

Section 307 of DC Municipal Regulations Title 23 Alcoholic Beverages

§ 23-307. West Dupont Circle Moratorium Zone.

307.1 A limit shall exist on the number of retailer's licenses issued in the area that extends approximately six hundred feet (600 ft.) in all directions from the intersection of 21st and P Streets, NW, Washington, DC, as follows: Class A - Two (2); Class B - Three (3); Class CT or Class DT - Six (6); Class CN or DN - Zero (0); and Class CX or Class DX - Three (3). This area shall be known as the West Dupont Circle Moratorium Zone.

307.2 The West Dupont Circle Moratorium Zone is more specifically described as the area bounded by a line beginning at 22nd Street and Florida Avenue, NW; continuing north on Florida Avenue, NW, to R Street, NW; continuing east on R Street, NW, to 21st Street, NW; continuing south on 21st Street, NW, to Hillyer Place NW; continuing east on Hillyer Place, NW, to 20th Street, NW; continuing south on 20th Street, NW, to Q Street, NW; continuing east on Q Street, NW, to Connecticut Avenue, NW; continuing southeast on Connecticut Avenue, NW, to Dupont Circle; continuing southwest around Dupont Circle to New Hampshire Avenue, NW; continuing southwest on New Hampshire Avenue, NW to N Street, NW; continuing west on N Street, NW, to 22nd Street, NW; continuing north on 22nd Street, NW, to Florida Avenue, NW (the starting point).

307.3 All hotels, whether present or future, shall be exempt from the West Dupont Circle Moratorium Zone. The 1500 block of Connecticut Avenue, NW, shall be exempt from the West Dupont Circle Moratorium Zone. Establishments located in, or to be located in, the New Hampshire side of One Dupont Circle, NW, shall be exempt from the West Dupont Circle Moratorium Zone.

307.4 Nothing in this section shall prohibit the Board from approving the transfer of ownership of a retailer's license Class A, B, CR, CT, CX, DR, DT, or DX located within the West Dupont Circle Moratorium Zone, subject to the requirements of the Act and this title.

307.5 Nothing in this section shall prohibit the Board from approving the transfer of a license from a location within the West Dupont Circle Moratorium Zone to a new location within the West Dupont Circle Moratorium Zone.

307.6 A license holder outside the West Dupont Circle Moratorium Zone shall not be permitted to transfer its license to a location within the West Dupont Circle Moratorium Zone unless the transfer will not exceed the number of licenses permitted in the West Dupont Circle Moratorium Zone for that particular class or sub-class, as set forth in Section 307.1.

307.7 Subject to the limitation set forth in Section 307.8, nothing in this section shall prohibit the filing of a license application or a valid protest of any transfer or change of license class.

307.8 No Class CR or Class DR licensee in the West Dupont Circle Moratorium Zone shall be permitted to request a change of license class to CT, DT, CN, or DN, unless the class change will not exceed the number of licenses permitted in the West Dupont Circle Moratorium Zone for that particular class or sub-class, as set forth in subsection 307.1.

307.9 A current holder of a retailer's license Class A, B, C, or D within the West Dupont Moratorium Zone shall not be permitted to apply to the Board for expansion of service or sale of alcoholic beverages into any adjoining or adjacent space, property, or lot, unless:

(a) the prior owner or occupant has held within the last five (5) years a retailer's license Class A, B, C, or D; or

(b) the applicant is a Class CR or DR licensee and the prior owner or occupant has held during the last three (3) years, and continues to hold at the time of application, a valid restaurant license from the Department of Consumer and Regulatory Affairs.

307.10 The number of substantial change applications approved by the Board for expansion of service or sale of alcoholic beverages into an adjoining or adjacent space, property, or lot, as allowed under subsection 307.9, shall not exceed three (3) during the three (3) year period of the West Dupont Circle Moratorium Zone.

307.11 Nothing in this section shall prohibit holders of a retailer's license Class C or D from applying for outdoor seating in public space.

307.12 This section shall expire three (3) years after the date of publication of the notice of final rulemaking.