



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

14-00 - GENERAL PURPOSES

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14-00 - GENERAL PURPOSES

LAST AMENDED

5/5/2004

The sidewalk cafe regulations as established in this Resolution are citywide regulations, designed to encourage sidewalk cafes in locations where they are appropriate, discourage them in locations where they are inappropriate, and promote and protect public health, safety, general welfare and amenity. These general goals include, among others, the following specific purposes:

- (a) To ensure adequate space for pedestrians on the sidewalk adjacent to sidewalk cafes.
- (b) To promote sidewalk cafes as visual amenities that better relate to the streetscape.
- (c) To preserve and enhance the character of neighborhoods throughout the City.
- (d) To simplify administrative regulations and strengthen enforcement procedures for sidewalk cafes and ensure that such requirements are effective, efficient and enforceable.
- (e) To promote the most desirable use of land and thus to conserve the value of land and buildings and thereby protect the City's tax revenues.

14-01 - General Provisions

LAST AMENDED

1/29/2003

The provisions of this Chapter shall be in effect only until the adoption of initial rules governing the Permanent Open Restaurants program by an authorized agency following authorizing legislation by the City Council.

In conjunction with the termination of this Chapter, the following provisions shall also be terminated:

- (a) defined terms in Section [12-10](#) (DEFINITIONS):
 - #enclosed sidewalk cafe#;
 - #sidewalk cafe#;
 - #small sidewalk cafe#; and
 - #unenclosed sidewalk cafe#;
- (b) provisions in Section [22-00](#) (GENERAL PROVISIONS) regarding #sidewalk cafes# in R10H Districts;
- (c) provisions regarding #sidewalk cafes# in the #Special 125th Street District#, as set forth in Sections [97-03](#) (District Plan and Maps), [97-13](#) (Permitted Sidewalk Cafe Locations), and Map 2 (Permitted Sidewalk Cafe Locations) in Appendix A of Article IX, Chapter 7; and
- (d) provisions regarding #sidewalk cafes# in the #Special Long Island City Mixed Use District#, as set forth in Sections [117-03](#) (District Plan and Maps), [117-05](#) (Permitted Sidewalk Cafe Locations), and on the Permitted Sidewalk Cafe Locations map in Appendix A of Article XI, Chapter 7.

In harmony with the general purpose and intent of this Resolution, and the general purposes of the #sidewalk cafe# regulations, certain specified regulations concerning area eligibility, sidewalk locational criteria and physical criteria for #sidewalk cafes#, in

general, and specifically for #enclosed sidewalk cafes#, are herein established.

The three types of #sidewalk cafes# that are permitted by the regulations of this Chapter and defined in Section [12-10](#) (DEFINITIONS) are #enclosed sidewalk cafes#, #unenclosed sidewalk cafes# and #small sidewalk cafes#.

The amendments to Article I, Chapter 4, adopted by the City Council on January 29, 2003, shall become effective March 27, 2003.

Physical criteria, including structural and operational requirements for #sidewalk cafes#, and #unenclosed sidewalk cafes# in particular, shall be regulated by the Department of Consumer Affairs and found in Title 6, Chapter 2, Subchapter F., of the Rules of the City of New York.

Licenses for all #sidewalk cafes# must be obtained from the Department of Consumer Affairs, or its successor.

14-011 - Sidewalk cafe locations

LAST AMENDED

5/5/2004

#Sidewalk cafes# may be located in all R10H Districts, in all #Commercial Districts# other than C3 Districts and in all #Manufacturing Districts# only where eating or drinking establishments are permitted, as modified by special eligibility regulations set forth in Sections [14-40](#) through [14-45](#), inclusive. These sections identify #streets#, areas, special districts and malls or portions of #streets# for which special area eligibility regulations apply:

Section [14-40](#) — (AREA ELIGIBILITY FOR SIDEWALK CAFES)

Section [14-41](#) — (Locations Where Certain Sidewalk Cafes Are Not Permitted)

Section [14-42](#) - (Locations Where Enclosed Sidewalk Cafes Are Not Permitted)

Section [14-43](#) — (Locations Where Only Small Sidewalk Cafes Are Permitted)

Section [14-44](#) — (Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted)

Section [14-45](#) — (Street Malls Where Certain Sidewalk Cafes Are Permitted).

#Sidewalk cafes# shall be permitted in Historic Districts or in designated landmark #buildings# only if such #sidewalk cafe# is approved by the Landmarks Preservation Commission.