Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

14-13 - Special Permit Modifications of Locational or Physical Criteria for Enclosed Sidewalk Cafes

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LAST AMENDED
5/5/2004

In all #Commercial Districts# or #Manufacturing Districts#, where #enclosed sidewalk cafes# are permitted in accordance with the provisions of this Chapter, the City Planning Commission may permit, upon application, modifications to the locational or physical criteria regulations for #enclosed sidewalk cafes#, except that there shall be no modification of Sections 14-41 (Locations Where Certain Sidewalk Cafes Are Not Permitted), 14-42 (Locations Where Enclosed Sidewalk Cafes Are Not Permitted), 14-44 (Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted) and 14-45 (Street Malls Where Certain Sidewalk Cafes Are Permitted), provided the Commission finds that:

(a) the #enclosed sidewalk cafe# is developed consistent with the general purposes and objectives of this Chapter;

(b) any proposed modification to the requirements of this Chapter will result in good overall design and enhance the general character of the #street# and the neighborhood;

(c) any proposed modifications to the requirements of this Chapter will not cause a serious adverse effect on pedestrian traffic;

(d) the restaurant or #enclosed sidewalk cafe# provides access for persons with disabilities;

(e) where a proposed #enclosed sidewalk cafe# is located between two existing stoops, it will not project beyond the stoops; and

(f) modifications to the provisions of paragraph (a) of Section 14-11 (Locational Criteria for Enclosed Sidewalk Cafes) shall be limited to the minimum clear path for a proposed #enclosed sidewalk cafe# that would be located on a #street# with a special pedestrian plan.