

## **Sidewalk Cafe Guidelines (6-5-2015)**

### **Manhattan Community Board 1 - Tribeca Committee**

The Sidewalk Cafe Guidelines are not a substitute for the City's Rules, Regulations and other official sources of City policy, which must be followed, and which include but are not limited to:

- **NYC Zoning Resolution, Article I, Chapter 4** – This is available from the NYC Department of City Planning, [www.nyc.gov/dcp](http://www.nyc.gov/dcp) and <http://www.nyc.gov/html/dcp/pdf/zone/art01c04.pdf>.
- **NYC Administrative Code, Section 20, Chapter 6, Sidewalk Licensing Procedure** – [http://www.nyc.gov/html/dca/downloads/pdf/sidewalk\\_cafe\\_law\\_rules.pdf](http://www.nyc.gov/html/dca/downloads/pdf/sidewalk_cafe_law_rules.pdf).
- **Sidewalk Café Design and Regulations Guide** - This describes the types of sidewalk cafés allowed and their design guidelines. <http://www.nyc.gov/html/dca/html/licenses/013.shtml>.
- **Sidewalk Café Street Guide** – This describes where in NYC sidewalk cafés are permitted and prohibited. [http://www.nyc.gov/html/dca/downloads/pdf/swc\\_street\\_guide.pdf](http://www.nyc.gov/html/dca/downloads/pdf/swc_street_guide.pdf).
- **Sidewalk Café Application** – [http://www.nyc.gov/html/dca/downloads/pdf/swc\\_license\\_app\\_materials.pdf](http://www.nyc.gov/html/dca/downloads/pdf/swc_license_app_materials.pdf).

The CB1 Tribeca Committee reviews applications individually, relying on its familiarity with proposed locations in Tribeca, and on multiple additional factors including the following:

- applicants seeking a license with the State Liquor Authority (SLA) are asked to agree to wait a minimum of one year after initial operation before seeking a sidewalk café license. Specifically, applicants are asked to add the following note to the SLA Stipulation Sheet: “the applicant agrees to seek a method of operation alteration to include a sidewalk café to an existing liquor license only after one year of operation.”
- applicants are asked to agree to give careful consideration to all quality of life issues, particularly with respect to hours of operation, noise, smoking, pedestrian street access and refuse removal.
- applicants are encouraged to set hours of operation that are respectful of the location's businesses and residents.

- applicants are asked to provide a name and phone number for a contact person who can be reached by anyone who wishes to communicate with the owner of the establishment about the operation of the establishment.

The Sidewalk Café Guidelines for Tribeca are provisional; they are being reviewed by a CB1 Sidewalk Cafe Working Group and may be modified.

CB1 requires all applicants to provide to the Committee five days prior to the meeting eight copies of each item listed in the NYC Department of Consumer Affairs Sidewalk Café License Application Packet, as follows:

- 1. The hearing notice requirement** – A minimum of three (3) 11” x 17” sized notices must be posted on all doors of the proposed site, and on conspicuous sites one city block in each direction from the proposed site. The notice must include the name and address of the establishment and the date, time and place of the public hearing **at least 15 days** before the date of such hearing. A photograph of three of the postings must be submitted with the application. All photographs must include within their frame an image of a newspaper showing the date on which the photograph was taken.
- 2. The sidewalk café compliance check list**
- 3. The letter of notification to required parties** – The applicant must submit copies of a certified letter or registered mail letter used to notify the following required parties:
  - All persons who occupy ground floor property, whether residential, commercial, or other use, within a 100 foot radius of the proposed sidewalk café (this note is specific to the Tribeca Committee).
  - Owners of all buildings on the same side of the block as the proposed sidewalk café.
  - The association or board of all residential cooperatives or condominiums on the same side of the block as the proposed sidewalk café.
- 4. The certified mail receipts, or registered mail receipts, for the letters of notification sent to the required parties**
- 5. A notarized affidavit stating that the letters of notification were sent to all required parties**

- 6. Photos of the property** – Photos of the property where the proposed sidewalk café will be located, showing one frontal view, one left side view, and one right side view of the proposed sidewalk café.
- Photos must be keyed to the plans, i.e., there must be a direct relationship between the plans submitted by the architect/engineer and the photos.
  - Photos must show the complete sidewalk area of the proposed sidewalk café's location, including the view to the curb and to neighboring properties, in particular their entrances.
  - All sidewalk obstructions must be clearly visible in the photos.
  - Standard photographs or color paper copies are acceptable.
- 7. Scale Drawings of Proposed Sidewalk Café** – Submit copies of the scale drawing plan signed and stamped by a licensed New York State architect or engineer. Drawings must be on 11" x 17" paper and include:
- Floor plan diagram at a scale no less than 1/4 inch = 1 foot showing location of tables, chairs, gratings, exit and entrance doors to adjacent premises, permanent street obstructions if any allocation of any fixed object located on sidewalk within (20) feet of existing or proposed sidewalk café.
  - Elevation diagram showing canopies and awning details, if any
  - Plot plan
  - Building section drawing at a scale 1/4 inch = 1 foot
  - Plans must also include:
    - Separation (if any) between pedestrian and café areas
    - Location of separation between Sidewalk Café and restaurant establishment (roll down gate)
    - Lengths and widths of café, sidewalk, clearances, door and window openings, fire escapes, drop ladders, counterbalanced stairs
    - Height of dividers
    - Total number of tables and chairs
    - Total square footage and table dimensions

**The Committee requires complete applications for review and may postpone or decline review if an application is not complete.**