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Brianne K. Nadeau
Councilmember Brianne K. Nadeau

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Chapter 3 of Title 25 of the District of Columbia Code to create an exception to the prohibition on retail licenses in a residential-use district if the applicant applies for an off-premises retailer's license, Class B, the applicant has been approved by the Board of Zoning Adjustment for a special exception under the provisions of 11 DCMR Subtitle U § 254, the sales area of the applicant's establishment that is devoted to the sale of alcohol for off-site consumption constitutes no more than 15% of the gross floor area of the ground floor of the corner store, the applicant's sale of alcoholic beverages constitutes no more than 25% of the total volume of gross receipts on an annual basis, and the opinion of the ANC, if any, has been given great weight; and to create an exception to the 400-foot restriction for a corner store if the applicant applies for an off-premises retailer's license, Class B, the applicant has been approved by the Board of Zoning Adjustment for a special exception under the provisions of 11 DCMR Subtitle U § 254, the applicant's establishment is located in ANC 1B, the sales area of the applicant's establishment that is devoted to the sale of alcohol for off-site consumption constitutes no more than 15% of the gross floor area of the ground floor of the corner store, the applicant's sale of alcoholic beverages constitutes no more than 25% of the total volume of gross receipts on an annual basis, and the opinion of the ANC, if any, has been given great weight.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That

this act may be cited as the "Corner Store Limited Exception Amendment Act of 2019".

Sec. 2. Chapter 3 of Title 25 of the District of Columbia Official Code is amended as follows:

(a) Section 25-314(b) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "paragraphs (2) through (9) of this subsection." and inserting the phrase "paragraphs (2) through (10) of this subsection." in

37 its place.

38 (2) A new paragraph (10) is added to read as follows:

39 “(10) The 400-foot restriction shall not apply to a corner store if the:

40 “(A) Applicant applies for an off-premises retailer’s license, Class B;

41 “(B) Applicant qualifies as a corner store and has been approved by
42 the Board of Zoning Adjustment for a special exception in accordance with section 254 of Title
43 11-U2 of the District of Columbia Municipal Regulations (11-U2 DCMR § 254);

44 “(C) Applicant’s establishment is located in ANC 1B;

45 “(D) Sales area of the applicant’s establishment that is devoted to the
46 sale of alcohol for off-site consumption constitutes no more than 15% of the gross floor area of
47 the ground floor of the corner store;

48 “(E) Applicant’s sale of alcoholic beverages constitutes no more than
49 25% of the total volume of gross receipts on an annual basis; and

50 “(F) Opinion of the ANC, if any, has been given great weight.”.

51 (b) Section 25-336 is amended by adding a new subsection (g) to read as follows:

52 “(g) Notwithstanding the restriction in subsection (a) of this section, an off-premises
53 retailer’s license Class B may be applied for and approved by the Board in a residential-use
54 district if the:

55 “(1) Applicant qualifies as a corner store and has been approved by the Board
56 of Zoning Adjustment for a special exception in accordance with section 254 of Title 11-U2 of
57 the District of Columbia Municipal Regulations (11-U2 DCMR § 254);

58 “(2) Sales area of the applicant’s establishment that is devoted to the sale of
59 alcohol for off-site consumption constitutes no more than 15% of the gross floor area of the

60 ground floor of the corner store;

61 “(3) Applicant’s sale of alcoholic beverages constitutes no more than 25% of
62 the total volume of gross receipts on an annual basis; and

63 “(4) Opinion of the ANC, if any, has been given great weight.”.

64 Sec. 3. Fiscal impact statement.

65 The Council adopts the fiscal impact statement in the committee report as the fiscal
66 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
67 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

68 Sec. 4. Effective date.

69 This act shall take effect following approval by the Mayor (or in the event of veto by the
70 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
71 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
72 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
73 Columbia Register.

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