
30 Shades of Green:

Land Use Regulation of Adult-Use Cannabis in the United States

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April 8, 2022

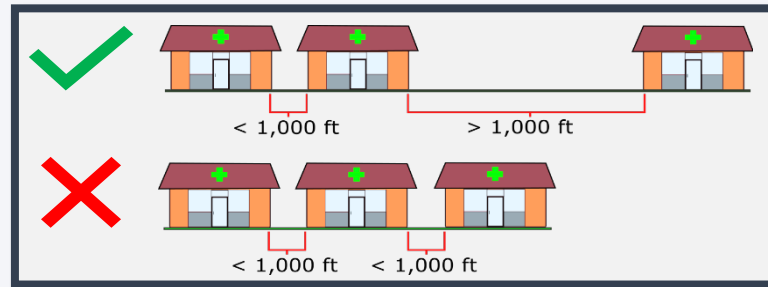
Disclaimer

This document is not intended to be – and should not be construed as – legal advice. This document addresses only a limited subset of legal restrictions placed on cannabis-related businesses in a variety of jurisdictions. This document does not address all relevant legal restrictions placed on cannabis-related businesses. For any particular jurisdiction, an attorney licensed to practice law in the jurisdiction should be consulted to determine the full scope of legal restrictions and requirements imposed on cannabis-related businesses.

Abstract

Over one third of US states have legalized cannabis/marijuana for non-medicinal use over the last ten years and there is an ongoing push for broader legalization. For local communities, the adult-use cannabis industry can pose both tremendous opportunities and significant challenges. This report examines state and local land use regulations related to the adult-use cannabis industry and is primarily intended to aid professional planners tasked with designing and implementing land use regulations for this rapidly growing industry. The report demonstrates that foundational land use planning tools such as buffers and zoning restrictions can be deployed in a variety of ways to incorporate the adult-use cannabis industry into a community's distinct needs and character.

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**STATE & MUNICIPAL
PROFILES**

Introduction

This report explores how 10 states and 20 municipalities have crafted land use regulations for the adult-use cannabis industry.

The inspiration for this report came from, of all places, an email listserv. The [NC Planning listserv](#) is managed by the UNC School of Government and provides a public forum in which professional planners in North Carolina can pose questions and offer guidance to each other. On almost any given day, members of the “serv” can be found querying and advising one another about a broad range of vexing issues. Questions often revolve around novel land uses or building types that have not yet been encountered in a jurisdiction. Fortunately, in a state as diverse as North Carolina, whenever there is a question, there is almost always someone with the experience necessary to provide a meaningful answer.

This report is intended to contribute to the planning field by beginning to answer some of the questions that planners will likely ask each other if and when legal adult-use cannabis comes to their community:

- “Where do you allow cannabis businesses?”
- “How do you classify cannabis uses?”
- “How stringent are your buffer requirements?”
- “What review processes and permit types do you use for cannabis businesses?”
- “What level of community engagement is needed before permitting a cannabis business?”

As this report demonstrates, there are no right answers to these questions – only a wide range of possible ways to deploy the traditional elements of a land use planners toolbox. Rather than developing new regulatory models from scratch, planners will ideally be able to turn to this report as a jumping off point to developing land use regulations that are tailored to the unique needs and character of their communities.

Some key conclusions from this report include:

- There is tremendous variety in the way communities have opted to regulate the adult-use cannabis industry. While more permissive jurisdictions may have essentially no cannabis-specific land use regulations, others impose stringent limits on where and how cannabis businesses may operate. Neighboring communities are oftentimes at opposite ends of this spectrum.
- The adult-use cannabis industry includes numerous types of land uses – such as agriculture and manufacturing – that may not be obviously associated with the industry but can be easily integrated into land use regulations.
- Protecting children from the perceived harms of the cannabis industry is a significant factor in the design of buffer requirements and advertising restrictions.
- State laws generally provide local governments with considerable latitude in developing land use restrictions for adult-use cannabis businesses. Local governments tend to show significant restraint in exercising this latitude.

Introduction

Reviewing State and Local Laws

As of April, 2022, [eighteen states plus the District of Columbia](#) have legalized adult-use cannabis. This report focuses on [municipalities](#) in the ten states that legalized adult-use cannabis prior to 2020. This cutoff date was chosen to ensure that there would be a sufficient number of municipalities within each state that have had the opportunity to design and implement land use regulations related to the adult-use cannabis industry. Although it legalized adult-use cannabis prior to 2020, Washington, DC was excluded from this report because it has not yet fully legalized the adult-use cannabis *industry*. For example, retail sales of adult-use cannabis are not yet permitted in DC.

For each state, key statutes and regulations related to cannabis were reviewed in order to identify several important variables, including:

1. Advertising restrictions;
2. Buffers;
3. Zoning restrictions; and
4. Local control (i.e., the amount of authority local governments have over cannabis-related businesses).

For each municipality, local ordinances related to cannabis were reviewed in order to identify, at a minimum, the following:

1. Buffers;
2. Zoning/location restrictions;
3. Limits on the number of permitted cannabis businesses; and
4. Community engagement requirements.

Notably, this report does not address the various business regulations and associated permitting requirements municipalities have adopted for the adult-use cannabis industry. Instead, the focus is on rules and regulations more directly associated to land use.

Using This Report

The next several pages of this report provide additional context regarding the adult-use cannabis industry, summarize major trends in the land use laws and regulations of the 30 reviewed jurisdictions, and highlight unique tactics for regulating the industry.

The bulk of this report consists of individual profiles of 10 states and 20 municipalities that have legalized adult-use cannabis. Each profile provides a snapshot of land use-related laws and regulations for the adult-use cannabis industry **as of April, 2022.**

Definitions

A weed by any other name...

The terms “cannabis,” “marijuana,” and “marihuana” appear in various portions of this report. The use of all three terms reflects the variety in terminology used by the many jurisdictions included in this report. In the report’s *State and Municipal Profiles* section, the terminology used is intended to mirror the terminology adopted by the jurisdiction that is being discussed. Elsewhere in the report, “cannabis” is used as the default term to refer to plants of the genus *Cannabis* as well as any products derived from such plants.

Adult-Use vs. Recreational

Like the many terms used to describe “cannabis,” various terms have been coined to refer to the use of cannabis products for reasons other than treating an illness. This report treats the terms “adult-use” and “recreational” as interchangeable and uses whichever term is used by the jurisdiction being discussed.

Cannabis-Related Businesses (“CRB”)

This report uses the umbrella terms “cannabis-related businesses” or “CRBs” to refer to a wide range of businesses directly involved in the adult-use cannabis industry.

Several CRB types are also discussed throughout this report. The various jurisdictions discussed in this report have their own definitions for many types of CRBs. Therefore, whenever this report refers to a CRB type in the context of a particular jurisdiction, it is using the definitions laid out in the laws of that jurisdiction. The following are generic descriptions of the CRB types referred to in this report:

- **Retail** – Businesses involved in the retail sale of cannabis products to ordinary customers.
- **Cultivation** – Businesses involved in the planting, growing, or harvesting of cannabis.
- **Manufacturing/Processing** – Businesses involved in the production of cannabis-based products.
- **Testing** – Businesses involved in analysis of cannabis and cannabis products.
- **Hospitality** – Businesses that allow on-site consumption of cannabis (e.g., Amsterdam’s “coffee shops”).

State Buffers Overview

Businesses

State-Imposed Buffers:

States have been relatively restrained in imposing mandatory buffer requirements on cannabis-related businesses. For examples, five states (CA, ME, MA, MI, and OR) only impose mandatory buffer requirements for K-12 schools or other child-oriented facilities such as daycares and preschools.

Local Discretion Over Buffers:

State-imposed buffer requirements are often paired with provisions that allow local governments to lower the buffers. Both Massachusetts and Michigan allow local governments to lower buffer requirements without limitation. Maine allows local governments to lower buffer requirements to 500 ft. Meanwhile, Washington allows local governments to lower buffer requirements to as low as 100 ft for sensitive uses other than schools.

State Buffer Requirements for Cannabis-Related Businesses

Sensitive Use	# of States with Buffer Requirements	Largest Buffer Distance (ft)	Smallest Buffer Distance (ft)	Median Buffer Distance (ft)
Schools	8	1,000	500	1,000
Recreation/ Youth Centers	4	1,000	300	550
Daycare Centers	3	1,000	300	600
Houses of Worship	2	500	300	400
Parks	2	1,000	300	650
Playgrounds	2	1,000	300	650
Correctional Facilities	1	500	500	500
Other Cannabis Businesses	1	1,500	1,500	1,500
Public Swimming Pools	1	300	300	300
Casinos	1	300	300	300
Public Transit	1	1,000	1,000	1,000
Public Libraries	1	1,000	1,000	1,000
Game Arcades	1	1,000	1,000	1,000

Some local governments have exercised the discretion afforded by state law. Both Maine municipalities reviewed in this report – Portland and Lewiston – have reduced their buffer requirements for schools to lower than the state-mandated 1000 ft. Likewise, Seattle has reduced its buffer requirements for several non-school uses to levels lower than the state-mandated default of 1000 ft.

On the other hand, some municipalities (e.g., [Fairbanks, AK](#), and [Los Angeles, CA](#)) have imposed school buffers that are *more stringent* than required by their states' laws.

State-Imposed Buffers for Outdoor Advertising

State restrictions on outdoor advertising of cannabis are much less varied than restrictions on cannabis businesses. Once again, youth-centric uses are the main focus of these buffer requirements.

State Buffer Requirements for Cannabis-Related Advertising				
Sensitive Use	States with Buffer Requirements	Largest Buffer Distance (ft)	Smallest Buffer Distance (ft)	Median Buffer Distance (ft)
Schools	7	1,000	500	1,000
Playgrounds	6	1,000	500	1,000
Childcare facilities	4	1,000	1,000	1,000
Recreation centers	4	1,000	1,000	1,000
Public parks	4	1,000	1,000	1,000
Libraries	4	1,000	1,000	1,000
Arcades	3	1,000	1,000	1,000
Substance abuse treatment facility	1	1,000	1,000	1,000
Houses of Worship	1	500	500	500

Restrictions Based on Expected Audience Composition

Three states ([MA](#), [MI](#), and [OR](#)) use audience composition restrictions rather than geographic buffers. In general, these restrictions prohibit advertising unless the advertiser has justifiable evidence that a certain percentage (e.g., 85%) of the expected audience of the advertisement is 21 years or older.

Local Buffers Overview

Municipalities can adopt a variety of approaches when determining how to organize, subdivide, or tailor their buffer requirements for cannabis-related businesses. Of the twenty municipalities reviewed in this report:

SIX use the same buffers for all CRB types

FIVE use different buffers for different CRB types

FOUR impose buffers on cannabis retailers only, but other CRB types are permitted

TWO allow only cannabis retailers and no other CRB types

TWO use the same buffers for all CRB types + additional buffer requirements for cannabis retailers

ONE imposes the same school buffers for all CRB types and has additional, less stringent buffers for non-retail CRB types.

For many municipalities, the potential impacts of retail CRBs appear to be of particular concern.

Local Buffers Overview

As seen in the accompanying table, municipal ordinances vary significantly in terms of both the **size** and **scope** of buffer requirements for cannabis retail stores.

An Emphasis on Children:

Children appear to be the primary concern for most municipalities. *In fact, seven of the ten most frequently identified sensitive uses directly serve children.* All but one municipality expressly includes a buffer around schools, while four municipalities ([Vista, CA](#); [Longmont, CO](#); [Chicago, IL](#); and [Framingham, MA](#)) list schools as the only sensitive use that requires a buffer. Even in the [single municipality](#) without a school buffer expressly included in its development ordinance, a [state-imposed](#) buffer requirement must still be followed.

Avoiding Clusters:

Most buffer requirements separate cannabis related businesses from other uses that are considered to be incompatible. *A large subset of buffer requirements are used to separate cannabis related businesses from each other.* These separation buffers range in size from 500 feet to one mile. While most are structured in a conventional manner, [Seattle's separation requirements](#) involve a somewhat unique approach that allows pairs of retailers within close proximity of each other but prohibits clusters of three or more stores.

Municipal Buffer Requirements for Cannabis Retail Stores				
Sensitive Use	Municipalities with Buffer Requirements	Largest Buffer Distance (ft)	Smallest Buffer Distance (ft)	Median Buffer Distance (ft)
Schools	19	2,640	500	1,000
Child Care Facilities	10	2,640	300	725
Other Cannabis Retailers	10	5,280	500	1,000
Neighborhood Recreation Facilities/ Parks	9	2,640	300	700
Libraries	6	1,320	300	600
Playgrounds	5	2,640	300	500
Preschools	4	1,000	500	1,000
Community/Youth Centers	4	1,000	300	400
Religious Assemblies	4	1,320	300	750
Substance Abuse Treatment Facilities	4	1,000	700	875
Residential Zoned Property	3	1,320	250	300
Arcades	3	2,640	500	1,000
Public Transit	2	1,320	500	910
Residential Property on Same Street	1	300	300	300
Office Districts	1	300	300	300
Neighborhood Commercial Districts	1	300	300	300
Public Housing	1	500	500	500
Public Swimming Pools	1	300	300	300
Homeless Shelters	1	500	500	500
Habilitative Care Facilities	1	500	500	500
Correctional Institutes	1	500	500	500
Athletic Fields	1	500	500	500
Casinos	1	1,500	1,500	1,500
Permanent Supportive Housing	1	700	700	700

Zoning Overview

The municipalities reviewed in this report represent three different approaches to determining which zoning districts cannabis-related business may operate in:

1. Treat CRBs as distinct land uses: This approach was adopted by the majority of municipalities reviewed in this report. Under this approach cannabis retailers, cultivators, manufacturers, etc. are distinct uses that appear as permitted, conditional, or special uses in a development ordinance. This approach allows municipal governments to exert a greater level of control over the siting of CRBs by, for example, disallowing cannabis retailers in a zoning district that otherwise permits more general retail activity.
2. Treat CRBs as ordinary land uses: This is a more permissive approach adopted by a minority of jurisdictions. Under this approach, CRBs are simply zoned alongside their non-cannabis counterparts (e.g., a cannabis retailer is permitted wherever retail uses are permitted). [Portland, OR](#); [Albany, OR](#); and [Denver, CO](#) practice this approach.
3. Utilize an overlay district: An extension of Approach 1, overlay district are a common tool for planners. [Chicago](#) utilizes a cannabis *exclusion* zone to prohibit CRBs in portions of its Central Business District. [Framingham, MA](#), uses a cannabis retail overlay to identify the only areas in which cannabis retailers are permitted.

Retail Limits Overview

Several municipalities have adopted regulations that effectively limit the number of cannabis retail stores that are permitted at any given time. While [Los Angeles](#) and [Denver](#) use concentration-based limits, the more popular approach appears to be strict **numerical limits**. As outlined in the table below, these numerical limits can result in drastically different concentrations of retail stores across communities. For reference, Los Angeles permits retail stores at a concentration of 1 store per 10,000 people.

Numerical Limits on Cannabis Retail Stores			
Municipality	Maximum Permitted Number of Cannabis Retail Stores	Population <small>(2020 5-Year ACS)</small>	Cannabis Retail Stores Per 10k Population
Fairbanks, AK	25	31,427	8.0
Framingham, MA	6	72,846	0.8
Auburn, WA	4	80,914	0.5
Longmont, CO	4	95,864	0.4
Carson City, NV	2	55,244	0.4
Westland, MI	2	81,713	0.2

State and Municipal Profiles

[Click on state name to jump to section]



Alaska

Anchorage
Fairbanks



Massachusetts

Boston
Framingham



California

Los Angeles
Vista



Michigan

Grand Rapids
Westland



Colorado

Denver
Longmont



Nevada

Las Vegas
Carson City



Illinois

Chicago
Waukegan



Oregon

Portland
Albany



Maine

Portland
Lewiston



Washington

Seattle
Auburn

ALASKA

Anchorage

Fairbanks

ALASKA

Regulatory Body: [Marijuana Control Board](#)

Primary Legislation: [AS 17.38](#)

Primary Regulation: [3 AAC 306](#)

Legalization Instrument: [Nevada Question 2](#)

Legalization Year: [2016](#)

Local Control

“A local government may prohibit the operation of marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, or retail marijuana stores through the enactment of an ordinance or by a voter initiative.” [AS 17.38.210](#).

Local governments may file a protest against any marijuana license application submitted to the State. If the protest is conditional, the applicant must demonstrate that they have satisfied the local government’s conditions prior to receiving a license. If the protest is not conditional, the applicant will be rejected so long as the protest is not arbitrary, capricious, or unreasonable.

Local governments may also recommend that the State approve a license application with certain conditions. The State will impose the recommendation conditions on the applicant unless the recommended conditions are arbitrary, capricious, and unreasonable. [3 AAC 306.060](#).

Buffering for All Marijuana Businesses 3 AAC 306.010	
Buffer	Sensitive Land Use
500 ft	<ul style="list-style-type: none"> • School ground • Recreation or youth center • Building in which religious services are regularly conducted • Correctional Facility

Advertising Restrictions 3 AAC 306.770	
Restriction	Sensitive Land Use
1000 ft buffer	<ul style="list-style-type: none"> • Child-centered facility, including a school, a child care facility or other facility providing services to children, a playground or recreation center, a public park, a library, or a game arcade that is open to persons under 21 years of age, except when included in an established publication intended for general readership • Substance abuse or treatment facility
Not permitted on	<ul style="list-style-type: none"> • Public transit vehicle or shelter • Publicly owned or operated property • Campus for postsecondary education

The Special Land Use Permit for Marijuana

A unique land use permit is required for all marijuana-related facilities within Anchorage. Like the city’s “special land use permit for alcohol” the “special land use permit for marijuana” is a unique permit with requirements that are distinct from the city’s traditional special use permitting process. [Section 21.03.105](#) of the Anchorage UDO outlines the procedural and substantive requirements associated with the special land use permit for marijuana. It includes both general requirements applicable to all marijuana-related facilities and specific requirements for three of the four types of marijuana-related facilities regulated under the UDO (retail, cultivation, and manufacturing).

Community Engagement

Prior to submitting an application for a special land use permit for marijuana, all applicants must host at least one **community meeting** in the vicinity of the proposed business. [Anchorage UDO Section 21.03.020C](#).

Retail applicants must provide evidence of **neighborhood responsibility planning**. There are no specific requirements regarding the content or extent of the neighborhood responsibility plan but applicants are encouraged to engage with neighborhood residents, other businesses, and community councils. [Anchorage UDO Section 21.05.055B.4](#).

Buffering Requirements for Marijuana-Related Business Anchorage, AK		
MRB Type	Buffer Distance	Sensitive Land Use
All marijuana establishments	500 ft	<ul style="list-style-type: none"> Boarding schools; K-12 schools; Playgrounds; Housing facilities owned by public housing authority; Child care centers; Homeless and transient shelters; Habilitative care facilities; Community centers; Neighborhood recreation facilities; Religious assemblies; Correctional institutions; Athletic fields; Correctional community residential centers. <p>Anchorage UDO Section 21.05.055(A)(2)(c)</p>

Zoning Restrictions for Marijuana-Related Businesses – Anchorage, AK		
MRB Type	Permit Type	Zoning Districts. Anchorage Municipal Code Sec. 21.05.010 ; Sec. 21.11.050 .
Retail	Special Use	<ul style="list-style-type: none"> • Downtown. • General Business • Light Industrial • Heavy Industrial
Testing	Special Use	<ul style="list-style-type: none"> • General Business • Light Industrial • Heavy Industrial
Manufacturing	Special Use	<ul style="list-style-type: none"> • General Business (except for manufacturing facilities that use gas or solvent-based processes) • Light Industrial • Heavy Industrial
Cultivation	Special Use	<ul style="list-style-type: none"> • General Business (must be co-located and attached to a marijuana retail establishment) • Light Industrial • Heavy Industrial

Buffering Requirements for Marijuana-Related Businesses – Fairbanks, AK ([Fairbanks Code of Ordinances Sec. 14-213](#))

MRB Type	Buffer Distance	Sensitive Land Use
Retail	750 ft	<ul style="list-style-type: none"> • K-12 schools • Drug or alcohol rehabilitation facilities.
Cultivation	750 ft	Areas zoned as: <ul style="list-style-type: none"> • Multifamily • Multifamily/Professional Office • Two-Family • Single Family

Zoning Restrictions for Marijuana-Related Businesses – Fairbanks, AK ([FNS Borough Code Title 18](#))

MRB Type	Permit Type	Zoning District
Retail	By-right	<ul style="list-style-type: none"> • General Commercial • Central Business
Cultivation	By-right	<ul style="list-style-type: none"> • Rural and Agricultural (indoor or limited outdoor) • Light Industrial (indoor) • Heavy Industrial (indoor)
	Conditional Use	<ul style="list-style-type: none"> • Rural and Agricultural (unlimited indoor or outdoor) • Light Commercial • General Commercial
Manufacturing	By-right	<ul style="list-style-type: none"> • Light Industrial • Heavy Industrial
	Conditional Use	<ul style="list-style-type: none"> • Rural and Agricultural • Light Commercial • General Commercial (if co-located with a retail store)
Testing	By-right	<ul style="list-style-type: none"> • Rural and Agricultural • General Commercial

CALIFORNIA

Los Angeles

Vista

CALIFORNIA

Regulatory Body: [Department of Cannabis Control](#)

Primary Legislation: [Medicinal and Adult Use Cannabis Regulation and Safety Act](#)

Primary Regulation: [Medicinal and Adult-Use Commercial Cannabis Regulations](#)

Legalization Instrument: [Proposition 64](#)

Legalization Year: [2016](#)

Advertising Restrictions

[Cal. Business and Professions Code Chapter 15, Section 26152](#)

Restriction	Sensitive Land Use
1,000 ft buffer	<ul style="list-style-type: none">• K-12 schools• Daycare centers• Youth centers• Playgrounds
Billboards prohibited on:	<ul style="list-style-type: none">• Interstate highways• State highways that cross California border

Local Control

Local governments may “completely prohibit the establishment or operation of” any or all types cannabis businesses. [Cal. Business and Professions Code Chapter 20, Section 26200.](#)

Buffering for All Cannabis Businesses

[Cal. Business and Profession Code Chapter 5, Section 26054](#)

Buffer	Sensitive Land Use
600 ft	<ul style="list-style-type: none">• K-12 schools• Daycare centers• Youth centers

Zoning Restrictions

LA’s Business Regulations define – with a high level of specificity – the zoning districts in which cannabis-related business are permitted. Because LA uses a combination of city-wide zoning designations and community-based zoning, the regulations call out both city wide zones (e.g., C2 Commercial Zone) and community-specific zones (e.g., Commercial Manufacturing Zone under the Jordan Downs Urban Village Specific Plan). The zoning districts in which cannabis-related business are permitted are outlined in [LAMC Chapter X, Article 5, Section 105.02](#) and summarized [here](#).

In general, retail operations are permitted in the widest variety of zones, including most commercial and industrial zones, while manufacturing operations are permitted in the fewest zones.

Retail – Storefront (Type 10)	Retail – Non-storefront (Type 9)	Level 2 Manufacturing (Type 7)
Buffer from all sensitive sites and other on-site sales required – 700’.	Buffer from schools required – 600’.	Buffer from schools required – 600’; buffer from residential zones required – 200’.
Zones: C1 C1.5 C2 C4 C5 CM M1 M2 M3 Specific Plan Zones: (WC) College (WC) Commerce (WC) Downtown (WC) North Village (WC) Park (WC) River (WC) Topanga (WC) Uptown RC4(CW) RC5(CW) C1 (CW) C2 (CW) C4 (CW) CM (CW) LASED PPSP (Main Lot excluded) USC-3 CM (GM) CM (UV) M (PV) M2(PV) UC (CA) UI (CA) UV (CA)	Zones: C1 C1.5 C2 C4 C5 CM M1 M2 M3 Specific Plan Zones: (WC) College (WC) Commerce (WC) Downtown (WC) North Village (WC) Park (WC) River (WC) Topanga (WC) Uptown M (PV) M2(PV)	Zones: MR2 M2 M3 Specific Plan Zones: (WC) College (WC) Commerce (WC) Downtown (WC) North Village (WC) Park (WC) River (WC) Topanga (WC) Uptown M (PV) M2(PV)

Table Credit: [Los Angeles Department of Planning](#)

Undue Concentration

Rather than establishing static limits on the number of cannabis-related businesses that can operate in the city, LA proscribes dynamic limits based on the ratio of cannabis businesses to population in each of its 35 community plan areas. These “Undue Concentration” limits are updated annually based on the most recent ACS data. [LAMC Sec. 104.01\(a\)\(49\)](#).

Once the number of cannabis businesses in a particular community plan area reaches Undue Concentration, any new business seeking a license in the community plan area must first receive a determination from City Council that the new business “would serve the public convenience or necessity.” [LAMC Sec. 104.03\(a\)\(4\)](#). As part of its request for a public convenience or necessity determination, the proposed new business must “engage with and seek written input from the following key stakeholders for the area in which the proposed Business Premises will be located, which at a minimum should include: area Neighborhood Council; Los Angeles Police Department (LAPD) Division; local chamber of commerce; and at least one substance abuse intervention, prevention and treatment organization within the Community Plan Area.” [LAMC Sec. 104.03\(a\)\(4\)\(ii\)](#).

Business Type	Undue Concentration Ratio LAMC Sec. 104.01(a)(49)
Retailer	One license per 10,000 residents
Microbusiness	One license per 7,500 residents
Cultivation	Maximum aggregate number of 15 Licenses at a ratio of one License for every 2,500 square feet of allowable cultivated area
Manufacturer	One license per 7,500 residents

As of March 2022, six of LA’s 35 community plan areas had reached Undue Concentration.

Buffering Requirements for Cannabis-Related Businesses – Los Angeles, CA

CRB Type	Buffer Distance	Sensitive Land Use
Storefront Retail	700 ft	<ul style="list-style-type: none"> • K-12 schools • Alcoholism and drug abuse treatment facilities • Daycare centers • Public libraries • Public parks • Permanent supportive housing • All establishments with on-site cannabis sales
Non-Storefront	600 ft	<ul style="list-style-type: none"> • K-12 schools
Microbusinesses	700 ft	<ul style="list-style-type: none"> • K-12 schools • Alcoholism and drug abuse treatment facilities • Daycare centers • Public libraries • Public parks • Permanent supportive housing • All establishments with on-site cannabis sales
Indoor Cultivation	600 ft	<ul style="list-style-type: none"> • K-12 schools
Level 1 Manufacturers	600 ft	<ul style="list-style-type: none"> • K-12 schools
Level 2 Manufacturers	600 ft	<ul style="list-style-type: none"> • K-12 schools
	200 ft	<ul style="list-style-type: none"> • Any residential zoned property
Distributors	600 ft	<ul style="list-style-type: none"> • K-12 schools

Overview

Located just 90 miles south of LA, Vista’s regulation of adult use cannabis represents a far more conservative approach that builds off of its well-established regulations for the medical cannabis industry.

Co-Location Requirement for Retail

The defining feature of Vista’s regulation of adult use cannabis is its requirement that **retail adult use stores must be co-located with licensed medical cannabis retailers**. No other cannabis-related land uses are permitted. [Vista Municipal Code Sec. 5.95.060](#).

Buffering Requirements and Zoning Restrictions for Cannabis-Related Businesses– Vista, CA

CRB Type	Buffer Distance	Sensitive Land Use	Permitted By-Right
Retail (co-located with medicinal dispensary)	600 ft	K-12 schools VMC Sec. 5.94.090	<ul style="list-style-type: none"> Mixed Use (VMC Sec. 18.35.030) Light manufacturing (VMC Sec. 18.44.010) C-1 Commercial (VMC Sec. 18.38.010) C-2 Commercial (VMC Sec. 18.40.010) C-3 Commercial (VMC Sec. 18.42.010) Industrial Park (VMC Sec. 18.46.020)
	500 ft	Other licensed cannabis businesses VMC Sec. 5.94.090	

COLORADO

Denver

Longmont

COLORADO

Regulatory Body: [Colorado Department of Revenue Marijuana Enforcement Division](#)

Primary Legislation: [CRS, Title 44, Article 10](#)

Primary Regulation: [1 CCR 212-3](#)

Legalization Instrument: [Amendment 64](#)

Legalization Year: [2012](#)

COLORADO

Denver

Longmont

Local Control

Local governments may prohibit operation of any or all types of marijuana-related businesses. [Colorado State Constitution – Article XVIII, Section 16\(5\)\(f\).](#)

Siting

Colorado law does not impose mandatory restrictions on where marijuana businesses may be located. Regulation of siting-related issues is left entirely to local government.

Advertising Restrictions	
1 CCR 212-3-735(C)	
Restriction	Sensitive Land Use
500 ft buffer	<ul style="list-style-type: none">• K-12 schools• Places of worship• Public playgrounds

Zoning

The Denver Zoning Code does not identify marijuana-related land uses as distinct subcategories of more general land uses. For example, marijuana retailers are simply regulated under the broader category of ‘retail sales and service’ land uses. [Denver Zoning Code, Division 10.1](#). *Apart from incorporating the Denver Marijuana Code by reference, the Denver Zoning Code is silent on marijuana-related businesses.*

The only limitations on where marijuana-related businesses may be located are found in the [Denver Marijuana Code](#), which also includes operational and licensing requirements for marijuana-related businesses.

Marijuana Hospitality Business

Unlike most other jurisdictions, Denver recognizes (and permits) Marijuana Hospitality Businesses as a unique form of marijuana business. These businesses are essentially “marijuana bars” at which on-site consumption of marijuana is permitted. [Denver Code of Ordinances Sec. 6-217\(a\)](#).

Neighborhoods of Undue Concentration

Denver does not issue new permits to retail or cultivation businesses wishing to locate in “Neighborhoods of Undue Concentration,” ostensibly as a way to prevent unwanted clustering of marijuana stores and cultivation facilities.

A Neighborhood of Undue Concentration is defined as any one of “the five statistical neighborhoods where the highest number of licensed [cultivation facilities or stores] exists.” The number of relevant facilities, and thus the roster of Neighborhoods of Undue Concentration, is reassessed annually. In the event of a tie for fifth place, the total number of Neighborhoods of Undue Concentration can be increased to include all neighborhoods tied for fifth. [Denver Code of Ordinances Sec. 6.204\(14\)-\(15\)](#).

Zoning and Location Restrictions for Marijuana-Related Businesses – Denver, CO

MRB Type	Prohibited Locations
Retail	<ul style="list-style-type: none"> • Any residential districts • Certain Main Street and Mixed-Use districts • Neighborhood of undue concentration • A location for which (1) a public hearing for an application for different retail marijuana store was scheduled within the past year and (2) the application was subsequently withdrawn <p>Denver Code of Ordinances Sec. 6-209(c)</p>
Cultivation	<ul style="list-style-type: none"> • Any district in which plant husbandry is not a permitted primary use • Neighborhood of undue concentration <p>Denver Code of Ordinances Sec. 6-211(c)</p>
Marijuana Hospitality Businesses	<ul style="list-style-type: none"> • Any residential district • License premises of a retail or medical marijuana business • Licensed premise of an establishment regulated under Title 44, Articles 3, 4, or 5 of the Colorado Revised Statutes (i.e., business that sell alcohol) <p>Denver Code of Ordinance Sec. 6-217(e)</p>
Manufacturing	<ul style="list-style-type: none"> • Any district in which "food preparation and sales, commercial," "manufacturing, fabrication and assembly, general," or "manufacturing, fabrication and assembly, heavy" is not permitted <p>Denver Code of Ordinances Sec. 6-212(b)</p>

Buffering Requirements for Marijuana-Related Businesses – Denver, CO

MRB Type	Buffer Distance	Sensitive Land Use
Retail	1,000 ft	<ul style="list-style-type: none"> • K-12 schools • Childcare establishments • Alcohol or drug treatment facilities • Any location where, within the two (2) years preceding the date of the application, application for a medical or retail marijuana store license was denied • Other marijuana retailers <p>Denver Code of Ordinances Sec. 6-209(b)</p>
Cultivation	1,000 ft	<ul style="list-style-type: none"> • K-12 schools • Residential districts <p>Denver Code of Ordinances Sec. 6-211(b)</p>
Marijuana Hospitality Businesses	1,000 ft	<ul style="list-style-type: none"> • K-12 schools • Childcare establishments • Alcohol or drug treatment facilities • City-owned recreation centers • City-owned pools • Other marijuana hospitality businesses <p>Denver Code of Ordinances Sec. 6-217(d)</p>
Manufacturing	No buffers	

Overview

Located roughly 40 miles north of Denver, Longmont strikes a decidedly different tone regarding recreational marijuana. While the city allows retail sales of medical and recreational marijuana, it prohibits all marijuana cultivation, production, and testing facilities. *Only four retail marijuana businesses are permitted in the city at any given time. [Longmont Code of Ordinances Sec. 6.70.070](#)*

Buffering Requirements and Zoning Restrictions for Marijuana-Related Businesses – Longmont, CO

MRB Type	Buffer Distance	Sensitive Land Use	Permitted By-Right
Retail	1,000 ft	<ul style="list-style-type: none"> K-12 schools. Longmont Code of Ordinances Sec. 6.70.105	<ul style="list-style-type: none"> Mixed-Use Neighborhood Mixed-Use Corridor Mixed-Use Employment Mixed-Use Regional Center Longmont Code of Ordinances Sec. 15.04.020(C)
	250 ft	<ul style="list-style-type: none"> Residential districts Longmont Code of Ordinances Sec. 6.70.105	

ILLINOIS

Regulatory Body: [Illinois Department of Financial and Professional Regulation](#)

Primary Legislation: [Cannabis Regulation and Tax Act](#)

Primary Regulation: [Ill. Admin Code Title 8, Part 1300](#)

Legalization Instrument: [Cannabis Regulation and Tax Act](#)

Legalization Year: [2019](#)

Local Control

Local governments may prohibit cannabis-related businesses. [410 ILCS 705/55-25](#).

In municipalities with over 500,000 residents (i.e., Chicago) voters may petition their local governing board designate the precinct in which they live as a “restricted cannabis zone.” [410 ILCS 705/55-28](#).

Buffering for Cannabis-Related Businesses

CRB Type	Buffer	Sensitive Land Use
Retail stores	1,500 ft	<ul style="list-style-type: none"> Existing cannabis retail stores, unless the proposed store is owned by a Social Equity Applicant. 410 ILCS 705/15-20, §15-25(e)
Craft growers & cultivation centers	1,500 ft	<ul style="list-style-type: none"> Other craft growers or cultivation centers. 410 ILCS 705/30-30, §30-30(o)

Advertising Restrictions

[410 ILCS 705/55-20, §55-20\(b\)](#)

Restriction	Sensitive Land Use
1,000 ft buffer	<ul style="list-style-type: none"> School grounds Playgrounds Recreation centers Child care centers Public parks Public libraries Game arcades which admit people under 21 years of age.
Prohibited on:	<ul style="list-style-type: none"> Public transit vehicle or shelter Publicly owned or operated property

Overview

The State of Illinois administers a comprehensive licensing regime for cannabis businesses. The City of Chicago does not administer a separate licensing program for cannabis businesses. Rather, the city regulates cannabis businesses exclusively through its zoning process.

Adult Use Cannabis Dispensary Exclusion Zone

Adult use dispensaries are prohibited within an overlay zone that includes much of Chicago's central business district "which, because of its unique character, configuration and intensive pedestrian, tourism and entertainment related traffic, presents a higher level of congestion, public safety, and security concerns." [Chicago Zoning Ordinance Sec. 17-7-0561](#)

Adult-Use Cannabis Dispensary Exclusionary Zone

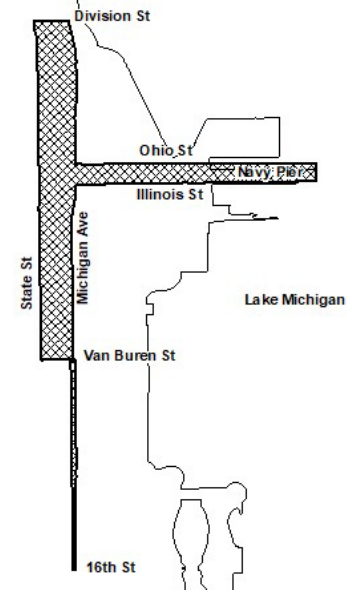


Image Credit: [Chicago Zoning Ordinance Sec. 17-7-0561](#)

Buffering Requirements for Cannabis-Related Businesses – Chicago, IL

CRB Type	Buffer Distance	Sensitive Land Use
Retail	500 ft	<ul style="list-style-type: none"> K-12 schools <p>Chicago Zoning Ordinance Sec. 17-9-0129</p>

Community Engagement Required for Special Uses

Any cannabis business applicant that requires a special use permit must host a community meeting before the Zoning Board of Appeals holds its public hearing to consider the SUP application. The community meeting must be held in the ward in which the business is proposed to be located. Written notice of the meeting must be provided in a newspaper and mailed to all property owners within 250 feet of the proposed business. [Chicago Zoning Ordinance Sec. 17-13-0905-G.](#)

Zoning Restrictions for Cannabis-Related Businesses – Chicago, IL

District Type	Permit Type	CRB Type
Commercial	Special Use	<ul style="list-style-type: none"> • Dispensaries • Craft growers • Infusers • Processors Chicago Zoning Ordinance Sec. 17-3-0207
Non-Residential Downtown	Special Use	<ul style="list-style-type: none"> • Dispensaries • Craft growers • Infusers • Processors Chicago Zoning Ordinance Sec. 17-4-0207
Manufacturing	By-Right (if located > 660 ft from residential district)	<ul style="list-style-type: none"> • Cultivation centers • Craft growers • Infusers • Processors Chicago Zoning Ordinance Sec. 17-5-0207; Sec. 17-9-0129
	Special Use (if located < 660 ft from residential district)	
Special Accommodation for Medical Cannabis Dispensaries		
<p>A medical cannabis dispensary that was established on or before June 25, 2019 may by-right co-locate an adult-use dispensary at the same site. Chicago Zoning Ordinance Sec. 17-9-0129.</p>		

Buffering Requirements for Marijuana-Related Businesses – Waukegan, IL

MRB Type	Buffer Distance	Sensitive Land Use
All marijuana establishments	1,000 ft	<ul style="list-style-type: none"> • Nursery schools • Preschools • Primary or secondary schools • Child care facilities • Public parks • Public libraries • Recreational centers • Arcades that admit patrons under 21 years of age <p>Waukegan Code of Ordinances Sec. 4.18</p>

Zoning Restrictions for Marijuana-Related Businesses – Waukegan, IL

District Type	Permit Type	MRB Type
Restricted Industrial	Conditional Use	<ul style="list-style-type: none"> • Craft Growers • Infusers • Processors • Transporters • Cultivation Centers <p>Waukegan Code of Ordinances Sec. 10-3-4</p>
Central Business Districts (B4 & B5)	Conditional Use	<ul style="list-style-type: none"> • Dispensary <p>Waukegan Code of Ordinances Sec. 8.5-4(16); Waukegan Code of Ordinances Sec. 8.6-4(11)</p>

MAINE

Portland

Lewiston

MAINE

Regulatory Body: [Department of Administrative and Financial Services Office of Marijuana Policy](#)

Primary Legislation: [Maine Revised Statutes, Title 28-B](#)

Primary Regulation: [Adult Use Marijuana Program Rule](#)

Legalization Instrument: [Question 1](#)

Legalization Year: [2016](#)

Local Control

Marijuana businesses are not permitted until to operate in a jurisdiction until the local government passes an ordinance allowing some or all types of marijuana establishments. [Title 28-B §402\(3\)\(A\)](#), [§403\(3\)\(A\)](#).

Buffering for Marijuana Businesses and Advertising

MRB Type	Buffer	Sensitive Land Use
All marijuana businesses	1,000 ft	<ul style="list-style-type: none"> K-12 schools* Title 28-B §402(2)(A)
Cultivation facilities	20 ft	<ul style="list-style-type: none"> Other cultivation facilities. Title 28-B §501(7)(B)
Marijuana advertising	1,000 ft	<ul style="list-style-type: none"> K-12 schools* Title 28-B §702(1)(C)

*Local governments are permitted to reduce the advertising and business buffers around K-12 schools to as low as 500 ft. [Title 28-B §403\(2\)\(A\)](#); [§702\(1\)\(C\)](#).

Overview

Portland regulates marijuana-related uses through both a [comprehensive business licensing program](#) and through its [land use code](#). The land use code takes a relatively permissive stance towards marijuana facilities, with several types of facilities allowed as by-right uses in a variety of mixed-use and industrial districts.

Buffering Requirements for Marijuana-Related Businesses – Portland, ME		
MRB Type	Buffer Distance	Sensitive Land Use
All marijuana establishments	500 ft	<ul style="list-style-type: none"> K-12 schools Preschools City of Portland Land Use Code, Sec. 6.4.10(B)(1)
Cultivation, Manufacturing, or Testing	300 ft	<ul style="list-style-type: none"> R-1, R-2, R-3, R-4, R-5/R-5A, R-6/R-6A, and R-7 districts City of Portland Land Use Code, Sec. 6.4.10(B)(2)

Buffering Requirements for Marijuana-Related Businesses – Portland, ME		
MRB Type	Permit Type	District Type
Retail	Conditional Use	<ul style="list-style-type: none"> Mixed Use (B-2b, B-2c)
	By-Right	<ul style="list-style-type: none"> Mixed Use (B-2, B-3, B-4, B-7)
Testing or Manufacturing	By-Right	<ul style="list-style-type: none"> Mixed use (B-4) Industrial (I-L, I-M, I-H)
Cultivation (< 2,000 SF)	By-Right	<ul style="list-style-type: none"> Industrial (I-L, I-M, I-H)
Cultivation (< 7,000 SF)	By-Right	<ul style="list-style-type: none"> Mixed use (B-4)
Cultivation (2,000 – 7,000 SF)	By-Right	<ul style="list-style-type: none"> Industrial (I-M, I-H)
Cultivation (> 7,000 SF)	By-Right	<ul style="list-style-type: none"> Industrial (I-H)

Buffering Requirements for Marijuana-Related Businesses – Lewiston, ME

MRB Type	Buffer Distance	Sensitive Land Use
All marijuana establishments	750 ft*	<ul style="list-style-type: none"> • K-12 schools • Childcare facilities • Public parks, playgrounds, and recreational facilities <p>Lewiston Code Sec. 22-430(3)</p>
	300 ft	<ul style="list-style-type: none"> • A dwelling in a residential zone <p>Lewiston Code Sec. 22-430(17)</p>
Retail	500 ft	<ul style="list-style-type: none"> • Other marijuana retailers. <p>Lewiston Code Sec. 22-430(4)</p>

Zoning Restrictions for Marijuana-Related Businesses – Lewiston, ME

MRB Type	Permit Type	District Type Lewiston Zoning and Land Use Code Sec. 22(c)
Cultivation, Manufacturing, Testing, Nurseries	By-Right	<ul style="list-style-type: none"> • Highway Business • Office Service • Industrial • Urban Enterprise • Mill
Retail	By-Right	<ul style="list-style-type: none"> • Riverfront • Community Business • Highway Business • Centreville • Urban Enterprise • Mill

MASSACHUSETTS

Boston

Framingham

MASSACHUSETTS

Regulatory Body: [Cannabis Control Commission](#)

Primary Legislation: [Mass. General Laws, Chapter 10, Sections. 76-77](#)

Primary Regulation: [935 CMR 500.000](#)

Legalization Instrument: [Question 4](#)

Legalization Year: [2016](#)

Local Control

Local governments may impose time, place, and manner restrictions. Any law/ordinance that prohibits marijuana establishments or limits their numbers to fewer than 20% of the number of licenses issued to sell alcoholic beverages in the local jurisdiction must be submitted for approval of the voters of the local jurisdiction.

Advertising Restrictions

State law does not impose express geographic restrictions on advertising. Instead, Massachusetts uses a more general restriction that prohibits advertising “by means of ... billboard or other outdoor advertising ... unless at least 85% of the audience is reasonably expected to be 21 years of age or older as determined by reliable and current audience composition data.” [935 CMR 500.105\(4\)\(b\)\(2\)](#).

Buffering for Marijuana-Related Businesses

MRB Type	Buffer	Sensitive Land Use
All marijuana businesses	500 ft	<ul style="list-style-type: none">• K-12 schools

Local governments may – **without limit** – reduce the buffer for K-12 schools by either ordinance or bylaw. [935 CMR 500.110\(3\)](#)

Overview

The [Boston Cannabis Board](#) oversees the licensing and regulation of cannabis businesses and administers the city’s cannabis [Equity Program](#). Compared to many other large municipalities, Boston’s land use regulations for cannabis are simple, with uniform buffering requirements and zoning restrictions for all types of cannabis businesses.

Equity Ratio

Boston’s equity program includes a unique requirement: *the number of equity licensees must be equal to or greater than the number of non-equity licensees.* [Boston Municipal Code Sec. 8-13.3.](#)

Community Engagement

A community meeting must be held by the City in the vicinity of any proposed cannabis establishment within 6 months of the filing of an application for the establishment. [Boston Municipal Code Sec. 8-13.7.](#)

Buffering Requirements for Cannabis-Related Businesses – Boston, MA

CRB Type	Buffer Distance	Sensitive Land Use Boston Zoning Code Sec. 8-7
All cannabis businesses	500 ft	• K-12 schools
	2,640 ft	• Another cannabis business

Zoning Restrictions for Cannabis-Related Businesses– Boston, MA

CRB Type	Permit Type	District Type Boston Zoning Code Sec. 8-7
All cannabis businesses	Conditional Use	All business and industrial districts
	Prohibited	All residential districts

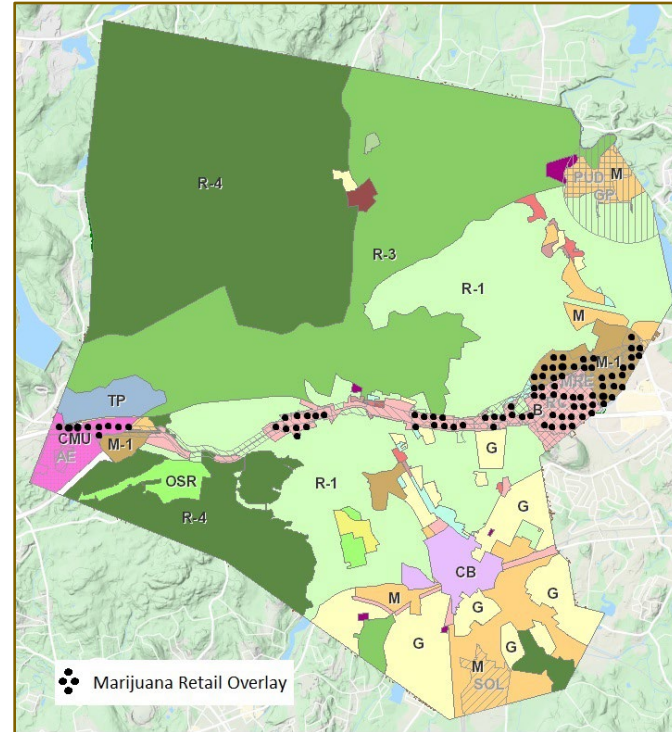
Marijuana Retail Overlay District

Unique among the municipalities reviewed in this report, Framingham has established a marijuana retail overlay district which represents the only areas in which marijuana retail stores are permitted.

[Framingham Zoning Ordinance Sec. II\(B\)](#).

The overlay district includes large portions of one of the town's major commercial corridors.

Only 6 marijuana retail stores are permitted in the overlay district and the Zoning Board of Appeals is prohibited from granting variances that authorize marijuana retail stores anywhere outside of the overlay district. [Framingham General Ordinances Art. VIII Sec. 9.3](#); [Framingham Zoning Ordinance Sec. VI\(G\)\(1\)](#).



Prepared by Tas Lagoo (2022) with base map provided by [City of Framingham](#)

Buffering Requirements for Marijuana-Related Businesses – Framingham, MA

MRB Type	Buffer Distance	Sensitive Land Use
Retail	500 ft	<ul style="list-style-type: none"> K-12 schools Framingham Zoning Ordinance Sec. II(B)

Zoning Restrictions for Marijuana-Related Businesses– Framingham, MA ([Framingham Zoning Ordinance Sec. II\(B\)](#))

MRB Type	Permit Type	District Type
Retail	By-Right	<ul style="list-style-type: none"> • Marijuana Retail Overlay District
Cultivators	By-Right	<ul style="list-style-type: none"> • General Manufacturing • Technology Park • Corporate Mixed-Use • Low Density Residential (R-4) if located on lots of at least 15 acres
	Special Use	<ul style="list-style-type: none"> • Light Manufacturing
Manufacturers	By-Right	<ul style="list-style-type: none"> • General Manufacturing • Technology Park • Corporate Mixed-Use • Low Density Residential (R-4) if co-located with an appropriately sited cultivator
	Special Use	<ul style="list-style-type: none"> • Light Manufacturing

MICHIGAN

Grand Rapids

Westland

MICHIGAN

Regulatory Body: [Marijuana Regulatory Agency](#)

Primary Legislation: [Michigan Regulation and Taxation of Marihuana Act](#)

Primary Regulation: [Mich. Admin Code R. 420.000](#)

Legalization Instrument: [Proposal 18-1](#)

Legalization Year: [2018](#)

Local Control

Local governments “may completely prohibit or limit the number of marihuana establishments” that operate within their jurisdiction. [Mich. Compiled Laws Chapter 333.27956 §6.1.](#)

Individuals can force a vote on an ordinance to limit or prohibit marihuana establishments if they are able to gather a sufficient number of signatures on a petition. The necessary number of signatures is equal to 5% of the total votes cast for governor in the municipality during the most recent gubernatorial election. [Mich. Compiled Laws Chapter 333.27956 §6.1.](#)

Advertising Restrictions

Michigan law does not appear to expressly regulate the placement of outdoor advertising; however, the following provision concerning advertising more broadly could potentially impose limits on outdoor advertising:

“Marihuana product must not be advertised or marketed to members of the public unless the person advertising the product has reliable evidence that no more than 30 percent of the audience or readership for the television program, radio program, internet website, or print publication, is reasonably expected to be under [age 21].” [Mich. Admin. Code R. 420.507\(4\).](#)

Buffering for Marijuana-Related Businesses

MRB Type	Buffer	Sensitive Land Use
All marijuana businesses	1,000 ft	<ul style="list-style-type: none"> K-12 schools
Local governments may – without limit – reduce the buffer for K-12 schools by ordinance. Mich. Compiled Laws Chapter 333.27959 §9.3(c).		

Review Procedures

Grand Rapids uses two different review procedures for marijuana establishments:

1. Director Review and
2. Special Land Use approval.

Unlike many other jurisdictions, Grand Rapids does not exclusively use a certain type of review for each of the various categories of marijuana establishments.

Rather, the review type used for a proposed marijuana establishment is based on factors such as zoning district, square footage, proximity to residential districts, or in certain cases, the floor on which the proposed establishment will be located. [Grand Rapids Zoning Ordinance Sec. 5.9.19\(D\)](#).

License Type		Description	Criteria	Review Procedure	GNP Required
Provisioning Center (Medical) or Retailer (Recreational)	New or expansion		IT (co-located accessory use only, under 5,000 sq. ft.)	DR	No
			IT (co-located accessory use only, 5,000 sq. ft. or more)	SLU	No
			TCC, TBA, TOD, C, NOS, PRD	SLU	Yes
Microbusiness	New or expansion		TCC, C	DR	No
			TBA, TOD (when at least 500' from a residential zone district)	DR	Yes
			TBA, TOD (when less than 500' from a residential zone district)	SLU	Yes
Grower (Medical or Recreational)	Any Class	New or expansion	IT	DR	No
			TCC	SLU	Yes
Processor (Medical or Recreational)	New		IT, TCC, TBA, C, TOD, PRD: Under 15,000 sq. ft. GFA	DR	IT: No Other zones: Yes
			IT, TCC, C: 15,000 sq. ft. or more GFA	SLU	Yes
	Expansion	Minor	Under 20% GFA increase	DR, after initial approval	No
		Major	20% GFA increase or more	Same as New	No
Secure Transporter (Medical or Recreational)	New or expansion		IT	DR	No
			TCC	SLU	No
Safety Compliance Facility (Medical or Recreational)	New or expansion		CC, TCC, TOD, C, NOS, IT, or TBA upper floor	DR	No
			TBA ground floor	SLU	No

(SLU = Special Land Uses; DR = Director Review; GNP = Good Neighbor Plan)

Table Credit: [Grand Rapids Zoning Ordinance Sec. 5.9.19](#)

Community Engagement

Neighborhood Meeting

Prior to submitting a land use application for a marijuana facility, applicants must host at least one neighborhood meeting. [Grand Rapids Zoning Ordinance Sec. 5.12.06\(B\)\(1\)](#).

Written notice of the meeting must be provided to all addresses within 300 feet of the project site at least 14 days prior to the meeting. The meeting should be held within one mile of the project site or as close as reasonably possible. [Grand Rapids Zoning Ordinance Sec. 5.12.06](#).

Good Neighbor Plan

All land use applications for marijuana facilities must include a Good Neighbor Plan (GNP) [Grand Rapids Zoning Ordinance Sec. 5.9.19\(G\)\(11\)](#). The GNP must address issues such as crime prevention, loitering control, and landscape maintenance. In developing the GNP, the applicant must make a good faith effort to meet with local recognized organizations, adjacent property owners, Corridor Improvement Authorities, and the Planning Department. [Grand Rapids Zoning Ordinance Sec. 5.12.06\(D\)](#).

Buffering Requirements for Marijuana-Related Businesses – Grand Rapids, MI

MRB Type	Buffer Distance	Sensitive Land Use
Retail (except those located in Industrial-Transportation Districts)	1,000 ft	<ul style="list-style-type: none"> • Childcare centers and schools • Public parks or playgrounds • Religious institutions • Licensed Substance Use Disorder Programs • Youth centers • Residential districts • Other marijuana retailers (if in an industrial district) • All other marijuana establishments Grand Rapids Zoning Ordinance Sec. 5.9.19(E)
	2,000 ft	<ul style="list-style-type: none"> • Other marijuana retailers (if in a mixed commercial district) Grand Rapids Zoning Ordinance Sec. 5.9.19(E)
Retail in I-T Districts, Processing, Cultivation	1,000 ft	<ul style="list-style-type: none"> • Childcare centers and schools • Public parks or playgrounds • Religious institutions • Licensed Substance Use Disorder Programs • Youth centers • Residential districts • Other marijuana facilities Grand Rapids Zoning Ordinance Sec. 5.9.19(E)

Strict Numerical Limits

Westland has among the tightest set of controls on marijuana businesses among the municipalities reviewed in this report.

Eight marijuana businesses may operate in the city in accordance with the following limits:

ONE Transporter in an industrial district

ONE Microbusiness in an industrial district

ONE Safety compliance facility in a commercial, office, or industrial district

TWO Retail stores in commercial districts

THREE Collocated businesses in industrial districts

[Westland Code of Ordinances Sec. 27-6](#)

Zoning Restrictions for Marijuana-Related Businesses Westland, MI

MRB Type	Permit Type	District Type
Retail	Special Use	<ul style="list-style-type: none"> • Low Intensity Commercial • Shopping Center Commercial • General Commercial • Vehicle Service <p>Westland Code of Ordinances Sec. 27-30</p>
Transporters	Special Use	<ul style="list-style-type: none"> • Light Industrial • General Industrial <p>Westland Code of Ordinances Sec. 27-31</p>
Safety Compliance Facilities	Special Use	<ul style="list-style-type: none"> • Office Business • Low Intensity Commercial • Shopping Center • General Commercial • Vehicle Service • Light Industrial • General Industrial <p>Westland Code of Ordinances Sec. 27-32</p>
Microbusiness	Special Use	<ul style="list-style-type: none"> • Light Industrial • General Industrial <p>Westland Code of Ordinances Sec. 27-33</p>

Buffering Requirements for Marijuana-Related Businesses – Westland, MI		
MRB Type	Buffer Distance	Sensitive Land Use
Retail	250 ft	<ul style="list-style-type: none"> Any residential zoned property Westland Code of Ordinances Sec. 27-30
	1,000 ft	<ul style="list-style-type: none"> K-12 schools Westland Code of Ordinances Sec. 27-30
	5,000 ft	<ul style="list-style-type: none"> Other marijuana businesses (except for those in industrial zones) Westland Code of Ordinances Sec. 27-30
Transporters	1,000 ft	<ul style="list-style-type: none"> K-12 schools Westland Code of Ordinances Sec. 27-31
Safety Compliance Facilities	250 ft	<ul style="list-style-type: none"> Any residential zoned property (except if the Safety Compliance Facility is located in an industrial district) Westland Code of Ordinances Sec. 27-32
	1,000 ft	<ul style="list-style-type: none"> K-12 schools Westland Code of Ordinances Sec. 27-32
	5,000 ft	<ul style="list-style-type: none"> Other marijuana facilities except those in industrial zones. (Does not apply if the Safety Compliance Facility is located in an industrial zone) Westland Code of Ordinances Sec. 27-32
Microbusinesses	1,000 ft	<ul style="list-style-type: none"> K-12 schools Westland Code of Ordinances Sec. 27-33

NEVADA

Las Vegas

Carson City

NEVADA

Regulatory Body: [Cannabis Compliance Board](#)

Primary Legislation: Title 56 Nevada Revised Statutes [678A](#), [678B](#), [678C](#), [678D](#)

Primary Regulation: [Nevada Cannabis Compliance Regulations](#)

Legalization Instrument: [Question 2](#)

Legalization Year: [2016](#)

Buffering Requirements for All Cannabis Businesses

[NRS 678B.250](#)

Buffer	Sensitive Land Use
1,500 ft	<ul style="list-style-type: none"> Facilities with a nonrestricted gaming license (e.g., casinos) if located in a county with a population of 100,000 or more
1,000 ft	<ul style="list-style-type: none"> K-12 schools
300 ft	<ul style="list-style-type: none"> Day cares Public parks Playgrounds Public swimming pools A center or facility, the primary purpose of which is to provide recreational opportunities or services to children or adolescents. A church, synagogue or other building, structure or place used for religious worship or other religious purpose.

Cannabis Advertising Restrictions [NRS 678B.520\(1\)\(c\)](#)

Buffer	Sensitive Land Use
1,000 ft	<ul style="list-style-type: none"> K-12 school Playground Public park Public library

Cannabis establishments may only be located in industrial, commercial, or overlay districts. [NCCR 5.155\(5\)](#)

Statewide Limitation on Licenses

State law limits the number of cannabis-related licenses that will be issued in each county based on the population of the county. [NRS 678B.260](#)

County Population	Number of Licenses
700,000 or more	80 licenses
699,999 to 100,000	20 licenses
99,999 to 55,000	4 licenses
Less than 55,000	2 licenses

Limitation on Personal Cultivation

Personal/home cultivation of a limited number of cannabis plants is generally permitted in Nevada. **However, it is prohibited with 25 miles of a licensed adult-use retail store.**

[NRS 678D.310\(1\)\(a\).](#)

Buffering Requirements for Cannabis-Related Businesses – Las Vegas, NV ([Las Vegas UDO Sec. 19.12.070](#))

CRB Type	Buffer Distance	Sensitive Land Use
Retail, Cultivation, Production	1,500 ft	<ul style="list-style-type: none"> A location that holds a nonrestricted gaming license
	1,000 ft	<ul style="list-style-type: none"> Any school Other cannabis retailers (applies to retail uses only)
	300 ft	<ul style="list-style-type: none"> City parks Religious institutions Licensed child care centers Public community recreational facilities Any use whose primary function is to provide recreational opportunities to minors. “Such uses include without limitation, commercial recreation/amusement (indoor or outdoor); library, art gallery or museum (public); teen dance center; and martial arts studio that provides instruction to minors

Zoning Restrictions for Cannabis-Related Business – Las Vegas, NV ([Las Vegas UDO Sec. 19.12.010](#))

CRB Type	Permit Type	District Type
Cultivation	Special Use	Industrial and Commercial/Industrial
Dispensary	Special Use	Limited Commercial, General Commercial, Industrial, and Commercial/Industrial
Production	Special Use	Industrial and Commercial/Industrial

Limitations on Retailers

Adult-use marijuana retailers may only be co-located with existing medical marijuana dispensaries and only two such dispensaries are allowed to operate in the city at any given time.

[Carson City Development Standards Sec. 1.20\(1\)\(j\)-\(k\)](#)

Buffering Requirements for Marijuana-Related Business – Carson City, NV		
MRB Type	Buffer Distance	Sensitive Land Use
All marijuana establishments Carson City Development Standards Sec. 1.20(1)(l)	1,000 ft	<ul style="list-style-type: none"> Preschools K-12 schools
	300 ft	<ul style="list-style-type: none"> Child care facilities Public parks Playgrounds Public swimming pools Any other center or facility, the primary purpose of which is to provide recreational opportunities or services to children or adolescents
Retail Carson City Development Standards Sec. 1.20(2)(d)	300 ft	<ul style="list-style-type: none"> Any residential property located on the same street as the retail establishment

Zoning Restrictions for Marijuana-Related Businesses – Carson City, NV (Carson City Municipal Code Chapter 18.04)		
MRB Type	Permit Type	District Type
Retail	Special Use	General Commercial and General Industrial
Distribution or Cultivation	Special Use	General Industrial
Manufacturing	Special Use	General Industrial. "Limited to those areas zoned General Industrial east of the I-580 freeway and north of the north boundary of Sections 13 through 18 of Township 15 N, Range 20 E, except on any property that shares any portion of a boundary with the Carson City Airport, until such time the use is not prohibited under federal law or regulation;"

OREGON

Regulatory Body: [Oregon Liquor and Cannabis Commission](#)

Primary Legislation: [ORS 475C](#)

Primary Regulation: [OAR 845-025-0000](#)

Legalization Instrument: [Measure 91](#)

Legalization Year: [2014](#)

Local Control

If at least 10% of the registered voters in a city or county sign a petition calling for the prohibition of marijuana businesses, the issue must be put to vote during the next general election. [ORS 475C.433](#).

Advertising Restrictions

Oregon law does not place specific geographic limits on outdoor advertising.

Instead, the state mandates that marijuana businesses “may not utilize television, radio, billboards, print media or internet advertising unless the licensee has reliable evidence that **no more than 30 percent of the audience** for the program, publication or internet web site in or on which the advertising is to air or appear **is reasonably expected to be under the age of 21.**” [OAR 845-025-8060\(2\)](#).

Buffering for Marijuana Businesses

Buffer	Sensitive Land Use
1,000 ft	<ul style="list-style-type: none"> K-12 schools ORS 475C.097(2)
500 – 1,000 ft	<ul style="list-style-type: none"> K-12 school if the Oregon Liquor and Cannabis Commission determines that there is a physical or geographic barrier capable of preventing children from traversing to the premises of the marijuana retailer. ORS 475C.101(1)

Overview

From a land use perspective, Portland and Albany are among the most permissive jurisdictions reviewed for this report. Both cities impose minimal buffering requirements and neither the [Portland Zoning Ordinance](#) nor the [Albany Development Code](#) treat marijuana related uses as distinct subtypes.

Buffering Requirements for Marijuana-Related Businesses Albany, OR		
Use Category	Buffer Distance	Sensitive Land Use
All marijuana uses	300 ft	<ul style="list-style-type: none"> Property zoned residential or mixed use Office-Professional districts Neighborhood Commercial districts <p>Albany Municipal Code Sec. 5.08.026(1)(g)</p>

Buffering Requirements for Marijuana-Related Businesses Portland, OR		
Use Category	Buffer Distance	Sensitive Land Use
Retail	1,000 ft	<ul style="list-style-type: none"> K-12 schools Other marijuana retailers <p>Portland City Code Sec. 14B.130.040</p>

WASHINGTON

Seattle

Auburn

WASHINGTON

Regulatory Body: [Washington State Liquor and Cannabis Board](#)
Primary Legislation: [RCW 69.50](#)
Primary Regulation: [WAC 314-55](#)
Legalization Instrument: [Initiative 502](#)
Legalization Year: [2012](#)

WASHINGTON

Seattle

Auburn

Billboard Restrictions

Washington law prohibits “billboards that are visible from any street, road, highway, right-of-way, or public parking area . . . **unless** the billboard is used by a retail outlet solely for the purpose of identifying the name of the business, the nature of the business, and providing [directions for] the public.” [RCW 69.50.369\(7\)](#).

Local Control

Local governments have the opportunity to comment on applications pending before the Washington State Liquor and Cannabis Board. “[T]he board must give substantial weight to objections from an incorporated city or town or county legislative authority based upon chronic illegal activity associated with the applicant’s operations of the premises proposed to be licensed or the applicant’s operation of any other licensed premises, or the conduct of the applicant’s patrons inside or outside the licensed premises.” [RCW 69.50.331\(10\)](#).

If the Washington State Liquor and Cannabis Board decides to renew a marijuana license, the local government with jurisdiction over the licensee may object to the renewal and request an adjudicative hearing to determine if renewal is appropriate. [WAC 314-55-165\(2\)](#).

Buffering for Marijuana Businesses and Advertising

[RCW 69.50.331\(8\)](#); [RCW 69.50.369\(1\)](#)

Buffer	Sensitive Land Use
1,000 ft*	<ul style="list-style-type: none"> • K-12 schools • Playgrounds • Recreation centers or facilities • Child care centers • Public parks • Public transit centers • Public libraries • Game arcades that permit patrons under age 21

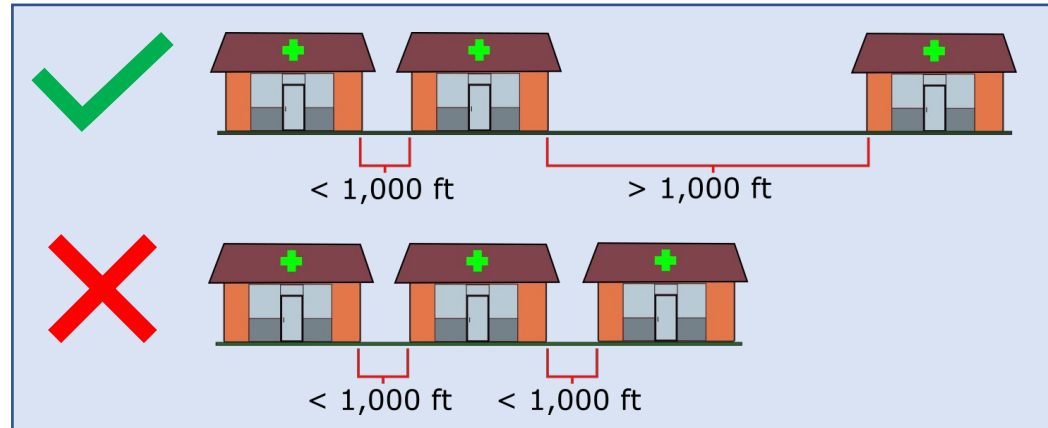
*Local governments may, by passage of an ordinance, reduce the 1,000 ft buffer for marijuana businesses (but not advertising) to as low as 100 feet for any of the sensitive uses listed above except for K-12 schools and playgrounds.

Unique Separation Requirements

Though it is not uncommon for municipalities to require a certain amount of separation between similar marijuana businesses (e.g., 300 ft between marijuana retail stores), Seattle adds a unique twist on this requirement:

“No more than two properties with major marijuana activity that includes the retail sale of marijuana products are allowed within 1000 feet of each other.”

[Seattle Municipal Code Sec. 23.42.058\(C\)](#)



Graphic Credit: Tas Lagoo (2022)

Zoning

Marijuana businesses are prohibited in all single-family, multifamily, and neighborhood commercial zones as well as a variety of preservation, overlay, and special use districts.

Marijuana establishments are not listed as specific uses in the Seattle Land Use Regulations. So long as they meet the buffering requirements, marijuana-related businesses are permitted in any other zones in which their general use category is permitted.

Buffering Requirements for Marijuana-Related Businesses – Seattle, WA		
MRB Type	Buffer Distance	Sensitive Land Use
All marijuana businesses	1,000 ft	<ul style="list-style-type: none"> • K-12 schools and playgrounds Seattle Municipal Code Sec. 23.42.058(C)
All marijuana businesses (except retail)	250 ft	<ul style="list-style-type: none"> • Child care centers • Game arcades • Libraries • Public parks • Public transit centers • Recreation centers/facilities Seattle Municipal Code Sec. 23.42.058(C)
Retail	500 ft	<ul style="list-style-type: none"> • Child care centers • Game arcades • Library • Public parks • Public transit centers • Recreation centers/facilities Seattle Municipal Code Sec. 23.42.058(C)
	1,000 ft	<ul style="list-style-type: none"> • “No more than two properties with major marijuana activity that includes the retail sale of marijuana products are allowed within 1000 feet of each other.” Seattle Municipal Code Sec. 23.42.058(C)

Strict Limits on Marijuana Businesses

A suburb of Seattle, Auburn has taken a decidedly more stringent approach to marijuana businesses than its larger neighbor.

Marijuana businesses are limited to the city's light and heavy industrial districts and are only allowed as conditional uses. [Auburn Municipal Code Sec. 18.23.030](#)

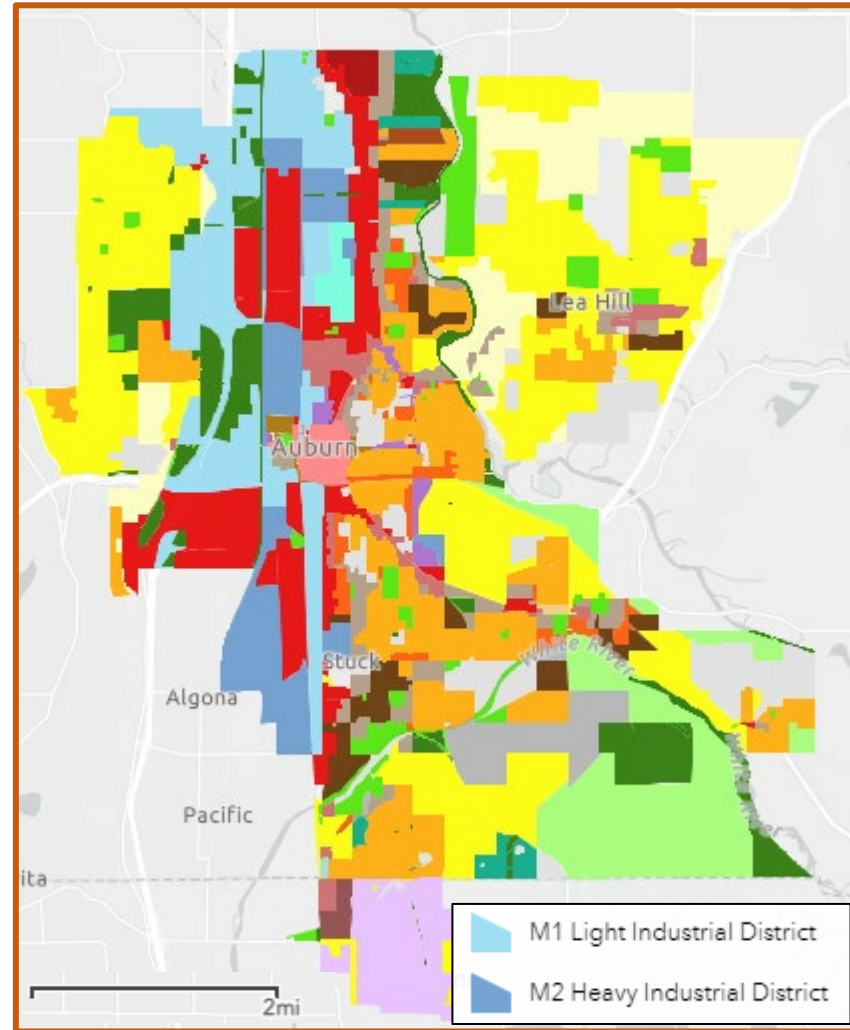
Only four marijuana retailers are permitted in the city and they must be separated by at least one mile.

[Auburn Municipal Code Sec. 18.59.020](#)

Community Engagement

Applicants for any marijuana related businesses must conduct at least one public meeting within one mile of the proposed business location.

[Auburn Municipal Code Sec. 18.59.110](#)



Prepared by Tas Lagoo (2022) with base map provided by [City of Auburn](#)

Buffering Requirements for Marijuana-Related Businesses – Auburn, WA

MRB Type	Buffer Distance	Sensitive Land Use
Retail Auburn Municipal Code Sec. 18.59.030	1 mile	<ul style="list-style-type: none"> • Other marijuana retailers
	1,320 ft	<ul style="list-style-type: none"> • Single-family and multifamily residential districts
All marijuana establishments Auburn Municipal Code Sec. 18.59.030	2,640 ft	<ul style="list-style-type: none"> • K-12 schools • Public or private playgrounds • Public or private recreation centers • Child care centers • Public private parks • Game arcades
	1,320 ft	<ul style="list-style-type: none"> • Public trails • Public transit centers • Religious institutions • Public libraries • Transit centers and park-and-ride facilities