



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# 14-40 - AREA ELIGIBILITY FOR SIDEWALK CAFES

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## 14-40 - AREA ELIGIBILITY FOR SIDEWALK CAFES

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LAST AMENDED

5/5/2004

Sections [14-40](#) through [14-45](#) identify those locations where specific area eligibility regulations apply.

For the purposes of Sections [14-40](#) through [14-45](#), the length of a #street# shall run the full #block# to the nearest intersections with cross #streets#, unless otherwise stated.

Areas bounded by #streets# shall include both sides of such #streets# and shall be subject to the regulations of this Chapter pertaining to such areas. When a #street# forms the boundary of a special district, however, only that side of the #street# located within the special district shall be subject to the regulations pertaining to the special district.

#Sidewalk cafes# shall only be allowed to locate along the length of a #street# or within the area bounded by #streets#, as set forth in Sections [14-40](#) through [14-45](#), where the applicable #use# regulations of the district allow eating and drinking establishments, either as-of-right, by certification or by authorization or special permit.

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## 14-41 - Locations Where Certain Sidewalk Cafes Are Not Permitted

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LAST AMENDED

8/9/2011

No #enclosed# or #unenclosed sidewalk cafes# shall be permitted on any of the following #streets#, portions of #streets# and areas, except that #small sidewalk cafes# may be permitted pursuant to the provisions of Section [14-43](#) (Locations Where Only Small Sidewalk Cafes Are Permitted).

Citywide:

All #streets# with elevated rail transit lines, unless specifically permitted in Section [14-43](#).

Manhattan:

All #streets# bounded by 38th Street on the south, 59th Street on the north, Third Avenue on the east and Eighth Avenue on the west

All #streets# within M1-5B Districts and the #Special SoHo-NoHo Mixed Use District#, south of Houston Street

Bowery — from East Broadway to Canal Street

Elizabeth Street — from Bayard Street to Canal Street

Pell Street — the entire length

Mott Street — from Park Row to Canal Street

Mulberry Street — from Worth Street to Canal Street

Bayard Street — the entire length

Doyers Street — the entire length

All streets facing Chatham Square

Canal Street — the entire length

Orchard Street — from Canal Street to Houston Street

Delancey Street — from Norfolk Street to the Bowery

Eighth Street — from Avenue A to Sixth Avenue

14th Street — from Second Avenue to Eighth Avenue

23rd Street — from the East River to Eighth Avenue

31st Street — from Fifth Avenue to Eighth Avenue

32nd Street — from Fifth Avenue to Eighth Avenue

33rd Street — from Fifth Avenue to Eighth Avenue

34th Street — from the East River to Eighth Avenue

42nd Street — from the East River to Eighth Avenue

All #streets# or portions of #streets# bounded by 43rd Street on the south, 45th Street on the north, Eighth Avenue on the east and, on the west, a line 150 feet west of Eighth Avenue

57th Street — from the East River to Eighth Avenue

58th Street — from the East River to Eighth Avenue

59th Street — from the East River to Fifth Avenue

59th Street — from Sixth Avenue to Columbus Circle

All #streets# bounded by 59th Street on the south, 61st Street on the north, Fifth Avenue on the west and, on the east, a line 125 feet east of Fifth Avenue

60th Street — from Third Avenue to Fifth Avenue

61st Street — from Third Avenue to Fifth Avenue

62nd Street — from Second Avenue to Fifth Avenue

63rd Street — from Second Avenue to Fifth Avenue

68th Street — from First Avenue to Fifth Avenue

72nd Street — from the East River to Fifth Avenue

77th Street — from First Avenue to Fifth Avenue

79th Street — from the East River to Fifth Avenue

86th Street — from the East River to Fifth Avenue, south side only

86th Street — from the East River to 125 feet east of York Avenue, north side only, and from York Avenue to Fifth Avenue, north side only

116th Street — from Malcolm X Boulevard to Frederick Douglass Boulevard

First Avenue — from 48th Street to 59th Street

Third Avenue — from 59th Street to 62nd Street

Lexington Avenue — the entire length

Park Avenue — the entire length from 38th Street, northward

Madison Avenue — the entire length

Fifth Avenue — from Washington Square North to 61st Street

Sixth Avenue — from 31st Street to 38th Street

Broadway — from 31st Street to 38th Street

Seventh Avenue — from 31st Street to 38th Street

Eighth Avenue — from 31st Street to 38th Street

Herald Square.

Brooklyn:

13th Avenue — from 39th Street to New Utrecht Avenue

86th Street — from Third Avenue to Gowanus Expressway

Court Street — from Schermerhorn Street to Montague Street.

Queens:

82nd Street — from 34th Avenue to 41st Avenue

Austin Street — from Yellowstone Boulevard to Ascan Avenue

Junction Boulevard — from Northern Boulevard to 41st Avenue

Roosevelt Avenue — from Union Street to Prince Street

Skillman Avenue — from 43rd Street to 56th Street.

LAST AMENDED  
5/5/2004

No #enclosed sidewalk cafe# shall be permitted on any of the following #streets#.

Manhattan:

Bleecker Street — from Bank Street to Mercer Street

Central Park South — from Fifth Avenue to Sixth Avenue

Park Avenue South and Park Avenue — from 31st Street to 38th Street

86th Street — from the East River to Fifth Avenue.

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### **14-43 - Locations Where Only Small Sidewalk Cafes Are Permitted**

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LAST AMENDED  
5/22/2013

#Small sidewalk cafes# may be located wherever #sidewalk cafes# are permitted. In addition, only #small sidewalk cafes# shall be allowed on the following #streets#, notwithstanding any regulations set forth in Sections [14-41](#) or [14-42](#) prohibiting certain #sidewalk cafes# on such #streets#.

Manhattan:

Orchard Street — from Canal Street to Houston Street

Delancey Street — from Norfolk Street to the Bowery

Centre Street — from Canal Street to Spring Street

Lafayette Street — from Canal Street to Houston Street

Sixth Avenue — from Canal Street to a line 100 feet south of Spring Street

Special Union Square District<sup>1</sup>

14th Street — from Second Avenue to Irving Place

14th Street — from a line 100 feet west of University Place to Eighth Avenue

23rd Street — from the East River to Eighth Avenue

31st Street — from Fifth Avenue to a line 200 feet east of Broadway

34th Street — from the East River to Fifth Avenue

35th Street — from a line 150 feet east of Fifth Avenue to a line 150 feet east of Sixth Avenue

36th Street — from a line 150 feet east of Fifth Avenue to a line 150 feet west of Fifth Avenue

37th Street — from a line 150 feet east of Fifth Avenue to a line 150 feet west of Fifth Avenue

37th Street — from a line 150 feet east of Sixth Avenue to Broadway

38th Street — from Third Avenue to Seventh Avenue

39th Street — from Exit Street to Seventh Avenue

40th Street — from a line 100 feet east of Exit Street to Broadway

41st Street — from a line 100 feet east of Exit Street to Third Avenue

42nd Street — from First Avenue to Third Avenue

42nd Street — from Fifth Avenue to a line 275 feet east of Sixth Avenue

All #streets# bounded by 43rd Street on the south, 46th Street on the north, a line 200 feet east of Third Avenue on the east and Third Avenue on the west

43rd Street — from Fifth Avenue to Sixth Avenue

44th Street — from Fifth Avenue to Sixth Avenue

45th Street — from Fifth Avenue to Sixth Avenue

46th Street — from Fifth Avenue to Sixth Avenue

47th Street — from a line 200 feet east of Third Avenue to Third Avenue

48th Street — from a line 150 feet east of Third Avenue on the east and Sixth Avenue on the west

49th Street — from a line 150 feet east of Third Avenue on the east and Sixth Avenue on the west

50th Street — from a line 150 feet east of Third Avenue on the east and Sixth Avenue on the west

51st Street — from a line 150 feet east of Third Avenue to Eighth Avenue

52nd Street — from a line 160 feet east of Third Avenue to Eighth Avenue

53rd Street — from a line 160 feet east of Third Avenue to Eighth Avenue

54th Street — from a line 150 feet east of Third Avenue to Eighth Avenue

55th Street — from a line 100 feet west of Second Avenue to Eighth Avenue

56th Street — from a line 100 feet west of Second Avenue to Eighth Avenue

57th Street — from the East River to Eighth Avenue

58th Street — from the East River to Eighth Avenue

59th Street — from the East River to Second Avenue

59th Street (Central Park South) — from Sixth Avenue to Columbus Circle

60th Street — from Lexington Avenue to Fifth Avenue

61st Street — from Third Avenue to Fifth Avenue

62nd Street — from Second Avenue to Fifth Avenue

63rd Street — from Second Avenue to Fifth Avenue

86th Street — from First Avenue to a line 125 feet east of Second Avenue, south side only

116th Street — from Malcolm X Boulevard to Frederick Douglass Boulevard

Special 125th Street District – only as set forth in Section [97-13](#) (Permitted Small Sidewalk Cafe Locations)

First Avenue — from 48th Street to 56th Street

Third Avenue — from 38th Street to 62nd Street

Lexington Avenue — from a line 100 feet south of 23rd Street to a line 100 feet north of 34th Street

Lexington Avenue — the entire length from a line 100 feet north of 96th Street, northward

Park Avenue — from 38th Street to 40th Street

Park Avenue — from 48th Street to 60th Street

Park Avenue — the entire length from a line 100 feet north of 96th Street, northward

Madison Avenue — from 23rd Street to 38th Street

Madison Avenue — from 59th Street to 61st Street

Special Madison Avenue Preservation District<sup>2</sup>

Madison Avenue — the entire length from a line 100 feet north of 96th Street, northward

Fifth Avenue — from 12th Street to 33rd Street

Fifth Avenue — from 59th Street to 61st Street

Sixth Avenue — from 36th Street to 42nd Street

Sixth Avenue — from a line 150 feet north of 42nd Street to 48th Street

Sixth Avenue — from 50th Street to Central Park South

Seventh Avenue — from 50th Street to Central Park South

Broadway — from 36th Street to 40th Street

Broadway — from 50th Street to Columbus Circle

Columbus Circle — from Eighth Avenue, westward, to Broadway.

<sup>1</sup> #Small sidewalk cafes# are not allowed on 14th Street

<sup>2</sup> #Small sidewalk cafes# are not allowed on 86th Street within the #Special Madison Avenue District#

Queens:

Jackson Avenue, north side — from 44th Drive to the prolongation of Dutch Kills Street

Queens Boulevard — from a line 100 feet west of 39th Place to 48th Street

Queens Plaza North — from 23rd Street to Northern Boulevard

Queens Plaza South — from 23rd Street to Jackson Avenue

Skillman Avenue, north side — from 45th Street to a line 100 feet east of 51st Street, including that portion within the #Special Planned Community Preservation District#

Skillman Avenue, south side — from 45th Street to 51st Street, excluding that portion within the #Special Planned Community Preservation District#.

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## 14-44 - Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted

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LAST AMENDED  
11/23/2021

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section [14-43](#) (Locations Where Only Small Sidewalk Cafes Are Permitted).

Manhattan	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
125th Street District	No	No <sup>4</sup>
Battery Park City District	Yes	Yes
Clinton District	No	Yes
East Harlem Corridors District	No	Yes
Enhanced Commercial District 2 (Columbus and Amsterdam Avenues)	Yes	Yes



Enhanced Commercial District 3 (Broadway/Upper West Side)	Yes	Yes
Hudson Square District	Yes	Yes
Inwood District	No	Yes
Limited Commercial District	No	No <sup>1</sup>
Lincoln Square District	No	Yes
Little Italy District	No	Yes
Lower Manhattan District	No	Yes <sup>2</sup>
Manhattanville Mixed Use District	No <sup>3</sup>	Yes
SoHo-NoHo Mixed Use District	No	Yes <sup>6</sup>
Transit Land Use District	Yes	Yes
Tribeca Mixed Use District	Yes	Yes
United Nations Development District	No	Yes
West Chelsea District	No	Yes <sup>5</sup>

<sup>1</sup> #Unenclosed sidewalk cafes# are allowed on Greenwich Avenue.

<sup>2</sup> #Unenclosed sidewalk cafes# are not allowed on State, Whitehall or Chambers Streets or Broadway.

<sup>3</sup> #Enclosed sidewalk cafes# are allowed in Subdistrict B.

<sup>4</sup> #Unenclosed sidewalk cafes# are allowed on the east side of Malcolm X Boulevard between West 125th and West 126th Streets, on the west side of Malcolm X Boulevard between West 124th and West 125th Streets and on the east side of Fifth Avenue between East 125th and East 126th Streets.

- 5 #Unenclosed sidewalk cafes# are allowed only on #wide streets# except they are not allowed on the west side of Ninth Avenue between West 15th Street and West 16th Street. #Unenclosed sidewalk cafes# shall also be allowed on West 27th Street between Eleventh Avenue and Joe DiMaggio Highway.
- 6 #Unenclosed sidewalk cafes# are not permitted south of Houston Street, except for #small sidewalk cafes# in locations designated in Section [14-43](#) (Locations Where Only Small Sidewalk Cafes Are Permitted)

Brooklyn	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Bay Ridge District	Yes	Yes
Brooklyn Navy Yard District	Yes	Yes
Coney Island District	No	Yes
Coney Island Mixed Use District	Yes	Yes
Downtown Brooklyn District	Yes	Yes
Enhanced Commercial District 1 (Fourth Avenue)	No	Yes
Enhanced Commercial District 4 (Broadway, Bedford-Stuyvesant)	No	Yes
Gowanus Mixed Use District	No	Yes
Mixed Use District-8 (Greenpoint-Williamsburg)	Yes	Yes
Ocean Parkway District <sup>1</sup>	Yes	Yes
Sheepshead Bay District	No	Yes

<sup>1</sup> #Sidewalk cafes# are not allowed on Ocean Parkway

The Bronx	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
City Island District	No	Yes
Harlem River Waterfront District	No	Yes
Jerome Corridor District	No	Yes
Queens	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Downtown Far Rockaway District	No	Yes
Downtown Jamaica District	No	Yes
Flushing Waterfront District	No	Yes
Forest Hills District <sup>1</sup>	No	Yes
Long Island City Mixed Use District <sup>2</sup>	No	Yes
Southern Hunters Point District	No	Yes
Willets Point District	No	Yes

<sup>1</sup> #Sidewalk cafes# are not allowed on Austin Street

<sup>2</sup> See Appendix A in Article XI, Chapter 7

Staten Island	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Bay Street Corridor District	Yes	Yes
South Richmond Development District	Yes	Yes

St. George District	Yes	Yes
Stapleton Waterfront District	Yes	Yes

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## 14-45 - Street Malls Where Certain Sidewalk Cafes Are Permitted

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LAST AMENDED  
5/5/2004

#Sidewalk cafes# are permitted as indicated in the following malls where allowed by the underlying zoning.

Manhattan	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Mulberry Street Mall	No	Yes
Nassau Street Mall	No	Yes

Brooklyn	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Fulton Street Mall <sup>1</sup>	No	Yes

<sup>1</sup> #Enclosed sidewalk cafes# are allowed along DeKalb Avenue

Queens	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Far Rockaway Beach 20th Street	No	Yes