

TO: Members Jt. Committee on Marijuana Regulations

FROM: Tom Burns
Chalice Farms

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SUBJECT: Support for the Dash-6 Amendment to SB 1057

When marijuana businesses are granted “ownership” rights to geographic areas of land by either the state or local governments problems may occur if the business does not move forward in a reasonable time and open the business.

This problem occurred early in the Medical program when a dispensary was granted “ownership” of a 1000 foot buffer area and sat on the land doing nothing thus prohibiting another dispensary from opening.

Current many local jurisdictions restrict marijuana businesses from operating within 1000 feet of each other. These policies grant “ownership” to the business for all land in that area and restricts the ability of another business form applying for permission to operate within the 1000 foot buffer area.

Chalice Farms has no problem with local governments setting 1000 foot buffer areas.

The problem arises when a business seeks permission from local government to operate, becomes the “owner” of a 1000 foot circle of land, and never moves forward to seek a license from the OLCC.

This amendment makes no changes to the ability of local governments to enact a 1000 foot buffer rule. However, it does require local governments to remove their approval of a business’s “ownership” of 1000 feet if the business fails to receive a license from OLCC within 12 months of being granted “ownership” by a local government. Some local government recognized this issue and their 1000 foot ordinance contains language requiring the applicant to move forward in a timely manner, others do not contain such a requirement.

When this amendment is in place, businesses that sit on property will only be able to do so for 12 months after which another business, at a different address, but within the 1000 foot buffer may begin the process for a license.