

**ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION  
ALCOHOLIC BEVERAGE AND CANNABIS BOARD**

**NOTICE OF PROPOSED RULEMAKING**

The Alcoholic Beverage and Cannabis Board (“Board”), pursuant to the authority set forth in section 101(a) of the Moratorium Amendment Act of 1999, effective May 3, 2001 (D.C. Law 13-298; D.C. Official Code § 25-351(a)) (Repl.), as amended, and in accordance with section 6(c) of the District of Columbia Administrative Procedure Act, effective October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c)), as amended, hereby gives notice of its intent to amend section 308 (Glover Park Moratorium Zone) of Chapter 3 (Limitations on Licenses) of title 23 (Alcoholic Beverages) of the District of Columbia Municipal Regulations (“DCMR”).

The purpose of the proposed rules is to: (1) continue the moratorium on on-premises retailer’s licenses class CN, DN, CX, and DX, (2) establish a cap on the total number of tavern licenses permitted in this area at one (1); and (3) keep the moratorium in place for three (3) years..

**Background**

Under D.C. Official Code § 25-351(a)(2), the Board is authorized to adopt a moratorium on the issuance of any classes of alcoholic beverage licenses in a locality, section, or portion of the District.

A moratorium on the issuance of certain alcoholic beverage licenses has existed in the Glover Park neighborhood for approximately the last thirty years. The current areas of the Glover Park Moratorium Zone and the scope of the moratorium zone may be found in § 308 of Title 23 of the DCMR. The current moratorium zone extends approximately 1,200 feet from 2436 Wisconsin Avenue, N.W., Washington D.C., 20007, which is the location of Wisconsin Avenue Imports, LLC, t/a Pearson’s Wine and Spirits, holder of a Retailer’s Class A License (ABRA License No. 100880). Within the moratorium zone, the issuance of new nightclub, multipurpose facility, and tavern licenses (i.e., C/N, D/N, C/X, D/X, C/T, and D/T) are currently prohibited. The moratorium zone does not apply to hotels or prohibit the transfer of liquor licenses within the moratorium zone. The moratorium zone does prohibit the transfer of liquor licenses from outside the zone into the zone.

The Glover Park Moratorium Zone was most recently renewed for three years in 2023. In extending the moratorium zone, the Board agreed with public comment that the moratorium zone had improved peace, order, and quiet in the area by limiting certain license classes near highly residential areas in the neighborhood. *See* Notice of Final Rulemaking, 70 DCR 3921 (Mar. 31, 2023). In addition, based on the large number of families in the neighborhood, the Board determined that the addition of alcohol-focused businesses, such as nightclubs, taverns, and similar establishments was inappropriate and would disrupt the ability of residents to enjoy peace and quiet in their homes. *Id.* at 3922. The Board was also persuaded by testimony that public street parking and public transportation was limited in the neighborhood. *Id.* Based on this

testimony, the Board found the renewal of the moratorium appropriate in accordance with D.C. Official Code § 25-354(d).

The current moratorium is scheduled to expire on March 31, 2026. On December 1, 2025, Advisory Neighborhood Commission (“ANC”) 3B filed a written request with the Board to continue the current moratorium with one change; specifically, ANC 3B requested that the Board permit one new tavern liquor license to be issued in the moratorium zone.

### **Public Hearing**

In response to ANC 3B’s request to renew the Glover Park Moratorium Zone, the Board held a public hearing on January 14, 2026 on the proposed extension, pursuant to D.C. Official Code § 25-354(a). Notice of the public hearing was published in the *District of Columbia Register* on December 19, 2025, at 72 DCR 14029 and provided to the persons and entities required by D.C. Official Code § 25-354(c) and 23 DCMR § 303.2. The Board received a written testimony and an oral testimony from members of the Glover Park community. A summary of the testimonies is set forth below.

Jackie Blumenthal, representative for ANC 3B, testified in support of the moratorium. The ANC indicated that it supports adding a tavern license based on neighborhood support for the additional license. Since ANC 3B has a high number of residential homes, the Commission only wants to permit one tavern license at a time to prevent neighborhood disturbances. Issues generally associated with operating a tavern such as loud music playing during the early hours of the morning, parking congestion, and increased foot traffic during late night hours, are a potential risk to peace, order, and quiet if too many taverns are located in the neighborhood. Nevertheless, adding one tavern license to the community would not likely have a detrimental impact. The ANC would also like to prevent many of the existing restaurant establishments from converting to taverns at the same time. The ANC will reconsider supporting an increase in tavern licenses at the next moratorium renewal once this moratorium period concludes.

Kate Dean, Executive Director of the Glover Park Alliance, testified in support of the moratorium and allowing one tavern license. Nevertheless, she expressed concerns about the overall restrictive nature of the moratorium. Glover Park Alliance administers funding and support to businesses in the Woodley Park Main Street program including 80 storefront businesses in the community. In recent years, Glover Park has experienced less foot traffic, a shift in the age demographic to an older demographic even though Glover Park is home to two colleges, a change in consumer spending habits to be more conservative, and several more changes in behaviors affecting the economic life of the community. Glover Park has also experienced more businesses shuttering in recent years. While Ms. Dean is in support of the one additional tavern license, she advocates for less restrictive stipulations in the moratorium to encourage new businesses to enter the community and improve nightlife experiences in Glover Park.

### **Board Action**

In determining whether to adopt a moratorium, the Board considers whether the testimony and evidence leads the Board to conclude that the moratorium is appropriate under at least two of the factors found at D.C. Official Code § 25-313(b)(1)-(3), including the impact of establishments on peace, order, and quiet; residential parking and vehicular and pedestrian safety; and real property values.

At this time, the Board agrees with ANC 3B's request to continue the moratorium and to make one new tavern liquor license available. ANC 3B informed the Board that it seeks the continuance of the moratorium based upon the negative impact of new alcohol licenses on real property values and noise. The Board agrees with ANC 3B's recommendation that the continuation of a moratorium in Glover Park is appropriate. Based upon the testimony provided at the hearing, the Board agrees that the moratorium will help to balance the neighborhood's nightlife and the livability of its residents.

Although ANC 3B supports extending the Glover Park moratorium, it also supports permitting one new tavern liquor license as part of the moratorium renewal because it believes the change would have a minimal impact on the neighborhood. The Board further considered the testimony of the Glover Park Alliance in support of the moratorium and encourages the parties to discuss proposals to modify the moratorium and assist the economic vitality of the Glover Park neighborhood.

The Board notes that a tavern liquor license previously existed in the Glover Park moratorium area, but it was cancelled in 2018, leaving the moratorium area with no taverns. The Board agrees with ANC 3B that permitting one new tavern liquor license will have a de minimis impact on the neighborhood. Based upon the testimony provided at the hearing, the Board agrees that increasing the permitted number of tavern liquor licenses by one would present a minimal risk to peace, order, and quiet, real property values, and residential parking. Consequently, the proposed rulemaking modifies 23 DCMR §§ 308.1, 308.9, and 308.10 accordingly to establish a cap on the total number of permitted taverns in the moratorium zone at one (1).

The Board further requires that the new tavern liquor license be a new business with a new certificate of occupancy issued and a new trade name formed on or after April 1, 2026, as set forth in 23 DCMR § 308.9. The purpose of this subsection is to prevent an existing retailer from making a substantial change by converting its license from a restaurant or other retail license type to a tavern for the purpose of merely holding the license in the hopes of later selling it without adding a new tavern or new business to the Glover Park neighborhood.

In light of the findings above and having no evidence that circumstances or conditions in the neighborhood have significantly changed, on January 28, 2026, the Board adopts the proposed rulemaking, by a vote of 5 to 0.

The Board gives notice of its intent to take final rulemaking action in not less than 30 days after publication of this notice in the *District of Columbia Register*. In accordance with D.C. Official Code § 25-211(b), proposed final rules will be transmitted to the Council of the District of Columbia (Council) for a 90-day period of review. The Board will not adopt the rules as final

prior to the expiration of the 90-day review period, unless earlier approved by Council resolution.

**Section 308, GLOVER PARK MORATORIUM ZONE, of Chapter 3, LIMITATIONS ON LICENSES, of Title 23 DCMR, ALCOHOLIC BEVERAGES, is amended to read as follows:**

**Subsection 308.1 is amended to read as follows:**

- 308.1 In the area that extends approximately one thousand two hundred feet (1,200 ft.) in all directions from 2436 Wisconsin Avenue, N.W., Washington, D.C. 20007:
- (a) No new retailer’s license class CN, CX, DN, or DX shall be issued; and
  - (b) The number of retailer’s licenses class CT or DT shall not exceed one (1).

**Subsection 308.9 is amended to read as follows:**

- 308.9 The holder of a retailer license in the moratorium zone shall be prohibited from applying for a conversion of its license to a tavern license, class C or D, and the Board shall only issue a new tavern license to an applicant for an establishment which:
- (a) is a new business or new entity with a new trade name formed on or after April 1, 2026; and
  - (b) has a new certificate of occupancy issued on or after April 1, 2026.

**Subsection 308.10 is added to read as follows:**

- 308.10 This section shall expire three (3) years after the date of publication of the notice of final rulemaking in the *District of Columbia Register*.

All persons desiring to comment on the subject matter of the proposed rulemaking must submit their written comments, not later than thirty (30) days after the date of the publication of this notice in the *District of Columbia Register*, to [abca.legal@dc.gov](mailto:abca.legal@dc.gov) or by mail or hand delivery to Jonathan Berman, General Counsel, Alcoholic Beverage and Cannabis Administration, 899 North Capitol Street N.E., Suite 4200-B, Washington, D.C. 20002. Copies of the proposed rulemaking can be obtained by contacting Jonathan Berman at the above address.