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**Testimony submitted by Monica Blum, President of the Lincoln Square Business Improvement District, to the New York City Council Committee on Consumer Affairs and Business Licensing regarding Int 1957-2020 – Temporary space for outdoor dining.**

Thank you to Chair Andrew Cohen, Councilmember Reynoso, and members of the Committee on Consumer Affairs and Business Licensing for the opportunity to submit testimony in relation to Int 1957-2020 to provide temporary space for outdoor dining. We applaud your efforts to support the restaurant industry in its recovery from the financial impacts of COVID-19 by making outdoor space available for dining and for providing permits for the use of public space without fees.

The restaurant industry in New York serves millions of New Yorkers, providing a taste of the vibrant culture native to New York City. The restaurant industry employs numerous New Yorkers and contributes to making New York a global destination. We cannot afford to see the restaurant industry collapse under the financial strains brought on by COVID-19. Most restaurants were operating on razor thin margins before COVID-19, and switching to take-out and delivery models and reducing seating capacity once they are allowed to reopen will inevitably result in many restaurants operating at a loss, if they are able to reopen at all. We have a very small window of time within which to make something happen that would assist our struggling restaurant industry -- whatever program that is implemented must be quick and nimble.

While we generally support Int 1957-2020, we have some concerns that we would like to share. We believe that public space should include spaces that are not solely within DOT's jurisdiction, such as Parks and other spaces including POPs. Accordingly, in order for our restaurants to successfully use public space to expand their footprint during the recovery from COVID-19, the program must have clear leadership and be mobilized quickly to support our restaurants and retailers. To that effect, I urge you to do the following:

- Designate a senior official with authority over all participating City agencies—including DOT, Parks, DOHMH, DCP, DSNY, and DCA—to oversee the program to ensure that outdoor space is made available to restaurants as quickly as possible and not slowed down by bureaucracy;

- Expand the public spaces made available for outdoor dining and retail outside of DOT's jurisdiction such as Parks and privately-owned public spaces;
- Include access to public space, in particular sidewalks, for retailers using models such as stoop line stands and interventions to manage queuing to comply with social distancing guidelines;
- Temporarily increase the maximum time for Temporary Use Authorizations to allow restaurants to use Parks for outdoor dining for longer than 29 days and if necessary suspend the rules governing TUAs;
- Ensure that DOHMH gives clear guidance to ensure public health at outdoor dining locations without creating insurmountable regulatory hurdles with which restaurants cannot feasibly comply; and
- Include the approval and support of adjacent property owners for any program that is implemented.

Although there have been some occasional conflicts with food vendors setting up immediately outside of our brick-and-mortar restaurants and crowding our sidewalks outside of our local businesses, I am pleased to say that we have developed a pretty good relationship with most of our food vendors. We have worked with our partners at the 20<sup>th</sup> Precinct and the Departments of Consumer Affairs, Sanitation and Health and Mental Hygiene to ensure compliance with the various laws and regulations. There are currently restrictions, i.e. zoning among others, governing where food vendors and others can set up and I urge the Council and DOT to carefully consider the current rules before expanding vending where it is not already permitted. It is imperative that our streets and sidewalks do not become overcrowded while we continue to practice social distancing and while we take advantage of this narrow window to assist our restaurants.

Further, I am pleased to report that Community Board 7 unanimously approved a resolution at its stated meeting on June 2 in support of allowing restaurants to use public space for dining.

Flexibility and speed will be paramount to ensuring that this program successfully allows our restaurants and retailers to reopen safely. Additional creative strategies to use the space in front of vacant storefronts and other underutilized spaces will help to mitigate the competition for limited space.

Thank you again for your leadership in trying to rescue the City's beleaguered restaurant industry by introducing Int 1957-2020.