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## **COMMUNITY BOARD NO. 2, MANHATTAN**

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December 16, 2025

Hon. Danielle Zuckerman  
Manhattan Borough Commissioner  
NYC Department of Transportation  
59 Maiden Lane, 37<sup>th</sup> Floor  
New York, NY 10038-4643

Re: Community Board 2 Manhattan Resolution Concerning Dining Out NYC

Honorable Commissioner Zuckerman:

At a Full Board meeting of Community Board 2/Manhattan on November 20, 2025, CB2M adopted the following resolution.

### Perimeter Demarcation for Sidewalk Cafes with a Single Row of Two-Tops

Whereas, Manhattan Community Board 2 (CB2) has consistently supported the evolution of the city's outdoor dining program with sidewalk cafes and roadway cafes setups that are appropriately scaled to enhance the streetscape and promote the local economy without compromising pedestrian safety or accessibility;

Whereas, the Dining Out NYC program includes requirements for a perimeter demarcation of sidewalk cafes, regardless of the cafe size, cafe configuration of tables and chairs, or sidewalk width;

Whereas, sidewalk cafes consisting solely of a single row of two-top tables (one table with two chairs) placed directly against and parallel to the building facade, compliant with Americans with Disabilities Act (ADA) and meeting existing clear path requirements, pose minimal obstruction to pedestrian flow and are configurations typical of long-standing, neighborhood-scale dining establishments in Manhattan Community District 2;

Whereas, Manhattan Community District 2 had the highest number of sidewalk cafes in the city during the pre-pandemic sidewalk cafe program, the highest number of sidewalk and roadway cafes in the city

during the temporary Open Restaurant Program, and continues to have the highest number of sidewalk and roadway cafes in the Dining Out NYC program;

Whereas, requiring perimeter demarcations for a minimal configuration of a single row of two-top tables (one table with two chairs) placed directly against and parallel to the building, which meet both ADA and existing clear path requirements, introduces unnecessary clutter and narrows the usable pedestrian clear path, contrary to the program's goals of providing an accessible use of the sidewalk;

**THEREFORE BE IT RESOLVED** that Manhattan Community Board 2 recommends that the Dining Out NYC program exempt sidewalk cafes consisting solely of a single row of two-top tables (one table with two chairs) placed directly against and parallel to the building facade which meet both ADA and clear path requirements from the perimeter demarcation requirement, provided that all other accessibility and clear path standards outlined in the Dining Out NYC rules are met.

Vote: Passed, with 30 in favor, 8 opposed (A. Brandt, A. Brenna, S. Gammie, P. Laraia, B. Pape, C. Spence, S. Sweeney, E. Yoo), and no abstaining or recusing.

Respectfully submitted –



Valerie De La Rosa

Chair, Community Board 2 Manhattan

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