

No New Bars/Restaurants in 14th & U Area Without Zoning Approval

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On April 5, 2010, the District of Columbia Zoning Administrator (ZA) issued a ruling that the Department of Consumer and Regulatory Affairs (DCRA) will no longer grant building permits or Certificates of Occupancy for restaurants, bars, diners, coffee shops, and carry-outs in the commercial area around 14th and U Streets. This ruling affects all properties within the Uptown Arts (ARTS) Overlay District, which roughly includes all properties on U Street between 9th and 15th Streets; on Florida Avenue between 6th and 9th Streets; on 14th Street between N Street and Florida Avenue; and on 7th Street between Rhode Island and Florida Avenues. (See Section 1900 of the Zoning Regulations for more information.)

The ARTS Overlay District limits eating and drinking establishments to 25% of the total linear street frontage within the covered area. The ZA's ruling concludes that the existing establishments have met this limit. Now, anyone planning to open an eating or drinking establishment in a new location must first obtain a special exception from the Board of Zoning Adjustment (BZA) to exceed the 25% cap.

This ruling comes at a time when the popularity of the 14th & U Streets area as a destination for eating and drinking has exploded. As more development, residents, and visitors have come to the area, the demand for restaurants, bars, and coffee shops has grown tremendously.

Goulston & Storrs has extensive experience in securing special exceptions from the BZA for the ARTS Overlay. Please contact us if we can provide additional information on the foregoing ruling, answer any questions about the ARTS Overlay, or assist you with seeking a special exception from the BZA.

The authors of this advisory are members of the Real Estate Development/Land Use group. If you have questions regarding the information contained in this advisory, please contact your usual G&S attorney or:

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