

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ZONING COMMISSION

Zoning Commission Order No. 161
May 12, 1977

EMERGENCY ORDER

ORDERED:

Whereas: The District of Columbia has experienced in recent months a proliferation in many sections of the city of sexually-oriented business establishments.

And Whereas: A number of these businesses are located in low-density commercial zones adjacent to residential areas, neighborhood schools and churches, and similar institutions.

And Whereas: The Zoning Commission has received communication from citizens, groups, and representatives of organizations expressing their opposition to the proliferation of such businesses.

And Whereas: The Zoning Commission believes that the continued expansion in the number of such uses in such neighborhoods would be to the clear detriment of the District of Columbia.

And Whereas: As Section 1 of the Zoning Act (Act of June 20, 1938, 52 Stat. 797, as amended by Act of March 4, 1942, 56 Stat. 122) establishes the authority of the

Zoning Commission "to promote the health, safety, morals, convenience, order, prosperity, or general welfare of the District of Columbia."

And Whereas: Section 1-1505 of the District of Columbia Code authorizes the Zoning Commission to take emergency action for a period not to exceed 120 days "for the immediate preservation of the public peace, health, safety, welfare, or morals."

Therefore: The Zoning Commission at its public meeting held on May 12, 1977, resolves that an emergency exists and that it is imperative that the Zoning Commission immediately amend the Zoning Regulations to establish the districts in which sexually-oriented businesses may be permitted within the District of Columbia.

Now therefore: The Zoning Commission hereby orders for a period not to exceed 120 days from May 12, 1977, the creation of the following section of the Zoning Regulations:

7616. Sexually-oriented businesses.

7616.1 No certificate of occupancy shall be issued for a sexually-oriented business establishment in any zone district other than C-3-B and c-4.

7616.2 In a C-3-B or C-4 district, sexually-oriented business establishments shall be permitted only if approved by the Board of Zoning Adjustment subject to the following conditions:

(a) No portion of such business shall be located within 200 feet of any residential district, church, or school.

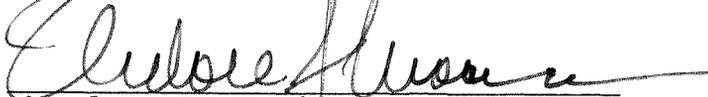
(b) No external (street) advertisements or display of merchandise shall be permitted from the premises.

(c) The establishment shall be compatible with other uses in the area.

(d) Such use will not become objectionable because of its effect on the character of the neighborhood or because of noise, traffic, or other conditions.

(e) The establishment will not have an adverse impact on religious, educational, and other institutional facilities located in the area.

This Regulation shall take effect immediately.



Theodore F. Mariani
Chairman, D.C. Zoning Commission

Attested:



Arthur B. Hatton
Executive Secretary