

# Study shows zoning regulations impact where marijuana dispensaries can locate

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Municipal zoning regulations may push marijuana dispensaries into low income, minority areas, according to a study just released by the University of Colorado Denver.

Published in the *Journal of the American Planning Association*, the leading professional and academic planning resource, the study shows that government regulations will likely cause an inequitable distribution of marijuana business throughout the city. Though the impact of dispensaries to the [neighborhoods](#) in which they are located has yet to be understood, the research is clear that the majority of allowable land for marijuana business is in the city's poorest and most ethnically and racially diverse areas.

Witnessing the marijuana industry boom in Colorado, Jeremy Németh, Associate Professor and Chair of the Department of Planning and Design at the College of Architecture and Planning, and former graduate student Eric Ross conducted research to determine if government zoning regulations lead to inequality in the areas of the city where marijuana dispensaries are allowed to locate.

"Though technically medical marijuana dispensaries provide a healthcare service, they have historically been required to adopt the same zoning restrictions as businesses that sell alcohol, pornography, and firearms," said Németh. "Generally, stores that sell these types of 'vices' are prohibited from locating in residential or mixed-use neighborhoods and are pushed into much less affluent neighborhoods."

Nemeth says that even though the impacts of dispensaries on crime, property values, or quality of life are still unclear, residents are quickly crying "NIMBY" (Not In My Back Yard) when confronted with the prospect of these facilities being located in their neighborhoods.

Indeed, using zoning restrictions, proximity buffers (areas around schools and parks) and density controls from cities across the country, and applying those regulations to Denver's land footprint, Németh and Ross found a higher proportion of allowable land for medical marijuana dispensaries to locate in socioeconomically disadvantaged areas and areas with higher proportions of African American, Hispanic, Asian, and Native American residents.

Németh and Ross's results show that the most vulnerable neighborhoods are those where income, education, and employment levels are lower than the city-wide average. In these socioeconomic disadvantaged areas of the city, 46 percent of the land was available for marijuana dispensaries, compared to 29 percent in wealthier areas.

In neighborhoods where less than 50 percent of the population identified as white, researchers found 35 percent of the land was available for dispensaries, compared to 29 percent in other neighborhoods.

The study confirms that much like the regulation of other "vices," city regulations do lead to an unequal distribution of marijuana dispensaries in disadvantaged areas. One reason for this might be that more affluent areas have more amenities (e.g., parks, schools) and therefore wider buffer zones. Poorer neighborhoods are also often located near dispensary-dense industrial or commercial zones.

The researchers did not examine where medical marijuana dispensaries are actually located, only where they are permitted to locate, therefore eliminating potentially confounding variables such as lease rates and

local labor market availability. Although the analysis only considered medical marijuana restrictions, research shows that nearly all towns have adopted the same regulations for recreational marijuana dispensaries as they did for medical dispensaries.

Németh and Ross caution city leaders that regulating dispensaries like liquor and other vices may be a mistake. Instead, they encourage communities to analyze their zoning regulations before implementing them to ensure government regulations align with their communities' needs and desires.

"As [medical marijuana](#) has become legal in 23 states and DC, municipalities must determine where these businesses will be allowed to operate," said Németh. "I encourage my students, and city planners, to think about the impacts zoning regulations have on the entire community, not just adopt regulations that have been in place for other vices."

Provided by University of Colorado Denver

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