



Legislation Text

File #: Res 1482-2000, Version: *

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1482

Resolution approving the decision of the City Planning Commission on Application No. N 000519 ZRM, an amendment to the text of the Zoning Resolution regarding Section 14-00 (Sidewalk Café Regulations) and Section 22-00 (General Provisions), to allow unenclosed sidewalk cafes on Central Park South between Fifth Avenue and Avenue of the Americas in an R 10-H zoning district (L.U. No. 781).

By Council Members Eisland and McCaffrey

WHEREAS, the City Planning Commission filed with the Council on June 20, 2000 its decision dated June 14, 2000 (the "Decision"), on the application submitted by ATCO Properties & Management, Inc., pursuant to Section 201 of the New York City Charter, for an amendment to the text of the Zoning Resolution (Application No. N 000519 ZRM) (the "Application");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on July 25, 2000;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Negative Declaration, issued on May 1, 2000 (CEQR No. 00DCP060M);

RESOLVED:

The Council finds that the action described herein will have no significant effect on the environment;

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Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application the Council approves the Decision; and

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter in Graytone is new, to be added;
Matter in Strikeout is old, to be deleted;
Matter within # # is defined in the Zoning Resolution;
*** indicates where unchanged text appears in the Zoning Resolution.

14-03
Sidewalk Cafe Appendices

The Appendices for the Sidewalk Cafe Guidelines (APPENDIX A through APPENDIX D) identify specific #streets#, malls, areas or portions of #streets# for which special area eligibility regulations apply.

The Appendices are as follows:

APPENDIX A - Areas where #sidewalk cafes# are not permitted.

APPENDIX B - Areas where #enclosed sidewalk cafes# are not permitted.

APPENDIX C - Special Zoning Districts.

APPENDIX D - Street Malls.

#Sidewalk cafes# may be permitted in all R10-H Districts, #Commercial Districts#, except C3 Districts, and all #Manufacturing Districts# except M1-5A and M1-5B (SOHO) Districts, and as otherwise provided herein.

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These Appendices are hereby incorporated as an integral part of the Sidewalk Cafe Regulations.

14-04
Area Eligibility

- (a) No #sidewalk cafe# shall be permitted in any #Residential District#, except in R10-H Districts, nor on any #street# listed in APPENDIX A.
- (b) No #enclosed sidewalk cafe# shall be permitted on any #street# listed in APPENDIX B.
- (c) #Sidewalk cafes# shall be permitted within Special Zoning Districts set forth in this Resolution, only in accordance with the provisions of APPENDIX C.
- (d) #Sidewalk cafes# shall be permitted in street malls in accordance with the provisions of APPENDIX D.
- (e) #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.

* * *

APPENDIX A

Areas where no #sidewalk cafes# shall be allowed.

City Wide

1. All streets with elevated rail transit lines.

Manhattan

1. All streets south of Chambers Street and Frankfort Street, except a street to which a mall plan, or other special pedestrian plan has been adopted.

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2. All streets bounded by 38th Street on the south, 59th Street on the north, 3rd Third Avenue on the east and 8th Eighth Avenue on the west, except Central Park South between Fifth Avenue and Avenue of the Americas.

3. All streets bounded by 59th Street on the south, 61st Street on the north, Fifth Avenue on the west, and a line 125 feet east of Fifth Avenue on the east.
- 3.4. Canal Street - the entire length.
- 4.5. Orchard Street - from Canal Street to Houston Street.
- 5.6. Delancey Street - from Norfolk Street to Bowery.
- 6.7. Bowery - from East Broadway to Canal Street.
- 7.8. Elizabeth Street - from Bayard Street to Canal Street.
- 8.9. Pell Street - the entire length.
- 9.10. Mott Street - from Park Row to Canal Street.
- 10.11. Mulberry Street - from Worth Street to Canal Street.
- 11.12. Bayard Street - the entire length.
- 12.13. Doyers Street - the entire length.
- 13.14. All streets facing Chatham Square.
- 14.15. 8th Street - from Avenue A to 6th Avenue of the Americas.
- 15.16. 14th Street - from 2nd Second Avenue to 8th Eighth Avenue.
- 16.17. 23rd Street - from the East River to 8th Eighth Avenue.

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- 17.18. 31st Street - from 5th Fifth Avenue to 8th Eighth Avenue.
- 18.19. 32nd Street - from 5th Fifth Avenue to 8th Eighth Avenue.
- 19.20. 33rd Street - from 5th Fifth Avenue to 8th Eighth Avenue.
- 20.21. 34th Street - from the East River to 8th Eighth Avenue.
- 21.22. 42nd Street - from the East River to 8th Eighth Avenue.
- 22.23. 57th Street - from the East River to 8th Eighth Avenue.
- 23.24. 58th Street - from the East River to 8th Eighth Avenue.
- 24.25. 59th Street - from the East River to 5th Fifth Avenue.
- 25.26. 60th Street - from 3rd Third Avenue to 5th Fifth Avenue.
- 26.27. 61st Street - from 3rd Third Avenue to 5th Fifth Avenue.
- 27.28. 62nd Street - from 2nd Second Avenue to 5th Fifth Avenue.
- 28.29. 63rd Street - from 2nd Second Avenue to 5th Fifth Avenue.
- 29.30. 68th Street - from 1st First Avenue to 5th Fifth Avenue.

- 30.31. 72nd Street - from the East River to 5th Fifth Avenue.
- 31.32. 77th Street - from 1st First Avenue to 5th Fifth Avenue.
- 32.33. 79th Street - from the East River to 5th Fifth Avenue.
- 33.34. 86th Street - from the East River to 5th Fifth Avenue.

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- 34.35. 116th Street - from Lenox Avenue to 8th Eighth Avenue.
- 35.36. 3rd Third Avenue - from 59th Street to 62nd Street.
- 36.37. Lexington Avenue - the entire length.
- 37.38. Park Avenue - the entire length from 38th Street, northward.
- 38.39. Madison Avenue - the entire length.
- 39.40. 5th Fifth Avenue - from Washington Square North to 61st Street.
- 40.41. 6th Avenue of the Americas - from 31st Street to 38th Street.
- 41.42. 7th Seventh Avenue - from 31st Street to 38th Street.
- 42.43. 8th Eighth Avenue - from 31st Street to 38th Street.
- 43.44. Broadway - from 31st Street to 38th Street.
- 44.45. Herald Square.
- 45.46. 1st First Avenue - from 48th Street to 59th Street.

* * *

APPENDIX B

Areas where no #enclosed sidewalk cafes# shall be allowed.

Manhattan

- 1. Bleecker Street - from Bank Street to Mercer Street.

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- 2. Central Park South - from Fifth Avenue to Eighth Avenue. Avenue of the Americas.
- 3. Coenties Slip.

* * *

22-00
General Provisions

* * *

Special regulations applying in the #waterfront area# are set forth in Article VI, Chapter 2.

In R10-H Districts, an eating or drinking establishment, permitted pursuant to Section 72-21 (Findings Required for Variances), that operates a #sidewalk cafe# pursuant to the provisions of Article I, Chapter 4, may be #enlarged# into any open area that may exist between the #street wall# and the #street line.#

* * *

Adopted.

Office of the City Clerk, }
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on July 27, 2000 on file in this office.

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City Clerk, Clerk of Council