

Government of the District of Columbia
Office of the Chief Financial Officer



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Kwame R. Brown
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi 
Chief Financial Officer

DATE: May 31, 2011

SUBJECT: Fiscal Impact Statement – “Southeast Federal Center/Yards Non-Discriminatory Grocery Store Amendment Act of 2011”

REFERENCE: Bill 19-22, As Introduced

Conclusion

Funds are sufficient in the FY 2011 through FY 2014 budget and financial plan to implement the provisions of the proposed legislation.

Background

The proposed legislation would amend Title 25 (Alcoholic Beverage Regulation) of the D.C. Official Code to require that establishments in the Southeast Federal Center¹/Commercial-Residential² (SEFC/C-R) zone be subject to the same terms and conditions regarding obtaining licenses for the sale of alcoholic beverages as those located in commercial districts (C-1, C-2, C-3, C-4, or C-5 zones).

Specifically, establishments in the SEFC/C-R zone that are applying for an off-premises retailer's license, Class B, would not be subject to the following:

- Applicants must not hold an interest in any other license to sell alcohol;
- The number of off-premises retailer's license, Class B, cannot exceed 300;
- No new off-premises retailer's license, Class B, can be issued; and

¹ As defined in the federal “Southeast Federal Center Public-Private Development Act of 2000,” approved November 1, 2000 (Public Law 106-407; 114 Stat. 1758), and Chapter 18 (Southeast Federal Center Overlay District) of Title 11 (Zoning) of the District of Columbia Municipal Regulations. The latter defines the area as the Southeast Federal Center (SEFC) Overlay District, which is an approximately 42-acre portion of the SEFC site that is designated for “federal use” and “parks, recreation, and open space” in the Comprehensive Plan for the National Capital.

² This is a mixed-use zone that can include retail, residential, office, and light industry.

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- No new off-premises retailers license, Class B, can be issued for an establishment which is located within 400 feet from another establishment operating under an off-premises retailer's license, Class B.

In addition, the proposed legislation would exempt establishments in the SEFC/C-R zone from the requirement that establishments not be located within 400 feet of a public, private, or parochial primary, elementary, or high school; college or university; or recreation area operated by the District of Columbia Department of Parks and Recreation.

The specific intent of this legislation is to allow a full-service grocery store that is located within the SEFC/C-R zone to be eligible to sell beer and wine for off-premises consumption in the same manner, and under the same statutory provisions, as full-service grocery stores located in commercial zones elsewhere in the District of Columbia.

Financial Plan Impact

Funds are sufficient in the FY 2011 through FY 2014 budget and financial plan to implement the provisions of the proposed legislation. Allowing establishments in the SEFC/C-R zone to enjoy the same conditions for obtaining a license to sell alcohol as those in commercial zones would not have a fiscal impact.