



Zoning Resolution

THE CITY OF NEW YORK

Bill de Blasio, Mayor

CITY PLANNING COMMISSION

Marisa Lago, Chair

14-40 - AREA ELIGIBILITY FOR SIDEWALK CAFES

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14-40 - AREA ELIGIBILITY FOR SIDEWALK CAFES

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.

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

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 the M1-5A and M1-5B Districts 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.

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

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 District¹

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 District²

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.

¹ #Small sidewalk cafes# are not allowed on 14th Street

² #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#.

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

LAST AMENDED
3/22/2018

#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 ⁴
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 ¹
Lincoln Square District	No	Yes
Little Italy District	No	Yes
Lower Manhattan District	No	Yes ²
Manhattanville Mixed Use District	No ³	Yes
Transit Land Use District	Yes	Yes
Tribeca Mixed Use District	Yes	Yes
United Nations Development District	No	Yes
West Chelsea District	No	Yes ⁵

¹ #Unenclosed sidewalk cafes# are allowed on Greenwich Avenue

² #Unenclosed sidewalk cafes# are not allowed on State, Whitehall or Chambers Streets or Broadway

³ #Enclosed sidewalk cafes# are allowed in Subdistrict B

⁴ #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

Brooklyn	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Bay Ridge 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
Mixed Use District-8 (Greenpoint-Williamsburg)	Yes	Yes
Ocean Parkway District ¹	Yes	Yes
Sheepshead Bay District	No	Yes

¹ #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 ¹	No	Yes
Long Island City Mixed Use District ²	No	Yes
Southern Hunters Point District	No	Yes
Willets Point District	No	Yes

¹ #Sidewalk cafes# are not allowed on Austin Street

² 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

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

#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 ¹	No	Yes

¹ #Enclosed sidewalk cafes# are allowed along DeKalb Avenue

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