Foster Garvey

Liquor & Cannabis Law

Shrinking Buffer Zones? Municipalities Now Have Discretion to Decrease the 1,000 Foot Requirement

01.20.16

Looking for a location for a licensed marijuana premises? Changes to the buffer zone requirements may be headed to your fair city.

Previously, the Washington State Liquor and Cannabis Board ("LCB") would not issue a license for any premises within one thousand (1,000) feet of various sensitive uses, namely, elementary or secondary schools; playgrounds; recreational centers or facilities; child care centers; public parks; public transit centers; libraries; or game arcades admitting minors. RCW 69.50.331(8) (2013).

This requirement caused headaches for many applicants, as they scrambled to find compliant locations. This was particularly true for retailers in larger cities, where much of the prime real estate was near a public transit center, by a public park, or otherwise within the 1,000 foot buffer zone.

These problems will likely compound. To accommodate the alignment of the medical and recreational systems, the LCB recently adopted emergency rules increasing the number of permissible retail licenses from 334 to 556. This means that there will be greater competition for locations that meet the buffer zone requirements.

Changes to the buffer zone rules may alleviate some of these concerns. Effective July 24, 2015, municipalities have discretion to decrease the buffer zone. Cities, counties, or towns may enact ordinances authorizing buffer zones between one hundred (100) and one thousand (1,000) feet for the sensitive uses identified above, except for elementary schools, secondary schools, and playgrounds. RCW 69.50.331(8)(b). Note that the distance reduction cannot negatively impact the municipality's civil regulatory enforcement, criminal law enforcement interests, public safety, or public health.

Seattle is the first major Washington city to decrease the buffer zones. The Seattle City Council voted on Monday, January 11, 2016, to reduce the 1,000 foot buffer zone. Ordinance 124969. Subject to zoning restrictions, the buffer zones for producers and processors are now 250 feet. For retailers, the buffer zones are now 250 feet downtown, and 500 feet elsewhere in the city. Regardless, there can be no more than two retailers within 1,000 feet of each other, with an exception for existing retailers.

© 2026 Foster Garvey PC. All Rights Reserved.

To date, other major cities have not taken advantage of the new buffer zone rules. Indeed, Tacoma recently issued a temporary, six-month moratorium on new retail marijuana stores and medical cooperatives in the city. Substitute Ordinance No. 28343. Among other things, the Tacoma City Council cited the need for further review by the Planning Commission.

For more information about Tacoma's moratorium, please see our previous blog post, "Tacoma Passes Moratorium on New Retail Stores, Medical Cooperatives".

Posted in Marijuana business owners, Marijuana retailers, Marijuana-related Business, Medical marijuana, Washington State

Tagged as buffer zone, emergency rules, LCB, license, medical cooperatives, moratorium, Ordinance 124969, retail licenses, retail marijuana stores, Substitute Ordinance No. 28343, Tacoma, Tacoma City Council, Washington State Liquor and Cannabis Board

Authored by

Emily Harris Gant

Firm Managing Principal|Seattle

206.816.1454 emily.gant@foster.com

© 2026 Foster Garvey PC. All Rights Reserved.