



## **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.