

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR



SEXUALLY ORIENTED BUSINESS ESTABLISHMENT QUESTIONNAIRE

Please complete the following form regarding the use, whether existing or proposed, in order for our review staff to determine if the use qualifies as a Sexually Oriented Business Establishment, as defined in 11 DCMR § 199.1. Please print legibly in ink or type. Answer the following questions and add additional explanation if needed for clarification.

Premise Address: _____

Name of Business: _____

Person completing form: _____
Print Name Date

Definitions:

Sexually-oriented business establishment - an establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals, films, materials, and articles, or an establishment that presents as a substantial or significant portion of its activity, live performances, films, or other materials, that are distinguished or characterized by their emphasis on matters depicting, describing, or related to specified sexual activities and specified anatomical areas.

These establishments may include, but are not limited to, bookstores, newsstands, theaters, and amusement enterprises. If an establishment is a sexually-oriented business establishment as defined here, it shall not be deemed to constitute any other use permitted under the authority of this title.

Specified anatomical areas - parts of the human body as follows:

- (a) Less than completely and opaquely covered human genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola; and
- (b) Human genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified sexual activities - the following activities:

- (a) Acts of human masturbation, sexual intercourse, sexual stimulation or arousal, sodomy, or bestiality; and
- (b) Fondling or other erotic touching of human genitals, pubic region, buttock, or breast.

Please answer the following questions in order to determine the correct zoning classification for the proposed use:

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Does the proposed or existing establishment:

1. Sell or rent, books, magazines, and other periodicals, films [including videos or DVDs], articles, or other materials, that depict or describe the **specified sexual activities** and **specified anatomical areas defined on page 1 of this form?**

Yes _____ No _____ Some or partial _____

If the answer is 'some', state the expected percentage of sales: _____%. State the percentage of floor space dedicated to the sale or rental of these items: _____%

2. Sell merchandise that is marketed or intended to be used as a sex toy?

Yes _____ No _____ If Yes, Please explain:

3. Does the establishment present live performances, films, entertainment or dancing in which the patrons or performers are partially disrobed, nude, or engage in any specified sexual activities?

Yes _____ No _____ If Yes, Please explain:

4. If #3 is yes, does the establishment have guidelines of conduct for performers?

Yes _____ No _____ If Yes, Please attach.

5. If #3 is yes, does the establishment offer lap dancing?

Yes _____ No _____ If Yes, Please explain:

If checked by staff, please provide the following:

- Provide a complete floor plan. Show all floors, seating and assembly areas.
- For Existing: Provide photographs of the interior including the performance areas, assembly spaces, private rooms, stages, or product sales racks.
- If food or beverage is served, provide a copy of the menu.

Signature of person completing form: _____

Name

Date

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ESTABLISHMENT APPLICATIONS**

For Staff Use ONLY:

Zone: _____

Overlay District _____

I have reviewed this questionnaire, and supporting information if supplied, and determined, under the applicable zoning definitions, that the establishment is defined as:

_____ **Restaurant**

_____ **Public Hall**

_____ **Private Club**

_____ **Retail Sales**

_____ **Art Gallery**

_____ **Sexually Oriented Business Establishment**

_____ **Other:** _____

Zoning Administrator

Date

File: SOBE Questionnaire 9-7-2011

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