



May 15, 2020

Honorable Bill de Blasio
Mayor of the City of New York
City Hall
New York, NY 10007

Re: Proposed issuance of immediate Executive Order that would allow dining establishments to bring outside seating to adjoining sidewalks and curbside parking lanes

Dear Mayor de Blasio:

I am writing regarding the urgent crisis being experienced by those whose livelihoods depend on the solvency of New York City's eating and drinking establishments. I urge you to issue an immediate Executive Order that allows all such establishments to bring outside seating to adjoining sidewalks and curbside parking lanes.

As you are aware, this industry employs many people in limited floor space, including many low-wage earners who do not have enough resources to withstand the loss of a paycheck. In addition, this industry supports many indirect jobs, such as the suppliers of food and beverages who are in similar financial circumstances. The cycle even includes many landlords who depend on the rents received to pay off mortgages and property taxes. Unfortunately, the shutdowns to prevent the spread of COVID-19 are threatening the very existence of these establishments.

In response to New York PAUSE, many restaurant operators have had to weigh total suspension of operation with merely sustaining operation as take-out venues. Neither are healthy economic options. Even when New York PAUSE is lifted, establishments would likely be meeting social distancing standards that would significantly reduce functional dining capacity, as science is

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dictating separation when patrons would remain seated for the typical amount of time to enjoy dining out.

This Executive Order should be without regard to the New York City Zoning Resolution (ZR) zoning district designation and should be through no earlier than October 15th. Sidewalk seating should be consistent with the clearances established to comply with an approved sidewalk café, though maintaining six feet between chairs of adjacent tables. As there would be no guarantee that such seating would be extended beyond the Executive Order, steps should be taken to minimize any need for out-of-pocket expenses to be incurred. Establishments should be encouraged to bring tables and chairs from within the establishment to the sidewalk and designated sections of the curbside and/or bike lane-adjacent parking lane.

As for establishing the perimeter of the curbside parking lane seating area, I would recommend that the New York City Department of Transportation (DOT) coordinate the provision of traffic warning barrels to be placed at the nearest point between the oncoming travel lane. Additionally, I would urge that the New York City Police Department (NYPD) coordinate the provision of its metal barrier fence sections used for controlling event spacing to form the enclosure. This set-up would create temporary and quickly-deployed seating in the model of DOT's existing "Street Seats" program.

As there is always the possibility of an operation resulting in quality-of-life impacts, the affected community board, City Council member, and local NYPD precinct command should have oversight to cease specific establishments from continuing operation according to such an Executive Order.

Should you have any questions, please contact my director of land use, Richard Bearak, at (718) 974-0885.

Thank you in advance for considering this matter.

Sincerely,

A handwritten signature in cursive script that reads "Eric L. Adams".

Eric Adams
Brooklyn Borough President

EA/rb