GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR

September 19, 2011

VIA EMAILED PDF

Baron Wadley
P B L Industrial Group, LLC
Washington DC

RE: 411 New York Avenue NE Washington DC (Square: 3594, Lot: 800)

Dear Mr. Wadley:

This letter confirms my office's review of your proposed medical marijuana cultivation center to be located as "Sub-tenant #5" at 411 New York Avenue NE in Washington, D.C. ("the Property"). My analysis included applying the zoning regulations set forth in Title 11 of the District of Columbia Municipal Regulations (DCMR) and the medical marijuana regulations set forth in Title 22, Subtitle C of the DCMR (these regulations were adopted, on emergency basis, by the Mayor on August 10, 2011 and were published in the *D.C. Register* on August 12, 2011 (58 D.C.R. 7207)).

After reviewing the District's zoning map, I found that the Property is zoned C-M-1, which denotes the District's Commercial Manufacturing zone. Under the D.C. zoning regulations, specifically 11 DCMR § 801.7(j), a property zoned C-M-1 permits "any light manufacturing" uses. As the Zoning Administrator, I interpret the zoning regulations on a case-by-case basis. As such, I have determined that a medical marijuana cultivation center is permitted in a C-M-1 zone.

Under 22C DCMR §§ 5201.1 and 5403.2, a medical marijuana cultivation center shall not be located "within three hundred feet (300 ft) of a preschool, primary or secondary school, or recreation center." Based on the information you provided, the Property complies with these distance requirements. My office independently researched the District's Geographic Information System and found no identified preschools, primary or secondary schools, or recreation centers within a 300-foot radius of the Property's lot lines.

Therefore, based on the medical marijuana and zoning regulations, your representations, and my office's independent research, I conclude that your proposed medical marijuana cultivation center at the Property is allowed as a matter of right use. As you are aware, this use is subject to the licensing requirements of the D.C. Department of Health, which administers and regulates the medical marijuana program.

Please feel free to contact me at matthew.legrant@dc.gov if you have any questions.

Sincerely,

Matthew Le Grant

File: Det Let re 411 New York Ave NE to Wadley 9-19-2011

1100 4th Street, S.W., 3rd Floor, Washington, DC 20024
Telephone: (202) 442-4576 Fax: (202) 442-4871