

MEMORANDUM

DATE: October 14, 2013

TO: City Manager, City Administrator, Planning Director

FROM: W. Scott Snyder, Office of the City Attorney

RE: Preparing for I-502 Licensing

In a public appearance on Thursday, October 10, Alan Rathbun of the State's Liquor Control Board (LCB), indicated that once the LCB has issued a license, it will not revoke or suspend the license if a problematic use (park, daycare center, etc.) is established later within the thousand-foot zone prohibition zone.

The City, however, has an alternative method of dealing with this potential problem. We suggest that you review your comprehensive plan to determine whether any site shown for acquisition for a use such as a park or transit center is projected to be located within a commercial zone or within a thousand feet of the boundaries of a zone in which a marijuana-related use is permitted. If your City adopts a school district comp plan, you could include projected school sites. By use of an interim ordinance or amendment to your zoning code, your City could exclude the site projected for acquisition plus one thousand feet from its boundaries from those zoned areas in which marijuana-related businesses may be established.

If you have questions, please feel free to call. We will be providing updates throughout the run-up to licensing.

WSS/gjz