


COUNCIL OF THE DISTRICT OF COLUMBIA
OFFICE OF COUNCILMEMBER BROOKE PINTO, WARD 2
MEMORANDUM

1350 Pennsylvania Avenue, NW, Washington, DC 20004

TO: Chairman Phil Mendelson

FROM: Councilmember Brooke Pinto 

RE: Request to Agendize Emergency and Temporary Measures for the April 2, 2024, Legislative Meeting - Prohibition of Cannabis Retailers Near Schools

DATE: March 28, 2024

I request the following measures be agendized for the April 2, 2024, Legislative meeting:

- “Prohibition of Cannabis Retailers Near Schools Emergency Declaration Resolution of 2024”
- “Prohibition of Cannabis Retailers Near Schools Emergency Amendment Act of 2024”
- “Prohibition of Cannabis Retailers Near Schools Temporary Amendment Act of 2024”

The purpose of this emergency and temporary legislation is to amend, on an emergency and temporary basis, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to prohibit medical cannabis retailer licensees from locating within 300 feet of preschools, primary and secondary schools, and recreation centers without exception, and to authorize medical cannabis retailer license applicants whose locations are within 300 feet of preschools, primary and secondary schools, and recreation centers to change the location of the retailer facility on its application within 180 calendar days after the effective date of this act.

The Council established a general legal framework for the Alcoholic Beverage and Cannabis Administration (“ABCA”) to license medical cannabis retailers. Under this general framework, medical cannabis retailers are prohibited from locating within 300 feet of a preschool, primary or secondary school, or recreation center. The Council additionally established a transition process for unlicensed cannabis establishments to apply for a retailer license during a 90-calendar day open application period, which closed on January 29, 2024.

The transition process includes an exception for medical cannabis retail establishments to locate within 300 feet of a preschool, primary or secondary school, or recreation center where the main entrance to the preschool, primary or secondary school, or recreation center, or the nearest property line of the school or recreation center, is actually on or occupies ground zoned commercial or industrial according to the official atlases of the Zoning Commission of the District of Columbia. This exception contravenes the broader policies of the District to maintain a geographic buffer between medical cannabis retailers and public spaces that are frequented by young people, namely preschools, primary and secondary schools, and recreation centers. This legislation would remove the exception.

There are currently two pending applications for medical cannabis retail facilities within 300 feet of a preschool, primary or secondary school, or recreation center that are on or occupy ground zoned commercial or industrial according to the official atlases of the Zoning Commission of the District of Columbia. These applicants would be allowed to change the location of the retailer facility on their

applications within 180 calendar days after the effective date of this act without adversely affecting the status of their application.

Drafts of the measures are attached. If you have any questions regarding these measures, please contact Linn Groft, Legislative Director, at lgroft@dccouncil.gov.

cc: Members, Council of the District of Columbia
Office of the Secretary
Office of the General Counsel
Office of the Budget Director
Mayor's Office of Policy and Legislative Affairs