




# Temporary Open Restaurants Program Survey Analysis

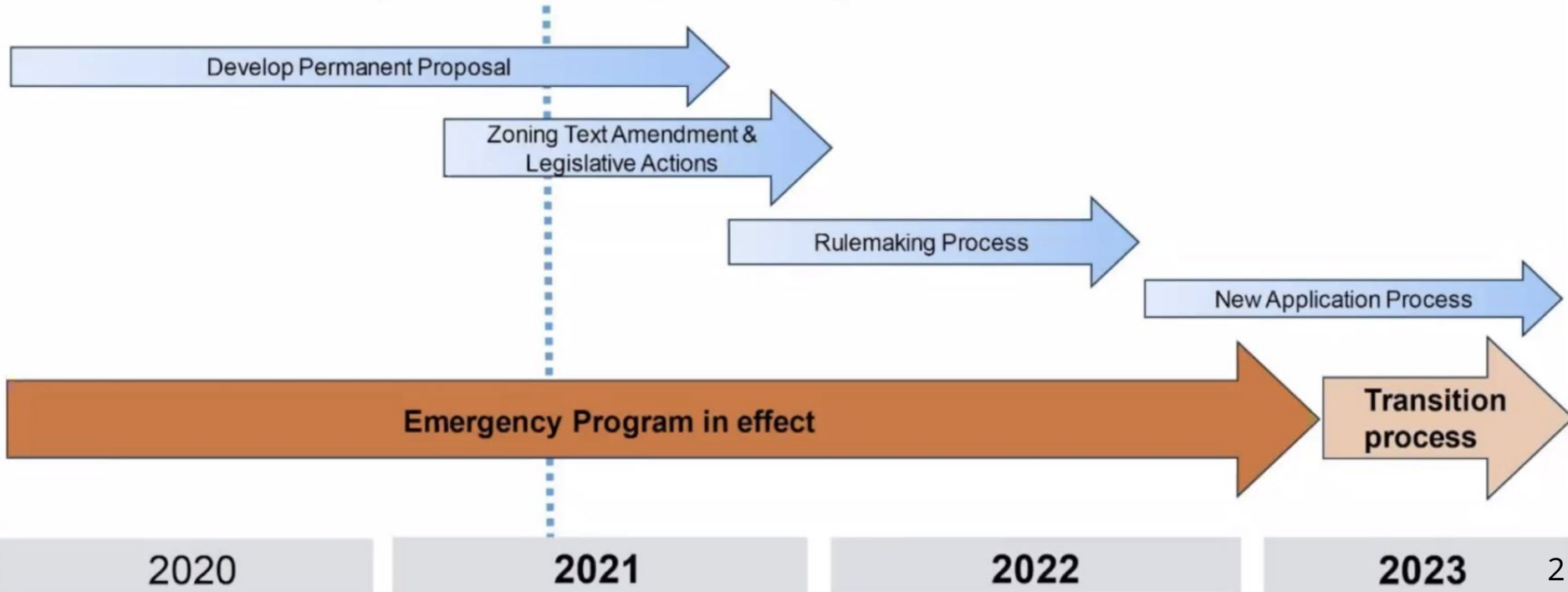
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August 16, 2021



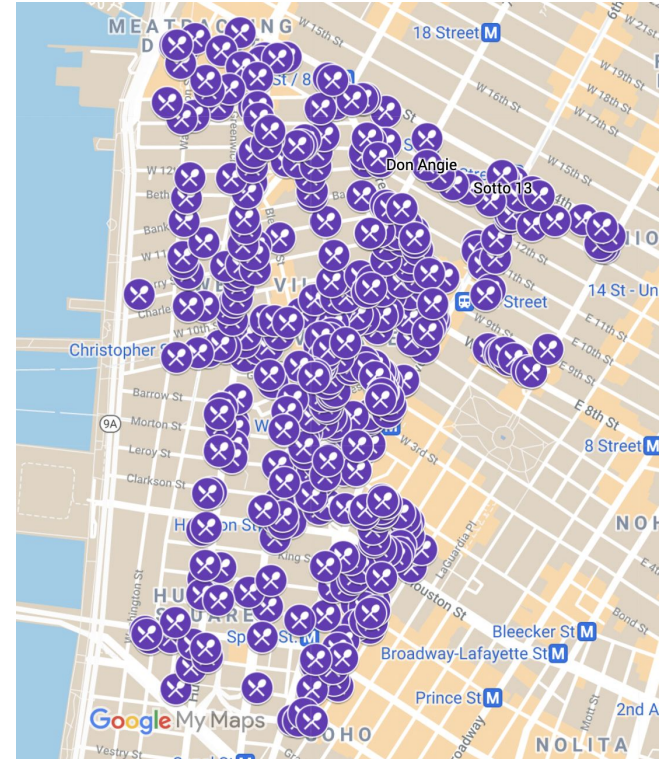
# DOT / DCP Timeline

**Multiple legal steps will be needed to enact the full permanent program –** with the emergency program remaining in effect and allowing restaurants to maintain their spaces uninterrupted through at least winter 2022



# Executive Summary

- 418 restaurants included in the survey
- CB2/CD3 Overlap (~61% of CB2 restaurants)
- 352 participate in outdoor dining
- 93% of restaurants were out of compliance with at least one of DOT's guidelines
- Top Recommendations:
  - Increased enforcement for ADA compliance, pedestrian, cyclist, and driver safety, & fire safety.
  - Explore using roadbed seating only on streets 31 feet across (8' + 15' + 8')..
  - Explore using sidewalk seating only on sidewalks greater than 12 feet wide.



[https://docs.google.com/presentation/d/1cXnk\\_3AVJmpdNzSTdqEkT\\_e6toU7mvNWzx6pCyYj8o/edit?usp=sharing](https://docs.google.com/presentation/d/1cXnk_3AVJmpdNzSTdqEkT_e6toU7mvNWzx6pCyYj8o/edit?usp=sharing)

# Methodology

## Creating the survey<sup>1</sup>

- 35 questions based on NYC Department of Transportation guidelines<sup>2, 3</sup>
- Space to upload photos & additional comments
- Responses linked to google spreadsheet<sup>4</sup>

## Conducting the survey

- Used iPhone Measure app to measure the sidewalk, walkway, and width of roadbed seating
- Inspections determined by weather – did not survey when raining
- Surveyed from mid-June through mid-July, 10am to 7pm
- Assessed restaurants during open hours

1. [https://docs.google.com/forms/d/e/1FAIpQLSdOJh2rOcBMila7FMz5fR\\_3eh6nXcabKEgV\\_WWRtp3jtvamJw/viewform](https://docs.google.com/forms/d/e/1FAIpQLSdOJh2rOcBMila7FMz5fR_3eh6nXcabKEgV_WWRtp3jtvamJw/viewform)

2. <https://www1.nyc.gov/html/dot/html/pedestrians/openrestaurants-faq.shtml>

3. <https://www1.nyc.gov/html/dot/html/pedestrians/openrestaurants.shtml#siting>

4. <https://docs.google.com/spreadsheets/d/1JEn1PWfjxGShxbUSx2Vw5fYKcUf8PojXpzotlAtnnpA/edit#gid=1798531606>



# Beyond the Purview of Our Survey

- Data does not capture nighttime conditions
- No assessment of pests (rats, mosquitoes, etc.)
- No assessment of cleanliness or COVID safety requirements
- No assessment of noise (daytime or nighttime)
- Did not distinguish between restaurants and bars in data analysis
- Does not address whether any outdoor dining locations would be feasible during winter months

# Recommendations: Roadbed Seating Zoning

1. Only allow roadbed seating on streets 31 feet across (8' + 15' + 8').



Sullivan Street just above Houston Street, between World's Wurst (left) and Bar Moga (right).

Sullivan Street here is only 24 feet across, with just 10 feet of clearspace.

# Recommendations: Sidewalk Café Zoning

1. Only allow sidewalk cafés on sidewalks greater than 12 feet wide.



Moustache Pizze - 90 Bedford St, with a 7'5" sidewalk and 3'9" walkway



Westville Hudson - 333 Hudson St, with a 20'8" sidewalk and 10'10" walkway

# Recommendations: Enforcement

1. Implement robust enforcement for:
  - a. Amenity zone seating (sidewalk adjacent to the curb)
  - b. Seating/structures located 15 feet from either side of fire hydrants
  - c. ADA ramps, **or** platforms that are actually flush with the sidewalk
  - d. Roadbed structures extending 8' from curb and 8' from crosswalks
  - e. Roadbed structures extending onto sidewalk
  - f. Seating/structures obstructing utility hardware and street signage
  - g. Seating blocking residential entryways
  - h. Buffer zone between roadbed structures and bike lanes (when seating is on other side of bike lane)
2. Implement a dedicated Open Restaurants Enforcement Unit



# Recommendations: Improve guidance on where outdoor dining can be located

1. Provide specific instructions to operators re: utility hardware clearance (*i.e. How much clearance does each hardware unit require?*).
2. Provide specific instructions to operators re: street sign clearance with roadbed structures (*i.e. How much vertical and horizontal clearance is required?*).
3. Perform outreach to restaurants once a set of clear guidelines has been implemented.

# Recommendations: Roadbed Seating Placement

1. Prohibit roadbed structures located in areas designated as “No Standing/Parking During Specific Hours” or “Authorized Vehicles Only,” **or** frequently survey to confirm structures are being removed during necessary hours.
2. Conduct a survey among neighborhood residents to study impact of roadbed seating on Alternate Side Parking spaces.
3. Consider converting streets with Commercial Vehicle Parking to Alternate Side Parking.
4. Require restaurants to submit plans to DOT of roadway seating that include the location of existing parking signs, meters, bus stops, bike lanes, utility hardware, and other relevant items.

# Recommendations: Public Review Process

1. Require DOT and other city agencies to commit to meaningful public review process during the development of the permanent Open Restaurants program.
2. Require DOT to engage in robust public outreach period after the implementation of the permanent Open Restaurants Program.

\*Speaker Johnson's Office may make further recommendations for the permanent program as more details become known.

# Restaurant Density in the CB2/CD3 Overlap





# Customizable Google Map Marking Restaurants with Violations

**Open Restaurants in CB...** 🔍 ☰


- Restaurants**
  - All items
- Restaurants with Hydrants**
  - All items
- Restaurants with Narrow Walkways (<...)**
  - All items
- Restaurants with Seating Across Bike...**
  - All items

**Map Labels:** MEATPACKING DISTRICT, 23rd Street, 18 Street, 14 St - Union, 8 Street, Oscar's Place, Christopher, Barrow St, Morton St, Leroy St, Clarkson St, Houston St, King St, Houston St, Broadway-Lafayette St, Prince St, Vestry St, Canal St, 2nd Ave



# Immediate Concerns

All restaurants in violation of serious concerns have been reported to DOT/the appropriate city agency.



# Fire Hydrant Obstruction

DOT GUIDELINES: “[Do] not  
place seating or barriers  
within 15’ of a fire hydrant.”

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# Fire Hydrant Obstruction

- 70 restaurants with hydrants in front (17% of all restaurants surveyed)
- 37 are blocked or surrounded by seating and/or structures (53%)
  - 24 hydrants are blocked by sidewalk seating only
  - 7 hydrants are blocked by roadbed seating only
    - Wallsé Next Door
    - Entwine
    - Anton's Cafe and Wine Bar
    - Casa La Femme
    - Blue Ribbon Brasserie
    - Rahi
    - La Contenta Oeste
  - 6 are blocked by both sidewalk and roadbed seating
    - Wild
    - Petite Boucherie
    - Hudson Bar and Books
    - Waverly Inn
    - Malaparte
    - High Street on Hudson



# Pedestrian Walkway

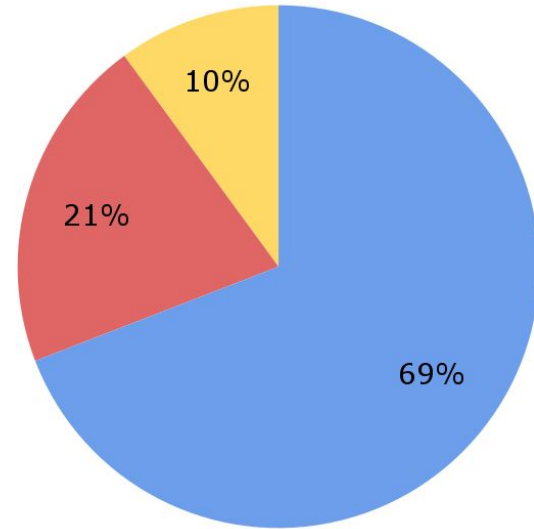
DOT GUIDELINES: “Must leave  
8 foot clear path for  
pedestrians.”

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# Sidewalk Widths

- Of the 298 restaurants with sidewalk seating, 206 (69%) are located on sidewalks 12+ feet in total width
- 62 (21%) are located on sidewalks between 10 and 12 feet in total width
- 30 (10%) are located on sidewalks less than 10 feet in total width

Total Sidewalk Widths



● At least 12 feet ● Between 10 and 12 feet ● Less than 10 feet

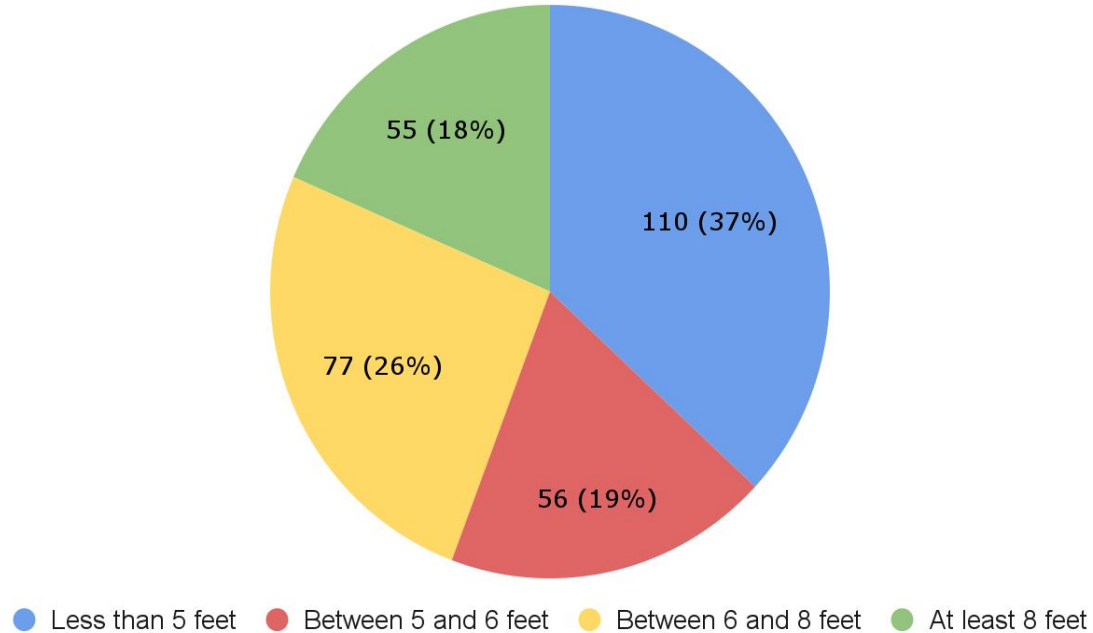
# Walkway Widths

Of the 298 restaurants with sidewalk seating:

- 110 have walkways **under 5** feet wide
- 56 have walkways between **5 and 6** feet wide
- 77 have walkways between **6 and 8 feet** wide
- 55 have walkways **at least 8** feet wide

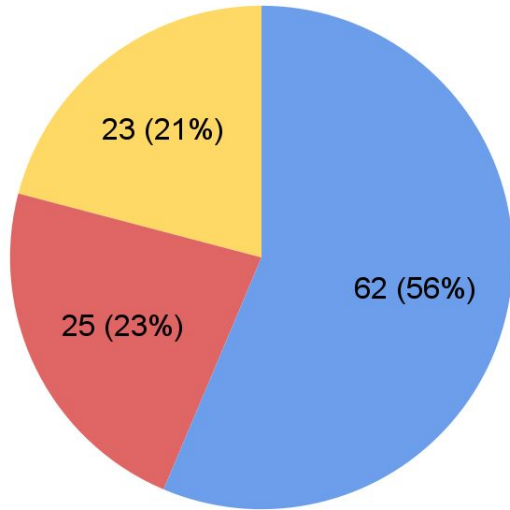
*Only 18% of restaurants are following the guidelines!*

Size of Pedestrian Walkways



# Sidewalk Widths and Pedestrian Walkways

Sidewalks with Walkways Under 5 Feet



● At least 12 feet ● Between 10 and 12 feet ● Less than 10 feet

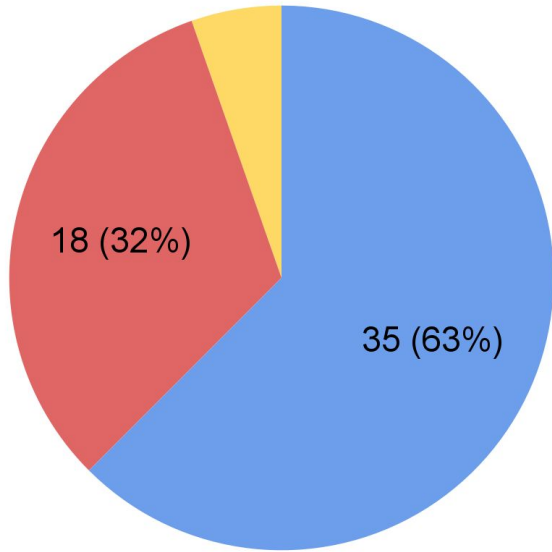
- The narrowest walkway surveyed was 2 feet
  - Lena Wine Bar
  - Mill's Bar
- 12 restaurants measured between 2 – 3 feet
- 40 measured between 3 – 4 feet
- 58 measured between 4 – 5 feet

*When the majority of the narrowest walkways are located on the widest sidewalk, the problem is not the sidewalk.*

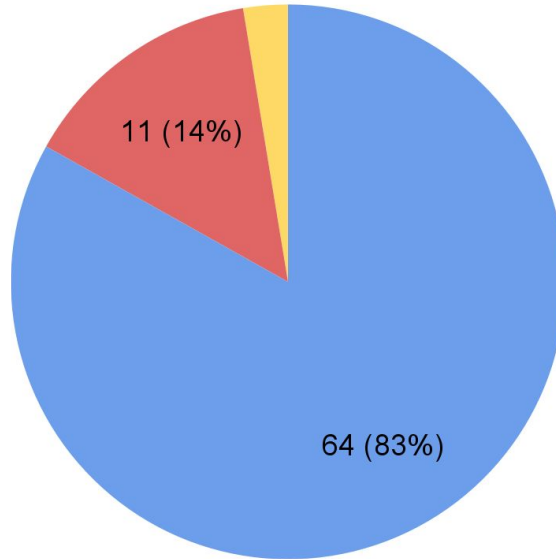


# Sidewalk Widths and Pedestrian Walkways

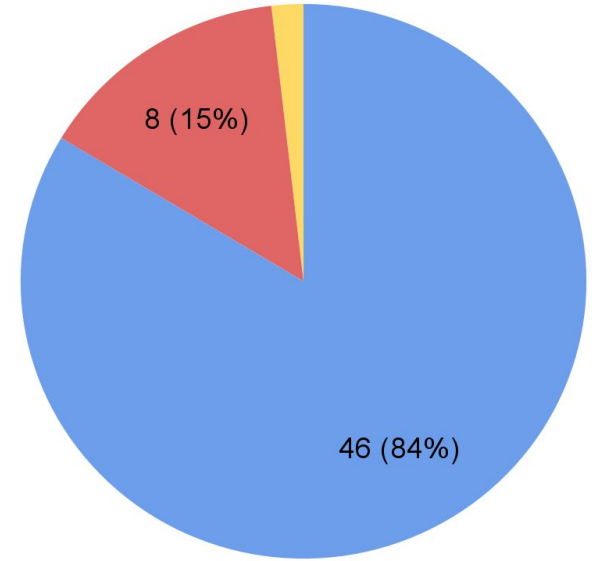
Sidewalks with Walkways 5 - 6 Feet



Sidewalks with Walkways 6 - 8 Feet



Sidewalks with Walkways 8+ Feet



● At least 12 feet ● Between 10 and 12 feet ● Less than 10 feet

# Sidewalk Widths and Pedestrian Pathways

Average Sidewalk Width: **14'10"**

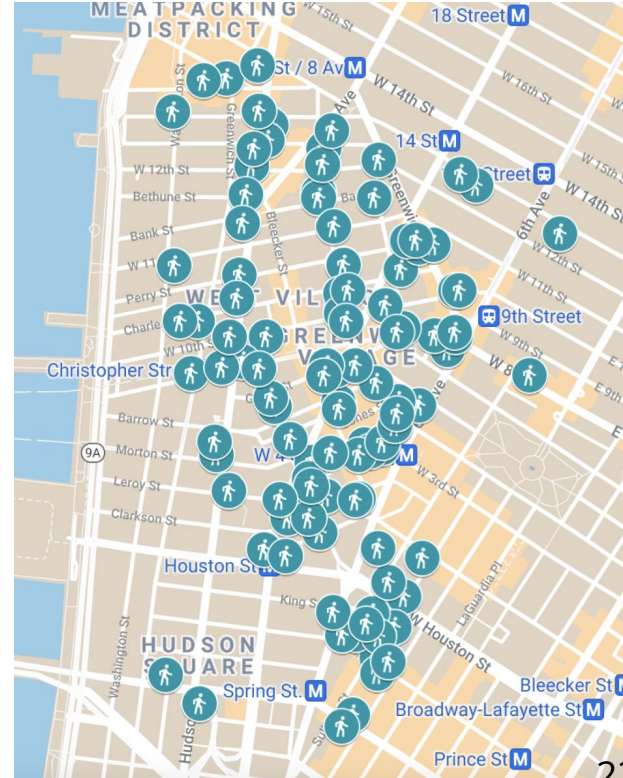
Average Pedestrian Pathway Width: **6'2"**

Median Sidewalk Width: **13'8"**

Median Pedestrian Pathway Width: **5'8"**

Mode of Sidewalk Width: **11'10"**

Mode of Pedestrian Pathway Width: **5'8"**



# Amenity Zone Seating

DOT GUIDELINES: “All items for outdoor dining must be pressed against the wall of the business or as close as possible.”

\*Need clarification for “as close as possible.”

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# Amenity Zone x Pedestrian Pathways

133 restaurants had seating in the amenity zone (45% of restaurants with sidewalk cafés)

- Of the 110 restaurants with walkways less than 5 feet wide, 74 (**67%**) have seating in the amenity zone
- Of the 56 restaurants with 5 – 6 foot walkways, 30 (**54%**) have seating in the amenity zone
- Of the 77 restaurants with 6 – 8 foot walkways, 21 (**27%**) have seating in the amenity zone
- Of the 55 restaurants with walkways over 8 feet, 6 (**11%**) have seating in the amenity zone

# ADA Access to Roadbed Seating

DOT GUIDELINES: “Install a platform [...] to flush height with the curb” & “Provide a ramp for ADA compliance, which can be made of non-permanent materials.”

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# Roadbed ADA Violations

- Of the 220 restaurants with roadbed seating, 91 (41%) of the roadbed structures are not flush the curb and lack ADA ramps



Ready to Eat



Wallsé Next Door

# Travel/Emergency Lane in Road

DOT GUIDELINES: The roadway must have a “15’ clear lane” for travel and emergency.

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# 15 Foot Travel/Emergency Lane in Road

- Of 220 restaurants with roadbed seating, 101 (46%) are located on streets measuring less than 15 feet across
- In total, there are 29 compromised streets
  - Sullivan (14), West 4th (10), MacDougal (9), Bleecker (8), Bedford (7), Cornelia\*(6), West 11th (4), Thompson (4), Perry (4), Christopher (4), Spring\* (3), Morton\* (3), Barrow (3), Charles (3), Bank (2), West 10th (2) Broome (2), Jane\* (2), Waverly\* (2), Prince (1), Grove (1), Little West 12th (1), West 12th (1), Downing (1), Renwick (1), Leroy (1), West 8th (1), Bethune (1)
- Per compromised street, there is an average of 3.59 restaurants with roadbed seating
- 5 of these streets are Open Streets, but are not open 24/7



# Roadbed Structure Extension from Curb

DOT GUIDELINES: Roadbed  
barriers may be placed “no  
more than 8’ from the curb.”

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# Roadbed Structures Extending into Street

- Of the 220 restaurants with roadbed seating, 71 (32%) have barriers that extend more than 8 feet from the curb

## 15 Foot Emergency Lane x Roadbed Extension

- Of the 71 restaurants that extend more than 8 feet from the curb, 19 also lack 15 foot travel/emergency lanes in the road



Oppa Bistro

# Roadbed Structure Distance from Crosswalk

DOT GUIDELINES: “[Do] not  
place seating or barriers  
within 8’ of a crosswalk.”

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# Roadbed Structure Distance from Crosswalk

- Of the 220 restaurants with roadbed seating, 118 (54%) are located near a crosswalk
- Of these 118, 35 (30%) have barriers within 8 feet of a crosswalk



Lola Taverna



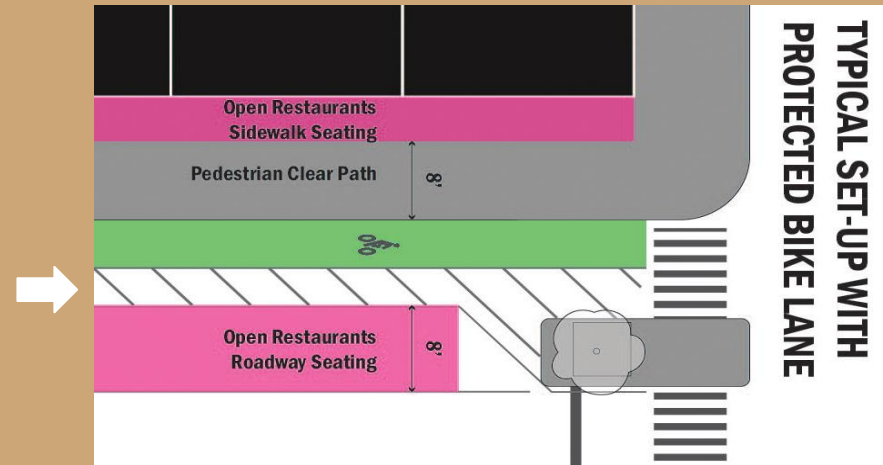
Altesi



12 Chairs

# Roadbed Seating Across Bike Lanes

DOT GUIDELINES: No seating allowed in bike lanes, but seating “may be set up in a floating parking lane in front of an approved business per the diagram below.”





# Roadbed Seating Across Bike Lanes

- Out of 220 restaurants with roadbed seating, 10 have structures on the other side of bike lanes
  - Westville Hudson
  - Taco Bell Cantina
  - The Lavaux
  - The Butcher's Daughter
  - Laitao
  - Wild
  - Cowgirl
  - Ready to Eat
  - Hudson Bar and Books
  - Baby Brasa



Baby Brasa, lacking the buffer zone 34



# Medium Concerns



# Utility Hardware

DOT GUIDELINES: “Access to and ventilation of utility covers must not be impeded.”

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# Utility Hardware Obstruction

- Of the 352 restaurants with outdoor dining, 57 (16%) block utility hardware, siamese water connections, or subway grates
- Of the 57 instances, 36 were obstructed by sidewalk seating, and 23 by roadbed seating (2 by both)
  
- Definitely an undercount - cannot see under elevated roadbed structures, also visual obstruction with sidewalk café diners

# Street Signage

DOT GUIDELINES: “Structures, tents, or umbrellas may not block any right of way signs or street regulation signs.”

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# Street Sign Obstruction

- Of 220 restaurants with roadbed seating, 52 (24%) of their structures either partially or fully obstruct street signage



Tea and Sympathy



12 Chairs

# Parking Designations

## DOT GUIDELINES:

**Allowed:** No Parking Anytime; Alternate Side Parking; Metered Parking, Truck Loading Only & Commercial Vehicles Only.

**Allowed with Restrictions:** No Standing Hotel Loading Zone; Authorized Vehicles Only; No Standing During Specific Days/Hours.

**Not Allowed:** No Standing Anytime; No Stopping Anytime; Bus Stop; Taxi Stand.

# Parking Designations

- Of the 220 restaurants with roadbed seating:
  - 122 occupy Alternate Side Parking spots (39%)
  - 66 occupy Metered Parking spots (21%)
  - 46 occupy No Parking During Specific Hours (15%)
  - 21 occupy No Parking Anytime (7%)
  - 19 occupy Truck Loading/Commercial Vehicles Only (6%)
  - 18 occupy No Standing During Specific Hours (6%) **(Not allowed)**
  - 14 occupy No Standing Anytime (5%) **(Not allowed)**
  - 3 occupy Bus Stops (1%) **(Not allowed)**
  - 1 occupies Authorized Vehicles Only During Specific Hours **(Not allowed)**
  - 1 occupies No Standing Hotel Landing Zone **(excused)**
  - 1 occupies No Standing Anytime **(Not allowed)**
  - 0 occupy Taxi Stands
  
- 37 total violations (17%)

Blocking Residence  
Entrances  
&  
Extending Beyond  
Storefront

DOT GUIDELINES: Seating  
may not block residential  
entrances.

DOT GUIDELINES: Seating  
may not extend beyond the  
business's storefront.

# Blocking Residence Entrances

- Of the 298 restaurants with sidewalk seating, 10 block the entrance to a residence

# Extending Beyond Storefront

- Of the 298 restaurants with sidewalk seating, 106 (36%) have sidewalk seating that extend beyond the storefront
- Of the 220 restaurants with roadbed seating, 124 (56%) have roadbed seating that extend beyond the storefront



The Loyal



# Comparison with Pre-existing Sidewalk Café Permits

30 Active [Pre-existing Sidewalk Café Permits](#) in the CB2/CD3 Overlap

## Hydrant Obstruction

Pre-existing permits: 55%

Open restaurants: 53%

## Amenity Zone Seating

Pre-existing permits: 50%

Open restaurants: 45%

## Walkways under 5 Feet

Pre-existing permits: 47%

Open restaurants: 37%

## Utility Hardware Obstruction

Pre-existing permits: 20%

Open restaurants: 10%

## Extend Beyond Storefront

Pre-existing permits: 40%

Open restaurants: 36%

## Blocking Residence Entry

Pre-existing permits: 0%

Open restaurants: 3%

# Summary of Recommendations

1. Implement Open Restaurants Enforcement Unit
2. Street and sidewalk size regulations
  - a. Streets at least 31 feet across
  - b. Sidewalks at least 12 feet across
3. Require restaurants to submit plans to DOT for roadway seating in relationship to street and sidewalk amenities.
4. Require a meaningful public review process *before and after* program implementation.

# Next Steps

1. Survey of CB2 restaurant and business owners
2. Nighttime quality of life report in collaboration DEP, NYPD, SLA, FDNY
3. Evaluate streets that are less than 31 feet across



Thank you!

Questions?

