

Matter in underline is new, to be added;
Matter in ~~strikeout~~ is to be deleted;
Matter with # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution
■ indicates an administrative correction

Article 1 – General Provisions

* * *

Chapter 4
Sidewalk Cafe Regulations

* * *

14-43
Locations Where Only Small Sidewalk Cafes Are Permitted

#Small sidewalk cafes# may be located wherever #sidewalk cafes# are permitted, pursuant to Section 14-011 (Sidewalk cafe locations). In addition, only #small sidewalk cafes# shall be allowed on the following #streets#, subject to the underlying zoning.

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 Special District*(del asterisk)¹
- 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
 54st 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**~~(del asterisks)~~²
 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#

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

* * *

| | #Enclosed Sidewalk Cafe# | #Unenclosed Sidewalk Cafe# |
|-------------------------------------|----------------------------------|-----------------------------------|
| Manhattan | | |
| 125th Street District | Yes -No | No **** ⁴ ■ |
| Battery Park City District | Yes | Yes |
| Clinton 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 |

■ ~~*~~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

| 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 |
| 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 |

| Queens | #Enclosed Sidewalk Cafe# | #Unenclosed Sidewalk Cafe# |
|---|--------------------------|----------------------------|
| Forest Hills District * ¹ ■ | No | Yes |
| Downtown Jamaica District | No | Yes |
| Southern Hunters Point District | No | Yes |
| Willeys Point District | No | Yes |

■~~*~~¹ Sidewalk cafes are not allowed on Austin Street

| | #Enclosed Sidewalk Cafe# | #Unenclosed Sidewalk Cafe# |
|-------------------------------------|--------------------------|----------------------------|
| Staten Island | | |
| 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.

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

| | #Enclosed Sidewalk Cafe# | #Unenclosed Sidewalk Cafe# |
|-----------------------------------|--------------------------|----------------------------|
| Brooklyn | | |
| Fulton Street Mall ¹ ■ | No | Yes |

 ■¹(del*) #Enclosed sidewalk cafes# are allowed along DeKalb Avenue

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

* * *

Article IX - Special Purpose Districts

Chapter 7 Special 125th Street District

* * *

97-03 District Plan and Maps

The regulations of this Chapter are designed to implement the #Special 125th Street District# ~~Plan~~. The District Plan, including ~~the m~~Map 1 of the (#Special 125th Street District# and Core Subdistrict) and Map 2 (Permitted Small Sidewalk Cafe Locations), is set forth in Appendix A of this Chapter and is hereby incorporated as part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply.

97-04 Establishment of Core Subdistrict

In order to carry out the purposes and provisions of this Chapter, the Core Subdistrict is established within the #Special 125th Street District# and includes specific regulations designed to support an arts and entertainment environment along 125th Street. The boundaries of the Core ~~Subdistrict~~ are shown on ~~the m~~Map 1 of the #Special 125th Street District# in Appendix A of this Chapter.* * *

97-10 SPECIAL USE AND LOCATION REGULATIONS

* * *

97-12 Arts and Entertainment Use Requirement

■ Within the Core Subdistrict, as shown on ~~the m~~Map 1 in Appendix A of this Chapter, or for that portion of a #zoning lot# located within the Core Subdistrict, for #buildings# or portions of #buildings developed# or #enlarged# after April 30, 2008, that contain at least 60,000 square feet of #floor area# and are located on #zoning lots# with frontage on 125th Street, an amount of space equivalent to a minimum of five percent of the #floor area# of the #development# or #enlargement# shall be occupied by one or more of the #uses# designated in Section 97-11 (Special Arts and Entertainment Uses).

97-13 Permitted Small Sidewalk Cafe Locations

■#Small sidewalk cafes# shall be permitted in the #Special 125th Street District# as indicated on Map 2 (Permitted Small Sidewalk Cafe Locations) in Appendix A of this Chapter, subject to all applicable regulations of Article I, Chapter 4 (Sidewalk Cafe Regulations).

■Add “and Core Subdistrict” to title of Map 1 to read: “Map 1 – Special 125th Street District and Core Subdistrict.”

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Appendix A Special 125th Street District Plan

Map 1 – Special 125th Street District



