturing in or near schools and colleges](#)

<sup>4</sup> This language was used initially to mirror language in existing alcohol statute [RCW 66.24.010\(9\)\(a\)](#) related to licenses located near churches, school, and public institutions. [WAC 314-09-010\(2\)](#) references distance measured according to RCW 66.24.010(9) for liquor licenses.



# PREPROPOSAL STATEMENT OF INQUIRY

## CR-101 (October 2017)

### (Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

**Agency:** Washington State Liquor and Cannabis Board

**Subject of possible rule making:** Title 314 WAC. The Washington State Liquor and Cannabis Board (Board) is considering amending WAC 314-55-050(2) to re-define how distance is measured from a licensed cannabis premises to certain restricted entities such as schools. Currently WAC 314-55-050(2) requires this distance be measured as the shortest straight line from the property line of the proposed business location or building to the property line of restricted entities. RCW 69.50.331 requires a 1,000 foot buffer distance between a licensed cannabis premises and the perimeter of restricted entities unless a city, county, or town allows certain licensed premises to be located closer than 1,000 feet.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 69.50.325; RCW 69.50.342; RCW 69.50.331

**Reasons why rules on this subject may be needed and what they might accomplish:** This change could expand the number of permissible properties around restricted entities that may help cannabis licensees find suitable locations for their businesses.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** RCW 69.50.331 allows cities and counties to enact ordinances reducing the distance between licensed cannabis businesses and restricted entities. The Board will coordinate with the Washington State Association of Counties, the Association of Washington Cities (AWC), and other entities as needed, to solicit input during the rulemaking process.

**Process for developing new rule (check all that apply):**

- ☒ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☐ Other (describe)

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

Name: Denise Laflamme, Policy and Rules Coordinator  
 Address: PO Box 43080, Olympia, WA 98504  
 Phone: 360-819-0452  
 Fax: 360-704-5027  
 TTY:  
 Email: rules@lcb.wa.gov  
 Web site: lcb.wa.gov  
 Other:

(If necessary)

Name:  
 Address:  
 Phone:  
 Fax:  
 TTY:  
 Email:  
 Web site:  
 Other:

Additional comments: Interested persons can participate in the rule process through open public meetings and by submitting written comments, and are encouraged to sign up for the interested parties list (GovDelivery) at <https://public.govdelivery.com/accounts/WALCB/subscriber/new>. Rulemaking notices and stakeholder engagement opportunities will be emailed via GovDelivery and posted to the LCB website at lcb.wa.gov.

<b>Date:</b> June 4, 2025	<b>Signature:</b>  Place signature here
<b>Name:</b> Jim Vollendroff	
<b>Title:</b> Chair	