

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

Matter with # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

■ indicates an administrative correction

*(Sections 13-00 through 13-562 are to be deleted and re-written as new text, as follows.
Long Island City regulations to be moved to Article I, Chapter 6)*

Article I: General Provisions

* * *

Chapter 3

Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core

13-00

GENERAL PURPOSES

The provisions of this Chapter establish special comprehensive regulations for off-street parking in the #Manhattan Core#, as defined in Section 12-10.

These regulations reflect best practices to address sustainability goals, while accommodating the parking needs of residents and businesses in a balanced manner.

13-01

General Provisions

Except as modified by the express provisions of this Chapter, the regulations of the underlying zoning districts or special purpose districts shall remain in effect.

13-02

Definitions

Access zone

For the purposes of this Chapter, an “access zone” shall refer to the portion of an #accessory# off-street parking facility, #public parking garage# or an automobile rental establishment, occupied by:

- (a) vehicular ramps between parking levels, or between a parking level and a vehicular entrance or exit, provided that such ramps are not used as parking spaces or associated maneuvering space;
- (b) vehicular elevators;
- (c) required reservoir spaces;
- (d) portions of required accessible pedestrian egress routes, including any associated ramps or elevators; or
- (e) bicycle parking spaces.

Automated parking facility

For the purposes of this Chapter, an “automated parking facility” shall refer to an #accessory# off-street parking facility or #public parking garage# where vehicular storage and retrieval within such facility is accomplished entirely through a mechanical conveyance system. A parking facility with parking lift systems that require an attendant to maneuver a vehicle that is to be parked shall not be considered an #automated parking facility#.

Parking zone

For the purposes of this Chapter, a “parking zone” shall refer to the portion of an #accessory# off-street parking facility, #public parking garage# or an automobile rental establishment, occupied by permitted off-street parking spaces and associated maneuvering space, and any other portion of such parking facility not included in the #access zone#. In attended parking facilities with parking lift systems, the #parking zone# shall also include the lifted tray a vehicle is stored upon.

13-03

Maps

■ Maps are located in Section 13-141 of this Chapter for the purpose of specifying areas where special regulations and requirements set forth in this Chapter apply.

Map 1 – Area where #public parking lots# are not permitted in the midtown #Manhattan Core#

Map 2 – Area where #public parking lots# are not permitted in the downtown #Manhattan Core#

13-04

Applicability

13-041

Applicability of parking regulations within the Manhattan Core

The provisions of this Chapter shall apply to #accessory# off-street parking facilities, #public parking lots#, #public parking garages# and automobile rental establishments, as listed in Use Group 8, in the #Manhattan Core#, as follows:

- (a) for #accessory# off-street parking facilities, #public parking garages# and #public parking lots# constructed prior to May 8, 2013, the number of parking spaces required or permitted shall be as set forth in Section 13-07 (Existing Buildings and Off-Street Parking Facilities);
- (b) for #accessory# off-street parking facilities, automobile rental establishments and #public parking lots developed# or #enlarged# after May 8, 2013, the as-of-right number of parking spaces permitted in a parking facility shall be as set forth in Section 13-10 (PERMITTED OFF-STREET PARKING IN THE MANHATTAN CORE). Special rules shall apply to all such #accessory# off-street parking spaces, automobile rental establishments and #public parking lots#, as set forth in Section 13-20 (SPECIAL RULES FOR MANHATTAN CORE PARKING FACILITIES);
- (c) any increase in the number of off-street parking spaces in an #accessory# off-street parking facility or #public parking lot# resulting in a capacity not otherwise allowed under the applicable regulations of Section 13-10; or a new #public parking lot# in a location not permitted by Section 13-14 (Permitted Parking for Public Parking Lots), may be permitted only by the City Planning Commission.

pursuant to the applicable special permit in Section 13-45 (Special Permits for Additional Parking Spaces);

- (d) #public parking garages developed# or #enlarged# after May 8, 2013, shall not be permitted as-of-right. Any #development# or #enlargement# of such #public parking garages# shall only be permitted in C1-5, C1-6, C1-7, C1-8, C1-9, C2, C4, C5, C6, C8, M1, M2 or M3 Districts by the City Planning Commission, pursuant to the applicable special permit in Section 13-45. Commercial vehicles may occupy spaces in permitted #public parking garages# in accordance with the provisions of Section 13-16 (Permitted Parking for Car Sharing Vehicles and Commercial Vehicles).

13-042

Applicability of special permits within the Manhattan Core

The following special permits shall not be applicable within the #Manhattan Core#:

Section 73-48 (Exceptions to Maximum Size of Accessory Group Parking Facilities);

Section 74-512 (In other Districts);

Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas), except as set forth in Section 13-06 (Previously Approved Special Permits and Authorizations); and

Section 74-53 (Accessory Group Parking Facilities for Uses in Large-Scale Residential Developments or Large-Scale Community Facility Developments or Large-Scale General Developments).

13-043

Applicability of loading regulations within the Manhattan Core

The provisions of Section 13-30 (OFF-STREET LOADING REGULATIONS IN THE MANHATTAN CORE), inclusive, shall apply to all #accessory# off-street loading berths provided in #developments# and #enlargements# within the #Manhattan Core# after May 8, 2013.

13-05

Exceptions

The provisions of this Chapter shall not apply to Roosevelt Island, in Community District 8 in the Borough of Manhattan. In the #Hudson Yards parking regulations applicability area#, as defined in Section 93-81, the provisions of this Chapter shall apply as specified in Section 93-80 (OFF-STREET PARKING REGULATIONS).

Additional modifications to the provisions of this Chapter are found in the following Special Purpose Districts:

- (a) the #Special Midtown District#, as set forth in Section 81-30 (OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS), inclusive, Section 81-44 (Curb Cut Restrictions) and paragraph (c) of Section 81-84 (Mandatory Regulations and Prohibitions);
- (b) the #Special Lincoln Square District#, as set forth in Section 82-50 (OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS);
- (c) the #Special Battery Park City District#, as set forth in Section 84-14 (Parking Regulations and Curb Cuts), inclusive;
- (d) the #Special United Nations Development District#, as set forth in Section 85-03 (Modifications of Use Regulations);
- (e) the #Special Lower Manhattan District#, as set forth in Section 91-50 (OFF-STREET PARKING, LOADING AND CURB CUT REGULATIONS), inclusive;
- (f) the #Special Park Improvement District#, as set forth in Section 92-05 (Maximum Number of Accessory Off-Street Parking Spaces);
- (g) the #Special Transit Land Use District#, as set forth in Section 95-09 (Special Regulations for Accessory Off-Street Parking and Curb Cuts);
- (h) the #Special Clinton District#, as set forth in Section 96-111 (Off-Street Parking Regulations);
- (i) the #Special Madison Avenue Preservation District#, as set forth in Section 99-06 (Off-Street Parking Regulations); and
- (j) the #Special Little Italy District#, as set forth in Sections 109-16 (Parking Regulations); 109-351 (Parking regulations), 109-352 (Curb cut regulations) and 109-521 (Modification of accessory off-street parking facilities).

13-06

Previously Filed or Approved Special Permits or Authorizations

If, before May 8, 2013, an application for an authorization or special permit relating to parking regulations in the #Manhattan Core# has been certified or referred by the City Planning Commission or has been filed with the Board of Standards and Appeals, such application may continue pursuant to the regulations in effect at the time such authorization or special permit was certified or referred by the Commission or filed with the Board. Such authorizations or special permits, if granted by the Commission or Board, may be started or continued, in accordance with the terms thereof, or as such terms may be subsequently modified, pursuant to the regulations in effect at the time such authorization or special permits were certified or referred by the Commission or filed with the Board.

Any authorization or special permit relating to parking regulations in the #Manhattan Core# granted by the Commission or Board prior to May 8, 2013, may be started or continued, in accordance with the terms thereof, or as such terms may be subsequently modified, pursuant to the regulations in effect at the time such authorization or special permit was granted.

All such authorizations or special permits shall be subject to the provisions of Sections 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution) and 11-43 (Renewal of Authorization or Special Permit).

Notwithstanding the foregoing, any subsequent modifications to such authorizations or special permits that involve an increase in the number of off-street parking spaces provided, shall only be as permitted by the applicable special permit provisions of Section 13-45 (Special Permits for Additional Parking Spaces).

13-07

Existing Buildings and Off-Street Parking Facilities

The provisions of this Section shall apply to existing required or permitted #accessory# off-street parking spaces, #public parking lots# and #public parking garages#, established prior to May 8, 2013, in the #Manhattan Core#, as applicable, and to existing #buildings developed# without the provision of parking.

Existing required or permitted #accessory# off-street parking spaces, #public parking lots# and #public parking garages#, established prior to May 8, 2013, shall continue to be subject to the applicable zoning district regulations in effect prior to May 8, 2013, except

that:

- (a) any reduction or elimination of existing #accessory# off-street parking spaces that were required under the applicable provisions in effect prior to April 29, 1982, or for public or publicly-assisted housing under the applicable provisions in effect prior to May 8, 2013, shall be allowed only by authorization of the City Planning Commission pursuant to Section 13-443 (Reduction of the number of required existing parking spaces):

- (b) #enlargements#, #extensions# or any increase in the number of off-street parking spaces within such off-street parking facilities shall be allowed by the City Planning Commission, as follows:
 - (1) where the proposed increase in off-street parking spaces occurs in a #building developed# without the provision of parking, the Commission may authorize up to 15 off-street parking spaces pursuant to the provisions of Section 13-442 (Limited increase in parking spaces for existing buildings without parking):

 - (2) where the proposed increase occurs in an existing off-street parking facility, the Commission may permit such an increase, pursuant to the applicable provisions of Section 13-45 (Special Permits for Additional Parking Spaces):

- (c) #conversions# shall be permitted to retain all spaces in existing parking facilities. Additional #accessory# off-street parking spaces shall be permitted by the City Planning Commission pursuant to the applicable special permit provisions of Section 13-45:

- (d) an #accessory# off-street parking facility in possession of a license issued by the Department of Consumer Affairs, pursuant to Section 20-321 of the New York City Administrative Code, to maintain, operate or conduct a garage or parking lot (as defined therein) prior to January 1, 2012, may make #accessory# parking spaces available for public use in accordance with the provisions of Section 13-21 (Public Use and Off-Site Parking), provided that a copy of such license is filed with the Department of Buildings. However, any increase in the number of spaces in such a facility shall only be permitted in accordance with the applicable provisions of Section 13-45.

13-10

PERMITTED OFF-STREET PARKING IN THE MANHATTAN CORE

■ No parking shall be required within the #Manhattan Core#. As-of-right off-street parking spaces located within #accessory# off-street parking facilities, automobile rental establishments and #public parking lots# in the #Manhattan Core# shall be permitted only as set forth in this Section, inclusive.

13-101

Calculating parking spaces in automated parking facilities

For the purposes of this Resolution, with regard to #automated parking facilities#, the term ‘tray’ shall refer to the structural support for vehicle storage in both pallet and non-pallet vehicle storage systems.

For the purpose of calculating parking spaces in #automated parking facilities#, each tray upon which a vehicle is stored shall constitute one off-street parking space. However, auxiliary parking trays may be exempted from constituting a parking space where the Commissioner of Buildings determines that such auxiliary parking trays are necessary to store and retrieve vehicles for the efficient operation of such #automated parking facility#.

13-11

Permitted Parking for Residences

#Accessory# off-street parking spaces are permitted for #residences# in #developments# or #enlargements#, as follows:

- (a) for Community Districts 1, 2, 3, 4, 5, and 6, #accessory# off-street parking spaces may be provided for not more than 20 percent of the total number of new #dwelling units# contained in the #development# or #enlargement#, or 200 spaces, whichever is less;
- (b) for Community Districts 7 and 8, #accessory# off-street parking spaces may be provided for not more than 35 percent of the total number of new #dwelling units# contained in the #development# or #enlargement#, or 200 spaces, whichever is less.

13-12

Permitted Parking for Non-Residential Uses

#Accessory# off-street parking spaces are permitted for non-#residential uses# in #developments# or #enlargements#, as follows:

(a) #Transient hotels#

For #transient hotel developments# or #enlargements#, a maximum of 225 #accessory# off-street parking spaces shall be permitted. In no event may the number of parking spaces exceed 15 percent of the number of new #transient hotel# rooms:

(b) Hospitals

For hospital #developments# or #enlargements#, a maximum of 100 #accessory# off-street parking spaces are permitted:

(c) Retail #uses#

For #developments# or #enlargements# comprising #commercial uses# listed in Use Groups 6A, 6C or 10A, the maximum number of #accessory# off-street parking spaces permitted shall not exceed one space per 4,000 square feet of #floor area#, or 10 spaces, whichever is less:

(d) Other #commercial#, #community facility# and #manufacturing uses#

For #developments# or #enlargements# comprising #community facility uses# other than hospitals, #commercial uses# other than those listed in paragraphs (a) and (c) of this Section, or #manufacturing uses#, the maximum number of #accessory# off-street parking spaces permitted shall not exceed one space per 4,000 square feet of such #community facility#, #commercial# or #manufacturing floor area# or 100 spaces, whichever is less.

13-13

Permitted Parking for Zoning Lots with Multiple Uses

Where a #development# or #enlargement# contains a combination of #uses# for which parking regulations are set forth in Sections 13-11 (Permitted Parking for Residences) and 13-12 (Permitted Parking for Non-Residential Uses), the number of #accessory# off-street parking spaces for all such #uses# shall not exceed the number of spaces permitted for each #use# in accordance with the provisions of such Sections. However, in no event shall

the maximum number exceed 225 #accessory# off-street parking spaces.

13-14

Permitted Parking in Public Parking Lots

■#Public parking lots#, with a maximum capacity of 150 spaces, are permitted in C2, C4, C6, C8, M1-5, M1-6, M2 and M3 Districts, except that:

- (a) no #public parking lots# shall be permitted within:
 - (1) the area designated on Map 1 (Area where Public Parking Lots are Not Permitted in the midtown Manhattan Core) in Section 13-141;
 - (2) the area designated on Map 2 (Area where Public Parking Lots are Not Permitted in the downtown #Manhattan Core#) in Section 13-141; and
 - (3) the Preservation Area of the #Special Clinton District, as shown on the map in Appendix A of Article IX, Chapter 6; and

- (b) for M1-5 Districts or M1-6 Districts, #public parking lots# shall only be permitted in the following locations:
 - (1) north of 42nd Street and west of 10th Avenue;
 - (2) west of Ninth Avenue between 17th Street and 30th Street; and
 - (3) District south of Canal Street.

In such districts, the City Planning Commission may permit a #public parking lot# in a location not allowed by this Section pursuant to the applicable special permit in Section 13-45 (Special Permits for Additional Parking Spaces). Any such proposed #public parking lots# located in the Preservation Area of the #Special Clinton District# shall also be subject to the additional findings set forth in Section 96-111 (Off-street parking regulations).

■13-141

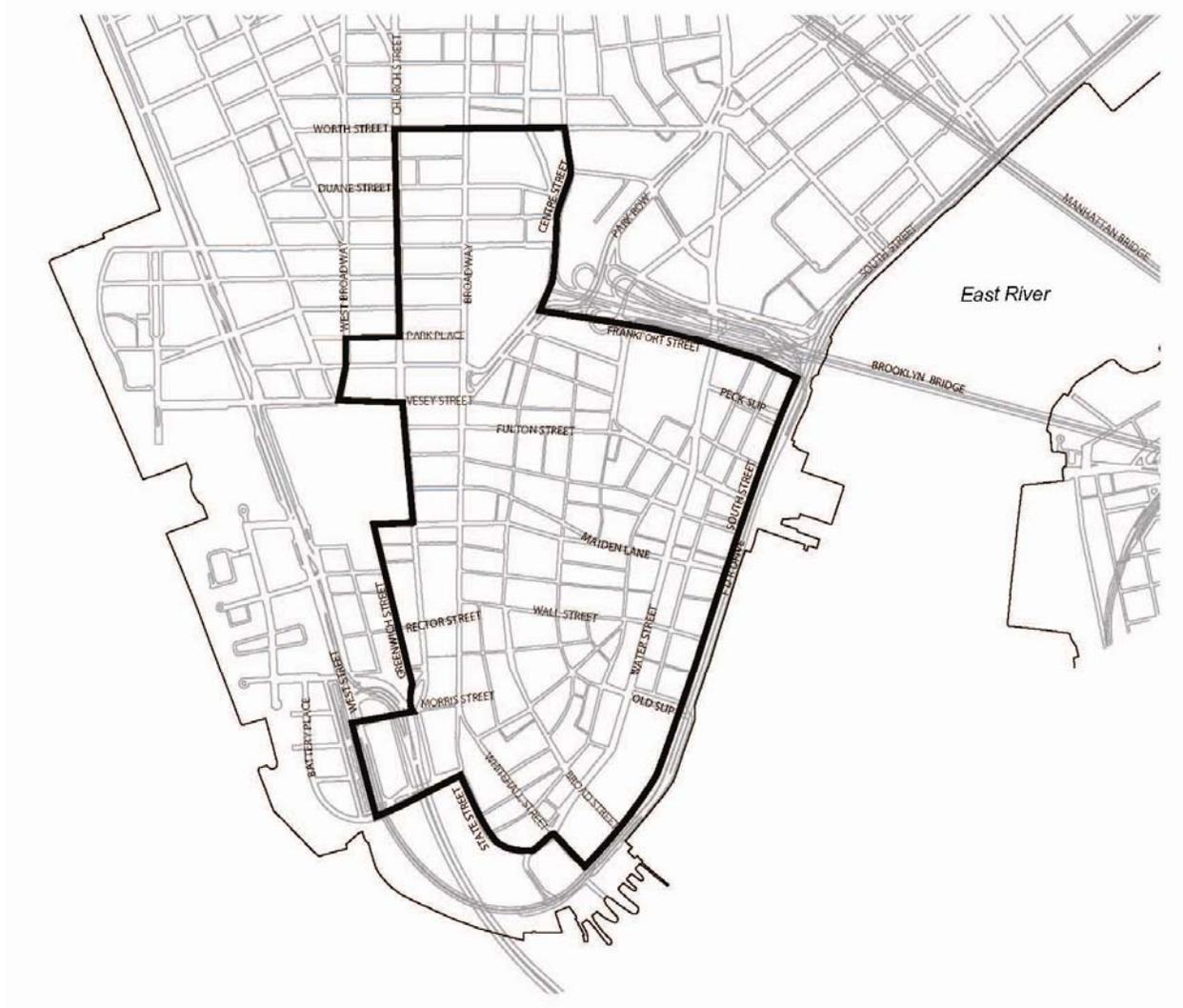
Areas where public parking lots are not permitted

#Public parking lots# shall not be permitted in the areas shown on the following maps, except where permitted by Section 13-45 (Special Permits for Additional Parking Spaces).

Map 1 – Area where Public Parking Lots are Not Permitted in the midtown Manhattan Core



Map 2 – Area where Public Parking Lots are Not Permitted in the downtown Manhattan Core



13-15
Permitted Parking for Automobile Rental Establishments

Automobile rental establishments, as listed in Use Group 8, are permitted, provided that:

- (a) in C2 Districts, the number of automobiles that may be stored in such establishments shall not exceed 150 spaces;
- (b) in C4, C6, and C8, the number of automobiles that may be stored in such establishments shall not exceed 225 spaces; and
- (c) in M1, M2, and M3 Districts, the number of automobiles that may be stored in such establishments shall not exceed 300 spaces.

13-16

Permitted Parking for Car Sharing Vehicles and Commercial Vehicles

#Car sharing vehicles# and commercial vehicle parking for motor vehicles not exceeding a length of 20 feet shall be permitted within #accessory# off-street parking facilities, #public parking garages# and #public parking lots#, as follows:

- (a) #Accessory# off-street parking facilities

#Car sharing vehicles# may occupy parking spaces in an #accessory# off-street parking facility, provided that such #car sharing vehicles# shall not exceed 20 percent of all parking spaces in such facility, or five spaces, whichever is greater;

- (b) #Public parking garages# and #public parking lots#

(1) In C1-5, C1-6, C1-7, C1-8, C1-9, C2 and C4 Districts, vehicles stored by automobile rental establishments and #car sharing vehicles# shall be permitted, provided such vehicles do not exceed, in total, 40 percent of the total number of parking spaces permitted within the #public parking garage# or #public parking lot#;

(2) In C5, C6, C8, M1, M2 and M3 Districts, vehicles stored by automobile rental establishments and #car sharing vehicles# shall be permitted, provided such vehicles do not exceed, in total, 40 percent of the total number of parking spaces permitted within the #public parking garage# or #public parking lot#. In addition, commercial vehicle parking for motor vehicles not exceeding a length of 20 feet shall be permitted, provided that the total amount of parking spaces occupied by commercial vehicles, including any #car sharing vehicles# and automobile rental establishment vehicles, shall not exceed, in total, 50 percent of the total number of

parking spaces permitted within the #public parking garage# or #public parking lot#.

13-20

SPECIAL RULES FOR MANHATTAN CORE PARKING FACILITIES

All #accessory# off-street parking facilities, automobile rental establishments, and #public parking lots developed#, #enlarged# or #extended# in the #Manhattan Core# after May 8, 2013, shall comply with the applicable provisions of this Section, inclusive.

13-21

Public Use and Off-Site Parking

All #accessory# off-street parking spaces may be made available for public use. However, any such space shall be made available to the occupant of a #residence# to which it is #accessory# within 30 days after written request therefor is made to the landlord.

No #accessory# off-street parking spaces shall be located on a #zoning lot# other than the same #zoning lot# as the #use# to which they are #accessory#.

13-22

Applicability of Enclosure and Screening Requirements

(a) Screening

In addition to the screening provisions of paragraph (a)(1) of Section 13-221 (Enclosure and screening requirements), the ground floor #use# provisions of the following Sections shall apply:

- (1) Sections 32-431 (Ground floor use in C1-8A, C1-9A, C2-7A, C2-8A, C4-6A and C4-7A Districts) and 32-432 (Ground floor use in Community Board 7, Borough of Manhattan);
- (2) Section 37-35 (Retail Continuity);
- (3) Sections 81-42 (Retail Continuity along Designated Streets), and 81-531 (Special retail frontage requirements) in the #Special Midtown District#;

- (4) Section 82-21 (Restrictions on Street Level Uses) in the #Special Lincoln Square District#;
- (5) Section 91-12 (Uses on Designated Retail Streets) and the applicable Sections of 91-41 (Regulations for Designated Retail Streets), inclusive, in the #Special Lower Manhattan District#;
- (6) Section 95-08 (Special Use Regulations), inclusive, in the #Special Transit Land Use District;
- (7) Section 96-21 (Special Regulations for 42nd Street Perimeter Area), paragraph (c), in the #Special Clinton District#;
- (8) Section 98-14 (Ground Floor Use and Transparency Requirements on Tenth Avenue) in the #Special West Chelsea District#;
- (9) Section 99-03 (Special Use Regulations), inclusive, in the #Special Madison Avenue Preservation District#; and
- (10) Sections 109-11 (Special Use Regulations), inclusive, and 109-21 (Use Regulations), inclusive in the #Special Little Italy District#; and
- (11) Section 132-20 (SPECIAL USE REGULATIONS), inclusive, in the #Special Enhanced Commercial District#.

(b) Transparency

The transparency provisions of paragraph (a)(2) of Section 13-221 shall not apply to portions of ground floor level #street walls# that are subject to the following Sections:

- (1) Section 37-37 (Street Wall Articulation);
- (2) Section 81-42 (Retail Continuity along Designated Streets) in the #Special Midtown District#;
- (3) Section 82-23 (Street Wall Transparency) in the #Special Lincoln Square District#;
- (4) Section 91-412 (Access and glazing of required retail space) in the #Special Lower Manhattan District#;

- (5) Section 96-21 (Special Regulations for 42nd Street Perimeter Area), paragraph (c), in the #Special Clinton District#;
- (6) Section 98-14 (Ground Floor Use and Transparency Requirements on Tenth Avenue) in the #Special West Chelsea District#; and
- (7) Section 132-30 (SPECIAL TRANSPARENCY REGULATIONS), inclusive, in the #Special Enhanced Commercial District#.

13-221

Enclosure and screening requirements

(a) #Accessory# off-street parking facilities

All #accessory# off-street parking spaces shall be located within a #completely enclosed building#, with the exception of parking spaces #accessory# to a hospital, as listed in Use Group 4, and as provided in Section 13-45 (Special Permits for Additional Parking Spaces). In addition, such parking facilities shall comply with the following provisions:

(1) Screening

Any portion of an #accessory# off-street parking facility, except for entrances and exits, that is located above #curb level# shall be located behind permitted #commercial#, #community facility# or #residential floor area# so that no portion of such facility is visible from adjacent public sidewalks or #publicly accessible open areas#. Such #floor area# shall have a minimum dimension of 30 feet, as measured perpendicular to the #street wall# of the #building#.

Alternatively, for parking facilities, or portions thereof, fronting upon a #narrow street# within a #Residence District#, off-street parking facilities may be screened by a densely-planted buffer strip, with a depth of at least 10 feet.

(2) Transparency

Portions of ground floor #commercial# and #community facility uses# screening the parking facility in accordance with the provisions of

paragraph (a)(1) of this Section shall be glazed with transparent materials which may include #show windows#, transom windows or glazed portions of doors. Such transparent materials may be provided anywhere on the portion of the ground floor level #street wall# occupied by such #uses#, except that:

- (i) the maximum width of a portion of the #ground floor level street wall# without transparency shall not exceed ten feet; and
- (ii) transparent materials shall occupy at least 50 percent of the surface area of such ground floor level #street wall# between a height of two feet and 12 feet, or the height of the ground floor ceiling, whichever is higher, as measured from the adjoining sidewalk. Transparent materials provided to satisfy such 50 percent requirement shall not begin higher than 2 feet, 6 inches, above the level of the adjoining sidewalk, with the exception of transom windows, or portions of windows separated by mullions or other structural dividers; and shall have a minimum width of two feet.

However, for #buildings# where the #base flood elevation# is higher than the level of the adjoining sidewalk, all such transparency requirements shall be measured from a height of one foot above the height of the #base flood elevation#, instead of the level of the adjoining sidewalk.

For #zoning lots# with multiple #street wall# frontages, the transparency provisions of this paragraph, (a)(2), need not apply to #street walls# that are located entirely beyond 100 feet of any portion of the #accessory# parking facility, as measured in plan view, perpendicular to such parking facility.

(b) Automobile rental establishments

All off-street parking within an automobile rental establishment shall be located within a #completely enclosed building# and shall comply with the screening provisions of paragraph (a) of this Section. #Accessory# office space and customer waiting areas associated with such establishments shall constitute #commercial floor area# for the purposes of such screening requirement.

(c) #Public parking lots# and certain permitted #accessory# parking lots

#Public parking lots# and open parking spaces #accessory# to a hospital shall provide screening in accordance with the provisions of 37-921 (Perimeter landscaping).

13-23

Floor Area

The definition of #floor area# in Section 12-10 shall be modified as follows for purposes of this Chapter:

(a) Attended parking facilities with parking lift systems

For portions of an attended parking facility with parking lift systems, individual lifted trays upon which a vehicle is stored which, in operation, rise to a height in excess of 23 feet, as measured above #curb level#, shall be considered #floor area# in an amount of 153 square feet, or the size of such lifted tray, whichever is greater.

(b) #Automated parking facilities#

Floor space used for off-street parking spaces in an #accessory automated parking facility# up to a height of 40 feet above #curb level# shall be exempt from the definition of #floor area# upon certification of the Chairperson of the City Planning Commission, pursuant to the provisions of Section 13-432 (Floor area exemption for automated parking facilities).

For portions of an #automated parking facility#, each tray upon which a vehicle is stored at a height in excess of 40 feet in parking facilities certified pursuant to Section 13-432, or 23 feet in all other #automated parking facilities#, shall be considered #floor area# in an amount of 153 square feet, or the size of such lifted tray, whichever is greater.

13-24

Curb Cut Restrictions

In addition to the provisions of this Section, inclusive, additional restrictions on curb cuts in the #Manhattan Core# are found in the following Special Purpose Districts:

- (a) the #Special Midtown District#, as set forth in Sections 81-44 (Curb Cut Restrictions), and 81-624 (Curb cut restrictions and loading berth requirements);
- (b) the #Special Lincoln Square District#, as set forth in paragraph (b) of Section 82-50 (OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS)
:
- (c) the #Special Battery Park City District#, as set forth in Sections 84-144 (Location of curb cuts) and 84-343 (Curb cuts);
- (d) the #Special Lower Manhattan District#, as set forth in Section 91-52 (Curb Cut Regulations);
- (e) the #Special Park Improvement District#, as set forth in Section 92-05 (Maximum Number of Accessory Off-Street Parking Spaces);
- (f) the #Special Transit Land Use District#, as set forth in Section 95-09 (Special Regulations for Accessory Off-Street Parking and Curb Cuts);
- (g) the #Special Clinton District#, as set forth in paragraph (f) of Section 96-21 (Special Regulations for 42nd Street Perimeter Area);
- (h) the #Special Madison Avenue Preservation District#, as set forth in Section 99-06 (Off-street Parking Regulations); and
- (i) the #Special Little Italy District#, as set forth in Section 109-352 (Curb cut regulations).

13-241

Location of curb cuts

For #accessory# off-street parking facilities, automobile rental establishments and #public parking lots#, curb cuts are required for entry and exit to such parking facilities. Such curb cuts:

- (a) shall not be permitted within 50 feet of the intersection of any two #street lines#, except where the Commissioner of Buildings certifies that such location:
 - (1) is not hazardous to traffic safety;
 - (2) is not likely to create traffic congestion; and

(3) will not unduly inhibit surface traffic or pedestrian flow.

The Commissioner of Buildings may refer such matter to the Department of Transportation, or its successor, for a report;

- (b) shall not be located within two and one-half feet of any #side lot line# of the #zoning lot#, or prolongation thereof;
- (c) for #accessory# off-street parking facilities and automobile rental establishments, shall not be located on a #wide street#, except where authorized pursuant to Section 13-441 (Curb cuts); and
- (d) for #public parking lots#, shall not be permitted on the following #wide streets#, except where authorized pursuant to Section 13-441 (Curb cuts):
- (1) Fifth Avenue;
 - (2) Avenue of the Americas, from 23rd Street to 32nd Street;
 - (3) Seventh Avenue, from 23rd Street to 32nd Street;
 - (4) 14th Street, from Seventh Avenue to Fourth Avenue;
 - (5) Delancey Street, from Clinton Street to the west side of Orchard Street;
 - (6) Church Street, from Park Place to Worth Street;
 - (7) Worth Street, from Centre Street to Church Street; and
 - (8) Canal Street, from the Bowery to West Broadway.

13-242

Maximum width of curb cuts

- (a) #Accessory# off-street parking facilities

For curb cuts accessing off-street parking spaces #accessory# to #residences# in the #Manhattan Core#, the provisions of Sections 25-631 (Location of curb cuts in certain districts), and 36-532 (Location and width of curb cuts accessing

residential parking spaces in certain districts) shall apply, as applicable.

In addition, the maximum width of a curb cut shall be 22 feet for curb cuts accessing off-street parking spaces #accessory# to #residences# in R9 or R10 Districts, C1 and C2 Districts mapped within R9 and R10 Districts, and in all other #Commercial Districts# where, as set forth in the tables in Section 34-112 or 35-23, as applicable, the equivalent #Residential District# is R9 or R10. This maximum curb cut width of 22 feet shall also apply to curb cuts accessing off-street parking spaces #accessory# to #commercial# or #community facility uses#, and to curb cuts accessing off-street parking facilities with parking spaces #accessory# to a mix of #uses#.

(b) Automobile rental establishments

For curb cuts accessing automobile rental establishments, the maximum width of a curb cut shall be 22 feet.

(c) #Public parking lots#

For curb cuts accessing #public parking lots#, the curb cut provisions of paragraph (c) of Section 36-58 (Parking Lot Maneuverability and Curb Cut Regulations) shall apply.

13-25

Reservoir Spaces

For the purpose of determining required reservoir spaces, fractions equal to or greater than one-half resulting from the calculations in this Section shall be considered to be one reservoir space. In no event shall the dimensions of any reservoir space be less than 18 feet long and 8 feet, 6 inches wide.

(a) Attended parking facilities

For attended #accessory# off-street parking facilities or #public parking lots# with more than 25 off-street parking spaces, off-street reservoir space at the vehicular entrance shall be provided to accommodate:

- (1) five percent of the total number of parking spaces provided in parking facilities with more than 25 parking spaces and up to 50 parking spaces;

- (2) ten percent of the total number of parking spaces provided in parking facilities with more than 50 parking spaces and up to 100 parking spaces;
- (3) ten parking spaces in parking facilities with more than 100 off-street parking spaces and up to 200 parking spaces; and
- (4) five percent of the total number of parking spaces provided in parking facilities with more than 200 off-street parking spaces. However such number of reservoir spaces need not exceed 50.

(b) #Automated parking facilities#

For #automated parking facilities#, off-street reservoir space at the vehicle entrance shall be provided at the rate set forth in paragraph (a) of this Section.

Each individual parking location where a driver is permitted to leave a vehicle for transfer to a mechanized automobile storage and retrieval unit shall constitute one reservoir space. Additional reservoir spaces may be located where drivers queue to access such locations for vehicle transfer.

In addition, the number of reservoir spaces required pursuant to this Section may be reduced where the Commissioner of Buildings determines that the operational characteristics of such #automated parking facility# warrant such a reduction.

(c) Automobile rental establishments

For automobile rental establishments, off-street reservoir space at the vehicle entrance shall be provided at the rate set forth in paragraph (a) of this Section.

(d) Self-parking facilities

For self-parking #accessory# off-street parking facilities and #public parking lots# where entering vehicles are required to stop before a mechanically-operated barrier before entering such parking facility, such barrier shall be placed a minimum of 20 feet beyond the #street line#.

13-26

Pedestrian Safety and Access

For all #accessory# off-street parking facilities, the following safety features shall be

provided at all vehicular exit points:

- (a) a stop sign which shall be clearly visible to drivers. Such signage shall comply with the standards set forth in the Manual of Uniform Traffic Control Devices (MUTCD) issued by the Federal Highway Administration (FHWA) for a conventional single lane road; and
- (b) a speed bump, which shall be located within the exit lane of the parking facility. Such speed bump shall:
 - (1) span the width of the vehicular travel lane;
 - (2) have a minimum height of two inches, as measured from the adjoining grade of the exit lane, and shall have a maximum depth of twelve inches; and
 - (3) shall be located a minimum of four feet beyond the #street line#, as measured perpendicular to the #street line#.

13-27

Minimum and Maximum Size of Parking Facilities

For all #accessory# off-street parking facilities and automobile rental establishments, the minimum and maximum size requirements for the #parking zone# for such parking facilities shall be set forth in this Section. The #access zone# of such parking facilities shall not have a minimum or maximum gross surface area.

For the purpose of calculating surface area in attended parking facilities with parking lift systems, the lifted tray upon which a vehicle is stored shall constitute surface area.

- (a) Attended parking facilities
 - (1) For attended parking facilities without parking lift systems, the minimum gross surface area, in square feet, of the #parking zone# shall be 180 times the number of off-street parking spaces provided, and the maximum gross surface area, in square feet, of the #parking zone# shall not exceed 200 times the number of off-street parking spaces provided.
 - (2) For attended parking facilities with parking lift systems, the minimum and maximum surface area of the portion of the #parking zone# allocated to

non-elevated parking spaces shall be calculated at the rate set forth in paragraph (a)(1) of this Section; and the surface area, in square feet, of the portion of the #parking zone# allocated to elevated parking spaces shall be 153 times the number of elevated spaces able to be provided on lifted trays.

(b) #Automated parking facilities#

No minimum or maximum surface area requirement shall be required in off-street parking facilities that the Commissioner of Buildings determines to be #automated parking facilities#.

(c) Automobile rental establishments

The maximum gross surface area, in square feet, of the #parking zone# of an automobile rental establishment, shall be established at the rate set forth in paragraph (a) of this Section.

(d) Self-park facilities

The gross surface area, in square feet, of the #parking zone# of a self-parking #accessory# off-street parking facility shall be a minimum of 300 times the number of off-street parking spaces provided, and a maximum of 350 times the number of off-street parking spaces provided. However, an area of less than 300 square feet, but in no event less than 200 square feet, may be considered as one space, where the layout and design of the parking area are adequate to permit convenient access and maneuvering in accordance with regulations promulgated by the Commissioner of Buildings.

Such minimum and maximum #parking zone# requirements of this Section may be modified by the Chairperson of the City Planning Commission pursuant to the certification set forth in Section 13-431 (Reduction of minimum facility size).

13-30

OFF-STREET LOADING REGULATIONS IN THE MANHATTAN CORE

All #accessory# off-street loading facilities #developed# or #enlarged# in the #Manhattan Core# after May 8, 2013, shall comply with the applicable provisions of this Section, inclusive.

In addition to the provisions of this Section, additional restrictions on loading berths in the #Manhattan Core# are found in the following Special Purpose Districts:

- (a) the #Special Midtown District#, as set forth in Sections 81-312 (Prohibitions of off-street parking or off-street loading facilities), 81-44 (Curb Cut Restrictions), 81-624 (Curb cut and loading berth requirements) and 81-84 (Mandatory Regulations and Prohibitions);
- (b) the #Special Lincoln Square District#, as set forth in Section 82-50 (OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS) ;
- (c) the #Special Battery Park City District#, as set forth in Sections 84-143 and 84-342 (Off-street loading); and
- (d) the #Special Lower Manhattan District#, as set forth in Section 91-52 (Curb Cut Regulations) and 91-53 (Waiver of Requirements for Accessory Off-Street Loading Berths)

13-31

Modification of Minimum Size of Loading Berth

For all permitted or required #accessory# loading berths, the minimum length requirements for hospitals and related facilities or prisons; hotels, offices or court houses; #commercial uses#; and wholesale, #manufacturing# or storage #uses#, set forth in Sections 36-681 (Size of required berths) and 44-581 (Size of required loading berths), shall be 37 feet.

13-32

Floor Area Exemption

In addition to the #floor area# exemption for #accessory# off-street loading berths set forth in Section 12-10 (DEFINITIONS), for #buildings# with a total #floor area# in excess of 100,000 square feet, up to 300 square feet of floor space may be exempted from the definition of #floor area# where such #buildings# allocate a permanent space for dumpster storage, and such storage space has a minimum dimension of 12 feet by 25 feet. Such dumpster storage space shall be adjacent to a #building's# loading berth.

13-33

Modification of Provisions for a Zoning Lot with Uses Subject to Different Loading Requirements

The provisions of Sections 36-63 and 44-53 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Loading Requirements) shall not apply.

13-34

Location of Access to the Street

In addition to the provisions of Sections 25-75, 36-682 and 44-582 (Location of Access to the Street), no entrance or exit to an #accessory# off-street loading berth shall be located on a #street# with a roadbed width that is less than 20 feet, as measured curb to curb.

13-35

Modification of Loading Berth Requirements

The provisions of Sections 25-75 (Location of Access to the Street), 36-65 and 44-55 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden) shall be modified to allow the Commissioner of Buildings to reduce or waive the applicable loading berth requirements, provided that:

- (a) the #zoning lot# only has frontage upon a #street#, or portion thereof, where curb cuts or entrances and exits to #accessory# off-street loading berths are not permitted;
- (b) the #zoning lot# has frontage along a #street# where curb cuts accessing a loading berth are otherwise permitted, but there is no access to such #zoning lot# from the #street# due to the presence of:
 - (1) a #building#, existing on May 8, 2013, containing #residences#;
 - (2) a #non-residential building#, existing on May 8, 2013, that is three or more #stories# in height; or
 - (3) a #building# designated as a landmark or considered a contributing #building# in an Historic District designated by the Landmarks Preservation Commission; or
- (c) there are subsurface conditions, ventilation requirements from below-grade infrastructure or other site planning constraints that would make accommodating such loading berths infeasible.

In the case of paragraph (c), as set forth in this Section, the Commissioner shall require a

loading berth of not less than 33 feet in depth, if such a berth can be accommodated in consideration of the relevant site restraints. The Commissioner of Buildings may request reports from licensed engineers or registered architects in considering such reduction or waiver.

13-40

CERTIFICATIONS, AUTHORIZATIONS AND SPECIAL PERMITS IN THE MANHATTAN CORE

13-41

General Provisions

The City Planning Commission may grant certifications, authorizations and special permits in accordance with Section 13-40, inclusive. All such special permits and authorizations, in addition to meeting the requirements, conditions and safeguards prescribed by the Commission as specified in this Section, shall conform to and comply with all of the applicable regulations, except as otherwise specified herein.

13-42

Requirements for Applications

An application to the City Planning Commission for the grant of a certification, authorization or special permit under the provisions of Section 13-40 shall include a site plan showing the location of all existing and proposed #buildings or other structures# on the #zoning lot#, the location of all vehicular entrances and exits and off-street parking spaces, and such other information as may be required by the Commission.

13-43

Certifications in the Manhattan Core

13-431

Reduction of minimum facility size

An off-street parking facility in the #Manhattan Core# may provide a gross unobstructed surface area less than the minimum size required by Section 13-27 (Minimum and maximum size of parking facilities) upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the proposed layout of such

parking facility, including, but not limited to, the arrangement of parking spaces, travel aisles and reservoir spaces, where applicable, is sufficient to accommodate the requisite vehicular navigation and turning movements associated with such a facility. In order to make such a determination, the applicant shall provide the Chairperson with dimensioned plan drawings that depict the proposed vehicular movement through the facility, including any relevant maneuverability or turning radius information.

Where the Chairperson certifies that an #accessory# off-street parking facility may be reduced in size because vehicles will be limited in length, such restriction shall be noted on the certificate of occupancy.

13-432

Floor area exemption for automated parking facilities

Floor space used for off-street parking spaces in an #accessory automated parking facility#, up to a height of 40 feet above #curb level#, shall be exempt from the definition of #floor area# upon certification of the Chairperson of the City Planning Commission to the Commissioner of Buildings that:

- (a) the entire #automated parking facility# will be contained within a #completely enclosed building#;
- (b) the portion of the #street wall# of such #automated parking facility# below a height of 14 feet, as measured above #curb level#, complies with the screening provisions of Section 13-221 (Enclosure and screening requirements), and the portion of the #street wall# above a height of 14 feet, will be similar in composition to the portion of the #building's street wall# immediately above such #automated parking facility#, including but not limited to, the choice of building materials and arrangement and amount thereof; and
- (c) such #automated parking facility# is within a #building# with a #floor area ratio# of at least 2.0.

Any application for such certification shall include relevant plan, elevation and section drawings demonstrating compliance with the provisions of this Section.

A copy of an application for certification pursuant to this Section shall be sent by the Department of City Planning to the affected Community Board, which may review such proposal and submit comments to the Chairperson of the City Planning Commission. If the Community Board elects to comment on such application, it must be done within 30 days

of receipt of such application. The Chairperson will not act on such application until the Community Board's comments have been received, or the 30 day comment period has expired, whichever is earlier.

13-44

Authorizations in the Manhattan Core

13-441

Curb cuts

The City Planning Commission may authorize, subject to the applicable zoning district regulations, curb cuts located on a #wide street#, provided the Commission finds that a curb cut at such a location:

- (a) is not hazardous to traffic safety;
- (b) will not create or contribute to serious traffic congestion, or unduly inhibit vehicular movement;
- (c) will not adversely affect pedestrian movement;
- (d) will not interfere with the efficient functioning of bus lanes, specially designated #streets# or public transit facilities; and
- (e) will not be inconsistent with the character of the existing streetscape.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

13-442

Limited increase in parking spaces for existing buildings without parking

The City Planning Commission may, by authorization, allow an off-street parking facility in the #Manhattan Core# with a maximum capacity of 15 spaces in an existing #building developed# without the provision of parking, provided that the conditions of paragraph (a) and the findings of paragraph (b) of this Section are met.

- (a) Conditions

As a condition for approval, the parking facility shall comply with the applicable provisions of Section 13-20 (SPECIAL RULES FOR MANHATTAN CORE PARKING FACILITIES), except that such parking facility need not comply with the provisions of Section 13-221 (Enclosure and screening requirements).

(b) Findings

The Commission shall find that:

- (1) the location of the vehicular entrances and exits to the parking facility will not unduly interrupt the flow of pedestrian traffic associated with #uses# or public facilities, including access points to mass transit facilities in close proximity thereto, or result in any undue conflict between pedestrian and vehicular movements, due to the entering and leaving movement of vehicles;
- (2) the location of the vehicular entrances and exits to such parking facility will not interfere with the efficient functioning of #streets#, including any lanes designated for specific types of users or vehicles, due to the entering and leaving movement of vehicles;
- (3) such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow; and
- (4) such parking facility will not be inconsistent with the character of the existing streetscape.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

13-443

■Reduction in the number of required existing parking spaces

For off-street parking facilities built prior to May 8, 2013, the City Planning Commission may authorize a reduction in the number of required #accessory# off-street parking spaces where the Commission finds that such reduction will not have undue adverse effects on residents, businesses or community facilities in the surrounding area, as applicable.

The Commission may prescribe appropriate conditions and safeguards to minimize

adverse effects on the character of the surrounding area.

13-45

Special Permits for Additional Parking Spaces

In accordance with the special permit provisions of Sections 13-451 through 13-455, the City Planning Commission may permit the off-street parking facilities listed in paragraph (a) of this Section, provided that such parking facilities comply with the conditions of paragraph (b) and the findings of paragraphs (c) and (d) of this Section.

(a) Eligible parking facilities

The City Planning Commission may permit, subject to the otherwise applicable zoning district regulations, the following:

- (1) #accessory# off-street parking facilities on-site or off-site, open or enclosed, with any capacity, where such facilities:**
 - (i) are proposed #developments# or #enlargements# with a capacity not otherwise allowed under the applicable regulations of Section 13-10 (PERMITTED OFF-STREET PARKING IN THE MANHATTAN CORE); or**
 - (ii) are existing prior to May 8, 2013, and increasing the number of parking spaces, pursuant to the provisions of Section 13-07 (Existing Buildings and Off-Street Parking Facilities);**
- (2) #public parking lots#, where such facilities:**
 - (i) are proposed #developments# or #enlargements# with any capacity not otherwise allowed under the applicable regulations of Section 13-10;**
 - (ii) are existing prior to May 8, 2013, and increasing the number of parking spaces, pursuant to the provisions of Section 13-07; or**
 - (iii) are proposed #developments# or #enlargements# in locations not permitted by Section 13-14 (Permitted Parking for Public Parking Lots);**

- (3) #public parking garages#, where such facilities:
- (i) are proposed #developments# or #enlargements# in the zoning districts permitted, pursuant to paragraph (d) of Section 13-041 (Applicability of parking regulations within the Manhattan Core);
or
 - (ii) are existing prior to May 8, 2013, and increasing the number of parking spaces pursuant to the provisions of Section 13-07.

The Commission may also permit floor space in such #public parking garages# used for off-street parking spaces in any #story# located not more than 23 feet above #curb level# to be exempt from the definition of #floor area#, as set forth in Section 12-10.

(b) Conditions

The proposed parking facility shall comply with the applicable provisions of Section 13-20 (SPECIAL RULES FOR MANHATTAN CORE PARKING FACILITIES). Proposed #public parking garages# shall utilize the applicable regulations for #accessory# off-street parking facilities. However, applications to increase the number of parking spaces in parking facilities existing prior to May 8, 2013 need not comply with the provisions of Section 13-221 (Enclosure and screening requirements).

(c) Findings

The Commission shall find that:

- (1) the location of the vehicular entrances and exits to such parking facility will not unduly interrupt the flow of pedestrian traffic associated with #uses# or public facilities, including access points to mass transit facilities, in close proximity thereto, or result in any undue conflict between pedestrian and vehicular movements, due to the entering and leaving movement of vehicles;
- (2) the location of the vehicular entrances and exits to such parking facility will not interfere with the efficient functioning of #streets#, including any lanes designated for specific types of users or vehicles, due to the entering and leaving movement of vehicles;

- (3) such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow;
- (4) for #public parking garages#, that where any floor space is exempted from the definition of #floor area#, such additional floor space is needed in order to prevent excessive on-street parking demand and relieve traffic congestion; and
- (5) such parking facility will not be inconsistent with the character of the existing streetscape.

(d) Additional findings

The Commission shall also find that each proposed off-street parking facility complies with the additional findings set forth in one of the following Sections, as applicable:

- (1) Section 13-451 (Additional parking spaces for residential growth) shall apply to any such parking facility serving the parking needs of a predominantly #residential development# or #enlargement# that has or will have an area of less than 1.5 acres;
- (2) Section 13-452 (Additional parking spaces for health care, arts or public assembly uses) shall apply to any such parking facility serving the parking needs of a any #use# listed in paragraph (a) of Section 13-452 that has or will have an area of less than 1.5 acres;
- (3) Section 13-453 (Additional parking spaces for economic development uses) shall apply to any such parking facility serving the parking needs of a non-#residential use# not otherwise listed in paragraph (a) of Section 13-452 that has or will have an area of less than 1.5 acres;
- (4) Section 13-454 (Additional parking spaces for large-scale developments) shall apply to any such parking facility serving the parking needs of a #development# or #enlargement# that has or will have an area of at least 1.5 acres; or
- (5) Section 13-455 (Additional parking spaces for existing accessory off-street parking facilities) shall apply to any such #accessory# parking facility existing prior to May 8, 2013.

In determining the amount of additional parking spaces to grant pursuant to such additional findings, the Commission may take into account levels of vacancy in existing off-street parking facilities within the area of the proposed parking facility.

13-451

Additional parking spaces for residential growth

The City Planning Commission may permit a parking facility listed in paragraph (a) of Section 13-45 (Special Permits for Additional Parking Spaces), where such parking facility serves the parking needs of a predominantly #residential development# or #enlargement#, provided that, in addition to the conditions and findings set forth in Section 13-45, the Commission shall find that either:

- (a) the number of off-street parking spaces in such proposed parking facility is reasonable and not excessive in relation to recent trends in close proximity to the proposed facility with regard to:
 - (1) the increase in the number of #dwelling units#; and
 - (2) the number of both public and #accessory# off-street parking spaces, taking into account both the construction, if any, of new off-street parking facilities and the reduction, if any, in the number of such spaces in existing parking facilities. In making this determination, the Commission may take into account off-street parking facilities for which building permits have been granted, or which have obtained City Planning Commission special permits pursuant to Section 13-45; or

- (b) the proposed ratio of parking spaces to #dwelling units# in the proposed #development# or #enlargement# does not exceed:
 - (1) 20 percent of the total number of #dwelling units#, where such units are located within Community Districts 1, 2, 3, 4, 5 or 6; or
 - (2) 35 percent of the total number of #dwelling units#, where such units are located within Community District 7 or 8.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

13-452

Additional parking spaces for health care, arts or public assembly uses

The City Planning Commission may permit a parking facility listed in paragraph (a) of Section 13-45 (Special Permits for Additional Parking Spaces), where such parking facility would serve the parking needs of a health care, arts or public assembly #use#, provided that, in addition to the conditions and findings set forth in Section 13-45, the Commission shall find that:

- (a) the proposed parking facility is either in close proximity to or on the same #zoning lot# as one or more of the following #uses# being #developed#, #enlarged# or created within existing #buildings#:
 - (1) a hospital or related facility, as listed in Use Group 4;
 - (2) a museum, as listed in Use Group 3;
 - (3) a theater, as listed in Use Group 8, or other performing arts venue; or
 - (4) an arena, auditorium, trade exposition or stadium, as listed in Use Group 12 or, where permitted by special permit, pursuant to Section 74-41 or other government agency approvals;
- (b) an increased number of permitted off-street parking spaces in such proposed parking facility is essential to the operation of such health care, arts or public assembly #use#; and
- (c) reasonable measures to minimize parking demand have been identified. For existing or #enlarged# health care, arts or public assembly #uses#, such measures shall have been implemented, where feasible, prior to application, and a commitment by the applicant shall be made, in a form acceptable to the Commission, to continue, and where necessary, improve upon and supplement such measures. For new health care, arts or public assembly #uses#, such measures shall be committed to in a form acceptable to the Commission.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

13-453

Additional parking spaces for economic development uses

The City Planning Commission may permit a parking facility listed in paragraph (a) of Section 13-45 (Special Permits for Additional Parking Spaces), where such parking facility serves the parking needs of a non-#residential use# not otherwise listed in paragraph (a) of Section 13-452, provided that, in addition to the conditions and findings set forth in Section 13-45, the Commission shall find that:

- (a) the proposed parking facility is in close proximity to or on the same #zoning lot# as a #commercial use#, #community facility use# or #manufacturing use# that is being #developed#, #enlarged# or created within an existing #building or other structures#, and such #use# is of significant importance to the economic well-being of the City of New York;
- (b) an increased number of permitted off-street parking spaces in such proposed parking facility is essential to the operation of such #use#; and
- (c) reasonable measures to minimize parking demand have been identified. For existing or #enlarged uses#, such measures shall have been implemented, where feasible, prior to application, and a commitment by the applicant shall be made, in a form acceptable to the Commission, to continue, and where necessary, improve upon and supplement such measures. For new #uses#, such measures shall be committed to in a form acceptable to the Commission.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

13-454

Additional parking spaces for large-scale developments

The City Planning Commission may permit a parking facility listed in paragraph (a) of Section 13-45 (Special Permits for Additional Parking Spaces), where such parking facility serves the parking needs of a #development# or #enlargement# on a tract of land exceeding 1.5 acres, provided that, in addition to the conditions and findings set forth in Section 13-45, the Commission shall find that:

- (a) where an increased number of permitted off-street parking spaces in such proposed parking facility would serve the parking needs of a predominantly #residential# large-scale #development# or #enlargement#, either finding (a) or

finding (b) of Section 13-451 (Additional parking spaces for residential growth) is met;

- (b) where such proposed parking facility would serve the parking needs of a predominantly non-#residential# large-scale #development# or #enlargement#, an increased number of permitted off-street parking spaces in such proposed parking facility is essential to the operation of the non-#residential uses# in such #development# or #enlargement#;
- (c) where a parking deficit is created by the relocation of parking users from off-street parking spaces that will be eliminated through the proposed #development# or #enlargement#, the availability of off-street parking in the vicinity of such proposed #development# or #enlargement# will be of insufficient capacity to accommodate such potential parking users;
- (d) reasonable measures to minimize parking demand have been identified. For existing or #enlarged uses#, such measures shall have been implemented, where feasible, prior to application, and a commitment by the applicant shall be made, in a form acceptable to the Commission, to continue, and where necessary, improve upon and supplement such measures. For new #uses#, such measures shall be committed to in a form acceptable to the Commission; and
- (e) where phased construction will occur in the large-scale #development#, a phased parking plan has been provided that demonstrates that a reasonable and not excessive amount of additional parking spaces is provided in the proposed parking facility in relation to the amount of completed construction in such large-scale #development#.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

13-455

Additional parking spaces for existing accessory off-street parking facilities

The City Planning Commission may permit an increase in the number of spaces in an #accessory# off-street parking facility existing prior to May 8, 2013, as listed in paragraph (a) of Section 13-45 (Special Permits for Additional Parking Spaces), provided that, in addition to the conditions and findings set forth in Section 13-45, the Commission shall find that:

- (a) where such increased number of permitted off-street parking spaces in such existing parking facility would serve the parking needs of a #zoning lot# or #zoning lots# comprised predominantly of #residential uses#, either:
- (1) finding (a) of Section 13-451 (Additional parking spaces for residential growth) is met; or
 - (2) the sum of any existing off-street parking spaces, and the proposed increase, does not exceed:
 - (i) 20 percent of the total number of #dwelling units#, where such units are located within Community Districts 1, 2, 3, 4, 5 or 6; or
 - (ii) 35 percent of the total number of #dwelling units#, where such units are located within Community Districts 7 or 8; and
 - (iii) the number of parking spaces that would be permitted for existing conforming non-#residential uses#, if the ratio of parking spaces to #floor area# for the applicable #use#, as specified in Section 13-10 (PERMITTED OFF-STREET PARKING IN THE MANHATTAN CORE), were applied.

Any #dwelling units# on the #zoning lot# or #zoning lots# which are #non-complying# as to density shall not be included in such calculation pursuant to paragraphs (a)(2)(i) or (a)(2)(ii) of this Section, and any #non-complying floor area# on such #zoning lot# or #zoning lots# shall be excluded in applying such ratio in paragraph (a)(2)(iii) of this Section; or

- (b) where an increased number of permitted off-street parking spaces in such existing parking facility would serve the parking needs of a #zoning lot# or #zoning lots# comprised predominantly of conforming non-#residential uses#, the sum of any existing off-street parking spaces, and the proposed increase, does not exceed the number of parking spaces that would be permitted if the ratio of parking spaces to #floor area# for the applicable #use#, as specified in Section 13-10, were applied. Any #non-complying floor area# on such #zoning lot# or #zoning lots# shall be excluded in applying such ratio.

13-00
GENERAL PURPOSES

The provisions of this Chapter establish special comprehensive regulations for off street parking in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 (with the exception of Roosevelt Island) and portions of Queens Community Districts 1 and 2. These regulations are a significant step forward towards bringing the Zoning Resolution into conformity with current environmental programs and safety standards concerning air pollution in the Borough of Manhattan, south of 110th Street. In Long Island City, Borough of Queens, these regulations will allow the city to plan for the parking needs of residents and businesses in a more rational manner and help facilitate a mass transit, pedestrian-oriented Central Business District.

13-01

Applicability

In Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, and the portions of Queens Community Districts 1 and 2 bounded by Queens Plaza North, 21st Street, 41st Avenue, 29th Street, 40th Road, Northern Boulevard, 43rd Street, Skillman Avenue, 39th Street, 48th Avenue, 30th Street, 49th Avenue, Dutch Kills Canal, Newtown Creek, the East River, the westerly prolongation of 50th Avenue, Center Boulevard, 49th Avenue, Fifth Street, Anable Basin, the East River, and the prolongation of Queens Plaza North, as depicted by Areas A, B and C in the map in this Section, ~~accessory~~ off street parking spaces, ~~public parking lots~~ and ~~public parking garages~~ shall be ~~used~~, ~~developed~~ or ~~enlarged~~ in accordance with the provisions of this Chapter, except as otherwise provided in Section 13-011 (Exceptions).

The provisions of the underlying district shall apply, except where modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and any other Chapter of this Resolution, the more restrictive provisions shall apply. For the purpose herein, the more restrictive provisions shall be considered those which permit the:

- (a) — ~~fewest number of parking spaces;~~
- (b) — ~~most exclusive use of parking spaces; and~~
- (c) — ~~most limited location of curb cuts.~~

Portions of Queens Community Districts 1 and 2
Areas A, B, and C

(insert map)

13-011

Exceptions

The provisions of this Chapter shall not apply to Sections 78-41 (Location of Accessory Parking Spaces) and 78-42 (Parking Regulations for Commercial and Community Facility Uses) concerning ~~#large-scale residential developments#~~ and the ~~#Special Battery Park City District#~~.

13-012

Existing off-street parking facilities

- (a) ~~Existing required or permitted #accessory# off-street parking spaces, #public parking lots# and #public parking garages# established prior to April 29, 1982, in Manhattan, and October 25, 1995, in Queens, shall continue to be subject to the applicable zoning district regulations in effect prior to April 29, 1982, in Manhattan, and October 25, 1995, in Queens. However, #enlargements#, #extensions# or any increase in the number of off-street parking spaces within such off-street parking facilities shall be subject to the provisions of this Chapter.~~
- (b) ~~Nothing herein contained shall be deemed to permit a reduction or elimination of existing #accessory# off-street parking spaces that were required under the applicable provisions of the zoning district regulations in effect prior to April 29, 1982, in Manhattan, and October 25, 1995, in Queens.~~
- (c) ~~#Car sharing vehicles# may occupy existing required or permitted #accessory# off-street parking spaces established prior to April 29, 1982, in Manhattan, and October 25, 1995, in Queens; however, the number of spaces so occupied shall not exceed five spaces or 20 percent of all such #accessory# off-street parking spaces, whichever is greater.~~
- (d) ~~#Accessory residential# off-street parking spaces shall be made available to the occupants of the #residences# to which they are #accessory# within 30 days after written request is made to the landlord.~~
- (e) ~~#Car sharing vehicles# may occupy parking spaces in #public parking lots# and #public parking garages# established prior to April 29, 1982, in Manhattan, and October 25, 1995, in Queens; however, the number of spaces so occupied shall not exceed 40 percent of all parking spaces in such parking facilities.~~

13-013

Previously approved special permits or authorizations

Whenever, under the applicable provisions of the Zoning Resolution in effect prior to April 29, 1982, in Manhattan, and October 25, 1995, in Queens, the City Planning Commission or the Board of Standards and Appeals has granted any special permit or authorization, the status of such approved special permit or authorization shall not be altered by the provisions of this Chapter. However, the provisions of this Chapter shall apply to the renewal of any special permit or authorization for a #public parking lot#.

13-014

Commercial vehicle parking in public parking facilities

Notwithstanding the definition of #public parking garages# and #public parking lots# in Section 12-10 (DEFINITIONS), commercial and public utility motor vehicle parking shall be permitted within such facilities when located in C5-2, C5-2.5, C5-3, C5-5, C5-P, C6-4, C6-4.4, C6-5, C6-5.5, C6-6, C6-6.5, C6-7, C6-9 and M1-6 Districts, provided that:

- (a) — such vehicles do not exceed 20 feet in length; and
- (b) — the number of spaces provided for such vehicles is limited to not more than 10 spaces or 10 percent of the total number of spaces permitted within the #public parking garages# or #public parking lots#, whichever is less.

13-10

PERMITTED ACCESSORY OFF-STREET PARKING SPACES

13-11

General Provision

#Accessory# off-street parking spaces are not permitted in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 or in Areas A, B and C in Queens Community Districts 1 and 2, as shown on the map in Section 13-01 (Applicability), except as set forth in this Chapter.

13-12

Residential Development

#Accessory# off-street parking spaces are permitted only for #developments# or

~~#enlargements# containing #residential use#, as follows:~~

- (a) ~~For the area south of 60th Street and its prolongations, the number of #accessory# off-street parking spaces shall not exceed 20 percent of the number of new #dwelling units# contained in the #development# or #enlargement# or 200 spaces, whichever is less.~~
- (b) ~~For the area north of 60th Street and its prolongations in Community Districts 7 and 8, the number of #accessory# off-street parking spaces shall not exceed 35 percent of the number of new #dwelling units# contained in the #development# or #enlargement# or 200 spaces, whichever is less.~~
- (c) ~~Within Area A in Queens Community Districts 1 and 2, as shown on the map in Section 13-01 (Applicability), the number of #accessory# off-street parking spaces shall not exceed 50 percent of the #dwelling units# contained in the #development# or #enlargement#, or 200 spaces, whichever is less.~~

~~Within Areas B and C, as shown on the map in Section 13-01, the number of #accessory# off-street parking spaces shall not exceed 100 percent of the #dwelling units# contained in the #development# or #enlargement#.~~

~~All such #accessory# off-street parking spaces shall be located within a #completely enclosed building# and shall be used exclusively by the occupants of the #residential development# or #enlargement#.~~

13-13

Non-Residential Development

13-131

Transient hotels

~~For #transient hotel developments# or #enlargements#, a maximum of 150 #accessory# off-street parking spaces are permitted if there is only one entrance to the #accessory group parking facility# and 225 #accessory# off-street parking spaces are permitted if there are two or more entrances. In no event may the number of parking spaces exceed 15 percent of the number of #transient hotel# rooms in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 or 50 percent of the number of #transient hotel# rooms in Areas A, B and C in Queens Community Districts 1 and 2, as shown on the map in Section 13-01~~

~~(Applicability). All such parking spaces shall be located within a #completely enclosed building# and shall be used primarily for the personnel, guests and occupants of the #transient hotel#.~~

13-132

Hospitals

~~For hospital #developments# or #enlargements# in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, a maximum of 100 #accessory# off-street parking spaces, open or enclosed, are permitted.~~

~~For hospital #developments# or #enlargements# in Area A in Queens Community Districts 1 and 2, as shown on the map in Section 13-01 (Applicability), a maximum of 150 #accessory# off-street parking spaces, open or enclosed, are permitted if there is only one entrance to the #accessory# group parking facility and 225 #accessory# off-street parking spaces, open or enclosed, are permitted if there are two or more entrances.~~

~~Within Areas B and C, as shown on the map in Section 13-01, #accessory# off-street parking may be provided in accordance with the underlying district regulations.~~

~~Such parking spaces are to be used exclusively by the hospital staff, patients and visitors.~~

13-133

Community facility, commercial or manufacturing developments

~~For #community facility#, #commercial# or #manufacturing developments# or #enlargements#, in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, and Area A in Queens Community Districts 1 and 2, as shown on the map in Section 13-01 (Applicability), the maximum number of #accessory# off-street parking spaces permitted for each #development# or #enlargement# shall not exceed one space per 4,000 square feet of #floor area# or 100 spaces, whichever is less. All such parking spaces shall be located within a #completely enclosed building# and shall be used exclusively by the tenants or employees of the #development# or #enlargement# and shall not be available to the public.~~

~~Within Areas B and C, as shown on the map in Section 13-01, the maximum number of #accessory# off-street parking spaces permitted for each #development#, #enlargement#, or alteration shall not exceed one space per 4,000 square feet of #floor area# or 100 spaces, whichever is less. In the event that the permitted number of #accessory# off-street~~

~~spaces would be less than 15, an #accessory# parking facility of up to 15 spaces may be provided. All spaces shall be located within a #completely enclosed building#, except a maximum of 15 spaces which may be open, and shall be used exclusively by the tenants or employees of the #development# or #enlargement# and shall not be available to the public.~~

13-134

Multiple use development

~~Where a #development# or #enlargement# contains a combination of #uses# for which #accessory# parking space regulations are set forth in Sections 13-12 (Residential Developments), 13-131 (Transient hotels), 13-132 (Hospitals) and 13-133 (Community facility, commercial or manufacturing developments), the number of #accessory# off-street parking spaces shall not exceed the number of spaces permitted for each #use# in accordance with the provisions of such Sections; however, in no event may the maximum number of #accessory# off-street parking spaces exceed 225 spaces. All #accessory# off-street parking spaces shall be located within a #completely enclosed building#. The exclusive or primary #use# provisions of Sections 13-12, 13-131, 13-132, and 13-133 shall be applicable to the number of spaces provided for each #use#.~~

13-14

Additional Regulations for Permitted Accessory Off-Street Parking Spaces

13-141

Location of accessory off-street parking spaces

~~No #accessory# off-street parking spaces shall be located on a #zoning lot# other than the same #zoning lot# as the #use# to which they are #accessory#.~~

13-142

Location of access to the street

- (a) ~~The entrances and exits to all permitted #accessory# off-street parking spaces shall not be located within 50 feet of the intersection of any two #street lines#. However, curb cuts located within 50 feet of the intersection of two #street lines# may be permitted if the Commissioner of Buildings certifies that such location:~~

- (1) ~~is not hazardous to traffic safety;~~
- (2) ~~not likely to create traffic congestion; and~~
- (3) ~~will not unduly inhibit surface traffic or pedestrian flow.~~

~~The Commissioner may refer such matter to the Department of Transportation, or its successor, for a report and may base the determination on such report.~~

(b) ~~In Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, the entrances and exits to all permitted #accessory# off street parking spaces shall not be located on a #wide street# except by authorization of the City Planning Commission, pursuant to Sections 13-53 (Departmental Reports) and 13-553 (Curb cuts).~~

(c) ~~In Areas A, B and C, in Queens Community Districts 1 and 2, as shown on the map in Section 13-01 (Applicability), the entrances and exits to all permitted #accessory# off street parking spaces shall not be located on the following #wide streets# except by authorization of the City Planning Commission pursuant to Sections 13-53 and 13-553:~~

- (1) ~~Queens Boulevard;~~
- (2) ~~Queens Plaza;~~
- (3) ~~21st Street;~~
- (4) ~~Skillman Avenue;~~
- (5) ~~44th Drive;~~
- (6) ~~Thomson Avenue; and~~
- (7) ~~Jackson Avenue.~~

13-143

Maximum size of permitted accessory group parking facilities

The gross unobstructed surface area, in square feet, of a permitted #accessory group parking facility# including stalls, aisles, driveways and maneuvering areas shall not exceed 200 times the number of #accessory# off street parking spaces provided. This size limitation shall not be applicable to off street parking spaces permitted under the

provisions of Section 13-133 (Community facility, commercial or manufacturing developments) where such spaces are exclusively #accessory#, no charge, self parking spaces in enclosed facilities with a capacity limited to 100 automobiles. In such facilities, the gross unobstructed surface area, in square feet, shall not exceed 300 times the number of #accessory# off-street parking spaces provided.

13-144

Car sharing vehicles

Notwithstanding the provisions of Sections 13-12 and 13-13, inclusive, #car sharing vehicles# may occupy parking spaces in #accessory# off-street parking facilities; however, the number of spaces so occupied shall not exceed five spaces or 20 percent of all parking spaces in such facilities, whichever is greater. #Accessory residential# off-street parking spaces shall be made available to the occupants of the #residences# to which they are #accessory# within 30 days after written request is made to the landlord.

13-20

PERMITTED PUBLIC PARKING LOTS

13-21

General Provisions

Except in the areas listed in Section 13-22, #public parking lots# with a maximum capacity of 150 spaces are permitted in C2, C4, C6, C8, M2 and M3 Districts subject to the regulations set forth in Section 13-23 (Additional Regulations for Permitted Public Parking Lots).

13-22

Areas Where Public Parking Lots Are Not Permitted

13-221

Midtown Manhattan core

No #public parking lots# are permitted in the area bounded by 60th Street and its prolongations, First Avenue, 32nd Street and Eighth Avenue, except as provided in Section 13-552 (Public parking lots).

13-222

Downtown Manhattan core

No ~~public parking lots~~ are permitted within the area bounded by Worth Street, Centre Street, Frankfort Street, South Street, Whitehall Street, State Street, Battery Place, West Street, Morris Street, Greenwich Street, Liberty Street, Church Street, Vesey Street, West Broadway, Park Place and Church Street, except as provided in Section 13-552 (Public parking lots).

13-223

Special Clinton District

No ~~public parking lots~~ are permitted in the area bounded by 42nd Street, Tenth Avenue, 59th Street and Eighth Avenue, except as provided in Section 96-111 (Off-street parking regulations).

13-224

Manufacturing Districts

~~Public parking lots~~ are not permitted in M1-5 and M1-6 Districts, except as provided in Section 13-552. However, within these districts, ~~public parking lots~~ are permitted on the frontage of the Avenue of the Americas, from 23rd Street to 32nd Street, to a depth of 100 feet; the M1-5 and M1-6 Districts north of 42nd Street and west of Tenth Avenue; the M1-5 District east of First Avenue between 34th Street and 41st Street; the M1-5 District west of Ninth Avenue between 17th Street and 30th Street, and the M1-5 District south of Canal Street.

13-225

In portions of Queens Community Districts 1 and 2

Within Areas A, B and C in Queens Community Districts 1 and 2, as shown on the map in Section 13-01 (Applicability), no ~~public parking lots~~ are permitted, except as provided in Section 13-552.

13-23

Additional Regulations for Permitted Public Parking Lots

13-231

Location of access to the street

- (a) ~~The entrances and exits to all permitted #public parking lots# shall not be located within 50 feet of the intersection of any two #street lines#. However, curb cuts located within 50 feet of the intersection of two #street lines# may be permitted if the Commissioner of Buildings certifies that such location is not hazardous to traffic safety, not likely to create traffic congestion and will not unduly inhibit surface traffic or pedestrian flow. The Commissioner may refer such matter to the Department of Transportation or its successor for a report and may base the determination on such report.~~
- (b) ~~The entrances and exits to a permitted #public parking lot# shall not be located on the following #wide streets# except by authorization of the City Planning Commission pursuant to Section 13-53 (Departmental Reports) and 13-553 (Curb cuts):~~
- ~~(1) Fifth Avenue;~~
 - ~~(2) Avenue of the Americas, from 23rd Street to 32nd Street;~~
 - ~~(3) Seventh Avenue, from 23rd Street to 32nd Street;~~
 - ~~(4) 14th Street, from Seventh Avenue to Fourth Avenue;~~
 - ~~(5) Delancey Street, from Clinton Street to the west side of Orchard Street;~~
 - ~~(6) Church Street, from Park Place to Worth Street;~~
 - ~~(7) Worth Street, from Centre Street to Church Street; and~~
 - ~~(8) Canal Street, from the Bowery to West Broadway.~~

13-232

Surfacing and screening

~~The applicable regulations set forth in Sections 36-55 or 44-44 (Surfacing) and Sections~~

36-56 or 44-45 (Screening) shall be met.

13-30

~~PERMITTED PUBLIC PARKING GARAGES WITHIN PORTIONS OF QUEENS COMMUNITY DISTRICTS 1 AND 2~~

13-31

General Provisions

~~Within Area C in Queens Community Districts 1 and 2, as shown on the map in Section 13-01 (Availability), notwithstanding any underlying district regulations, #public parking garages# with a maximum capacity of 150 spaces are permitted as-of-right within any zoning district subject to the regulations set forth in Section 13-32 (Additional Regulations for Permitted Public Parking Garages).~~

13-32

~~Additional Regulations for Permitted Public Parking Garages~~

13-321

Location of access to the street

- (a) ~~The entrances and exits to all permitted #public parking garages# shall not be located within 50 feet of the intersection of any two #street lines#. However, curb cuts located within 50 feet of the intersection of two #street lines# may be permitted if the Commissioner of Buildings certifies that such location is not hazardous to traffic safety, not likely to create traffic congestion and will not unduly inhibit surface traffic or pedestrian flow. The Commissioner may refer such matter to the Department of Transportation, or its successor, for a report and may base a determination on such report.~~
- (b) ~~The entrances and exits to a permitted #public parking garage# shall not be located on the following #wide streets# except by authorization of the City Planning Commission pursuant to Section 13-553 (Curb cuts):~~
- (1) ~~Vernon Boulevard;~~
 - (2) ~~44th Drive;~~

- (3) — Jackson Avenue;
- (4) — 21st Street;
- (5) — Queens Plaza; and
- (6) — Queens Boulevard.

**13-40
REQUIRED ACCESSORY OFF-STREET PARKING SPACES**

**13-41
General Provisions**

Except as otherwise set forth in this Section and Section 13-42 or by the provisions of Section 13-012 (Existing off-street parking facilities), no #accessory# off-street parking spaces are required for any #development# or #enlargement# in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 or Areas A, B and C in Queens Community Districts 1 and 2, as shown on the map in Section 13-01 (Availability).

**13-42
Residential Development**

#Accessory# off-street parking spaces are only required for public or publicly-assisted housing #developments# or #enlargements# in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, only as set forth below:

- (a) — For public or publicly-assisted housing, as such categories are defined in Section 25-25 (Modification of Requirements for Public or Publicly Assisted Housing or Non-Profit Housing for the Elderly), the minimum number of #accessory# off-street parking spaces required for new #dwelling units# provided in the #development# or #enlargement# as a percentage of such new #dwelling units# are as follows:

South of 60th

North of 60th

	Street and its Prolongations (in percent)	Street and its Prolongations (in percent)
Publicly assisted housing as defined in Section 25-25(a)	15.0	20.0
Public housing developments or dwelling units for low-income tenants as defined in Section 25-25(b)	12.0	12.0
Federal rent subsidy program as defined in Section 25-25(e)	13.5	17.5

(b) — The requirements of this Section shall not apply to ~~#developments# or #enlargements#~~ on ~~#zoning lots#~~ having a ~~#lot area#~~ of 10,000 square feet or less.

(c) — Required parking shall be waived for ~~#developments# or #enlargements#~~ if the required number of ~~#accessory#~~ off-street parking spaces resulting from the application of the table in paragraph (a) results in 15 spaces or less.

(d) — All required ~~#accessory#~~ off-street parking spaces may be located either on the same ~~#zoning lot#~~ as the ~~#development# or #enlargement#~~ or on another ~~#zoning lot#~~ in accordance with the applicable zoning district regulations and shall be subject to the restrictions on location and ~~#use#~~ of ~~#accessory#~~ off-street parking spaces in Sections 25-51 through 25-55, inclusive, and the additional regulations for permitted or required ~~#accessory#~~ off-street parking spaces set forth in Sections 25-61 through 25-66, inclusive, or Sections 36-51 through 36-57, inclusive. The waiver provisions of Sections 25-27 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden) or 36-24 (Waiver of Requirements) shall also be applicable.

(e) — If a public or publicly assisted housing ~~#development# or #enlargement#~~, as such categories are defined in Section 25-25 (Modification of Requirements for Public, Publicly Assisted and Government Assisted Housing or for Non-profit Residences for the Elderly), provides additional ~~#accessory#~~ off-street parking spaces within

the ~~#group parking facility#~~ that satisfies the minimum number of spaces required by this Section, then the permitted ~~#accessory#~~ spaces are not subject to the regulations set forth in paragraph (c) of Section 13-12 (Residential Development), 13-141 (Location of accessory off-street parking spaces) and 13-143 (Maximum size of permitted accessory group parking facilities).

- (f) ~~— All such parking spaces shall be used exclusively by the occupants of the #residential development# or #enlargement# and occupants of nearby public or publicly-assisted housing projects, except that #car sharing vehicles# may occupy #accessory# off-street parking spaces; however, the number of spaces so occupied shall not exceed five spaces or 20 percent of all such parking spaces, whichever is greater. #Accessory residential# off-street parking spaces shall be made available to the occupants of the #residences# to which they are #accessory# within 30 days after written request is made to the landlord.~~
- (g) ~~— Parking is not required for #non-profit residences for the elderly# or #dwelling units# for the elderly as defined in paragraph (c) of Section 25-25 (Modification of Requirements for Public, Publicly-Assisted and Government-Assisted Housing or for Non-profit Residences for the Elderly).~~

13-50

SPECIAL PERMITS AND AUTHORIZATIONS

13-51

General Provisions

The City Planning Commission may grant special permits and authorizations, pursuant to Sections 13-55, inclusive, and 13-56, inclusive.

All such special permits and authorizations, in addition to meeting the requirements, conditions and safeguards prescribed by the Commission, shall conform to and comply with all of the applicable zoning district regulations of the Zoning Resolution, except as otherwise specified herein.

13-52

Requirements for Applications

An application to the City Planning Commission for the grant of a special permit or authorization under the provisions of this Section shall include a site plan showing the

~~location of all #buildings or other structures# on the site, the location of all vehicular entrances and exits and off street parking spaces, and such other information as may be required by the Commission.~~

13-53

Departmental Reports

~~In Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, all applications for the grant of a special permit or authorization pursuant to this Section shall be referred to the Department of Transportation, or its successor, for its report with respect to the anticipated traffic impact resulting from such #use# at the proposed location and to the Department of Environmental Protection or its successor for its report on air quality at the proposed location. If such agencies shall report thereon within one month from the date of referral, the City Planning Commission shall, in its determination, give due consideration to such report and, further, shall have the power to substantiate the appropriate findings solely on the basis of the reports by such agencies with respect to the issues referred. If such agencies do not report within one month, the Commission may make a final determination without reference thereto. In no case shall a special permit or authorization be granted if the proposed #use# would cause a violation of ambient air quality standards or exacerbate an existing violation of such standards.~~

13-54

Relationship to Public Improvement Projects

~~In all cases, the City Planning Commission shall deny a special permit application or authorization whenever the #use# will interfere with a public improvement project (including housing, highways, public #buildings# or facilities, redevelopment or renewal projects, or rights of way for sewers, transit, or other public facilities) which is approved by or pending before the City Council or the Commission, as determined from the Calendar of each agency issued prior to the date of the public meeting on the application for a special permit or authorization.~~

13-55

Authorizations

13-551

Accessory off street parking spaces

The City Planning Commission may, by authorization, subject to the otherwise applicable zoning district regulations, allow on-site enclosed ~~#accessory#~~ off-street parking facilities with a maximum capacity of 15 spaces in existing ~~#buildings#~~, provided that the Commission finds that:

- (a) — the ~~#building#~~ does not have ~~#accessory#~~ off-street parking spaces;
- (b) — such parking spaces are needed for and will be used exclusively by the occupants of the ~~#use#~~ to which they are ~~#accessory#~~, except that ~~#car-sharing vehicles#~~ may occupy ~~#accessory#~~ off-street parking spaces; however, the number of spaces so occupied shall not exceed five spaces or 20 percent of all such parking spaces, whichever is greater. For the purposes of this paragraph, (b), such need shall exist where there are special circumstances and there are no reasonably viable alternatives to on-site enclosed parking spaces;
- (c) — the parking spaces will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic;
- (d) — the parking spaces will not adversely affect pedestrian movement;
- (e) — the parking spaces will not be incompatible with, or adversely affect, adjacent ~~#uses#~~ including ~~#uses#~~ within the ~~#building#~~; and
- (f) — the curb-cut accessing such parking spaces will not be inconsistent with the character of the existing streetscape.

13-552

Public parking lots

The City Planning Commission may authorize ~~#public parking lots#~~ with a capacity of not more than 150 spaces in C2, C4, C6, C8 and M1 Districts or in Areas A, B or C in Queens Community Districts 1 and 2, as shown on the map in Section 13-01 (Availability), provided that the otherwise applicable regulations set forth in Sections 36-55 or 44-44 (Surfacing), and Sections 36-56 or 44-45 (Screening) are met.

As a condition for authorizing any such ~~#public parking lots#~~, the Commission shall make the following findings:

- (a) — such ~~#use#~~ will not be incompatible with, or adversely affect, the growth and

~~development of #uses# comprising vital and essential functions in the general area within which such #use# is to be located;~~

- ~~(b) — such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit vehicular and pedestrian movement;~~
- ~~(c) — such #use# is so located as to draw a minimum of vehicular traffic to and through local #residential streets#; and~~
- ~~(d) — the #streets# providing access to such #use# will be adequate to handle the traffic generated thereby.~~

~~The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on #signs#, or requirements for shielding of floodlights and for locations of entrances and exits.~~

13-553

Curb cuts

~~The City Planning Commission may authorize, subject to the applicable zoning district regulations, curb cuts located on a #wide street# provided the Commission finds that a curb cut at such a location:~~

- ~~(a) — is not hazardous to traffic safety;~~
- ~~(b) — will not create or contribute to serious traffic congestion, or unduly inhibit vehicular movement;~~
- ~~(c) — will not adversely affect pedestrian movement;~~
- ~~(d) — will not interfere with the efficient functioning of bus lanes, specially designated #streets# and public transit facilities; and~~
- ~~(e) — will not be inconsistent with the character of the existing streetscape.~~

13-56

Special Permits

13-561

~~Accessory off-street parking spaces~~

~~The City Planning Commission may, by special permit, subject to the otherwise applicable zoning district regulations, allow on-site or off-site, open or enclosed, #accessory# off-street parking facilities with any capacity not otherwise allowed under Section 13-10 (PERMITTED ACCESSORY OFF-STREET PARKING SPACES), provided the Commission finds that:~~

- ~~(a) — such parking spaces are needed for, and will be used by, the occupants, visitors, customers or employees of the #use# to which they are #accessory#, except that #car-sharing vehicles# may occupy #accessory# off-street parking spaces; however, the number of spaces so occupied shall not exceed five spaces or 20 percent of all such parking spaces, whichever is greater;~~
- ~~(b) — within the vicinity of the site, there are insufficient parking spaces available;~~
- ~~(c) — the facility will not create or contribute to serious traffic congestion nor will unduly inhibit vehicular and pedestrian movement;~~
- ~~(d) — the facility is so located as to draw a minimum of vehicular traffic to and through local #residential streets#; and~~
- ~~(e) — adequate reservoir space is provided at the vehicular entrance to accommodate vehicles equivalent in number to 20 percent of the total number of parking spaces, up to 50 parking spaces, and five percent of any spaces in excess of 200 parking spaces, but in no event shall such reservoir spaces be required for more than 50 vehicles. However, in the case of a facility with a capacity of 10 vehicles or less, the Commission may waive this finding.~~

~~The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including traffic improvements, if necessary, and limitations on #signs# or requirements for shielding or floodlights or for locations of entrances and exits.~~

13-562

~~Public parking garages and public parking lots~~

~~The City Planning Commission may, by special permit, allow #public parking garages# and #public parking lots# not otherwise permitted, pursuant to the applicable provisions of~~

~~Section 74.52 (Parking Garages or Public Parking Lots in High Density Central Areas).~~

* * *

■ **Chapter 6**

Comprehensive Off-Street Parking Regulations in the Long Island City Area

16-00

GENERAL PURPOSES

The provisions of this Chapter establish special comprehensive regulations for off-street parking in the #Long Island City area#, as defined in Section 16-02 (Definitions).

These regulations will allow parking to be provided in a manner that supports a mass transit and pedestrian-oriented central mixed use district.

16-01

General Provisions

Except as modified by the express provisions of this Chapter, the regulations of the underlying zoning districts shall remain in effect.

16-02

Definitions

Long Island City area

For the purposes of this Chapter, “Long Island City area” shall refer to the area within the boundaries shown on the map in Section 16-03.

16-03

Map of Long Island City Area

The #Long Island City area# is shown on the following map for the purpose of specifying locations where special regulations and requirements set forth in this Chapter apply.

Map -Long Island City Area

MAP

16-04

Areas A, B and C

Areas A, B and C are established within the #Long Island City area#, the boundaries of which are shown on the map in Section 16-03.

16-05

Applicability

16-051

Applicability of parking regulations within the Long Island City area

The provisions of this Chapter shall apply to #accessory# off-street parking facilities, #public parking lots# and #public parking garages#, as set forth in this Section:

- (a) For #accessory# off-street parking facilities, #public parking garages# and #public parking lots# constructed prior to October 25, 1995, the number of parking spaces required or permitted shall be set forth in Section 16-07 (Existing Buildings and Off-Street Parking Facilities).
- (b) For #accessory# off-street parking facilities, #public parking lots# and #public parking garages developed# or #enlarged# after October 25, 1995, the number of parking spaces permitted in a parking facility shall be as set forth in Section 16-10 (PERMITTED OFF-STREET PARKING IN THE LONG ISLAND CITY AREA). Special rules shall apply to all such #accessory# off-street parking spaces, #public parking lots# and #public parking garages#, as set forth in Section 16-20.
- (c) Any increase in the number of off-street parking spaces in an #accessory# off-street parking facility, #public parking lot# or #public parking garage# resulting in a capacity not otherwise allowed under the applicable regulations of Section 16-10, shall only be permitted by the City Planning Commission, pursuant to the applicable special permit in Section 16-35 (Special Permits), inclusive.

16-052

Applicability of parking regulations for large-scale residential developments within the Long Island City area

The provisions of this Chapter shall not apply to #large-scale residential developments# utilizing Sections 78-41 (Location of Accessory Parking Spaces) or 78-42 (Parking

Regulations for Commercial and Community Facility Uses).

16-053

Applicability of Special Purpose Districts within the Long Island City area

In addition to the provisions of this Chapter, further requirements relating to the #Long Island City area# can be found in the following Special Purpose Districts:

- (a) the #Special Long Island City Mixed Use District#, as set forth in Section 117-54 (Off-Street Parking and Loading Regulations); and
- (b) the #Special Southern Hunters Point District#, as set forth in Section 125-50 (PARKING REGULATIONS), inclusive.

16-06

Previously Approved Special Permits or Authorizations

Any authorization or special permit relating to parking regulations in the #Long Island City area# granted by the City Planning Commission or Board of Standards and Appeals prior to October 25, 1995, may be started or continued, in accordance with the terms thereof, or as such terms may subsequently be modified, pursuant to the regulations in effect at the time such authorization or special permit was granted. Such authorizations or special permits shall be subject to the provisions of Sections 11-42 (Lapse of Authorization of Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution) and 11-43 (Renewal of Authorization or Special Permit). However, the provisions of this Chapter shall apply to the renewal of any special permit or authorization for a #public parking lot#.

Any subsequent modifications to such authorizations or special permits that involve an increase in the number of off-street parking spaces provided shall only be permitted by the applicable special permit provisions of Section 16-35.

16-07

Existing Buildings and Off-Street Parking Facilities

Within the #Long Island City area#, existing #buildings developed# without the provision of parking, and existing required or permitted #accessory# off-street parking spaces, #public parking lots# and #public parking garages# established prior to October 25, 1995, shall be subject to the applicable zoning district regulations in effect prior to October 25, 1995, except that:

- (a) any reduction or elimination of existing #accessory# off-street parking spaces that were required under the applicable provisions in effect prior to October 25, 1995, shall not be permitted; and
- (b) #enlargements#, #extensions# or any increase in the number of off-street parking spaces within such off-street parking facilities shall be permitted by the City Planning Commission, provided that:
 - (1) where the proposed increase in off-street parking spaces occurs in a #building developed# without the provision of parking, the Commission may authorize up to 15 off-street parking spaces pursuant to the provisions of Section 16-341 (Limited increase in parking spaces for existing buildings without parking); or
 - (2) where the proposed increase occurs in an existing off-street parking facility, and such proposed increase results in a capacity not otherwise allowed under the applicable regulations of Section 16-10 (PERMITTED OFF-STREET PARKING IN THE LONG ISLAND CITY AREA), the Commission may permit such an increase, pursuant to the applicable provisions of Section 16-35 (Special Permits), inclusive.

16-10

PERMITTED OFF-STREET PARKING IN THE LONG ISLAND CITY AREA

■ No parking shall be required for the #Long Island City area#. Off-street parking spaces located within #accessory# off-street parking facilities, #public parking lots# and #public parking garages# in the #Long Island City area# shall be allowed only as set forth in this Section, inclusive.

All such parking facilities shall be subject to the applicable regulations set forth in Section 16-20.

16-11

Permitted Parking for Residences

#Accessory# off-street parking spaces are permitted for #residences# in #developments# or #enlargements#, as follows:

- (a) within Area A, as shown on the map in Section 16-03, #accessory# off-street parking spaces may be provided for not more than 50 percent of the total number of new #dwelling units# contained in the #development# or #enlargement#, or 200 spaces, whichever is less.
- (b) within Areas B and C, as shown on the map, #accessory# off-street parking spaces may be provided for not more than 100 percent of the total number of new #dwelling units# contained in the #development# or #enlargement#.

All such #accessory# off-street parking spaces shall be used exclusively by the occupants of the #residential development# or #enlargement#.

16-12 **Permitted Parking for Non-Residential Uses**

#Accessory# off-street parking spaces are permitted for non-#residential uses# in #developments# or #enlargements#, as follows:

- (a) #Transient hotels#

For #transient hotel developments# or #enlargements#, a maximum of 150 #accessory# off-street parking spaces are permitted if there is only one entrance to the #accessory group parking facility# and a maximum of 225 #accessory# off-street parking spaces are permitted if there are two or more entrances. In no event may the number of parking spaces exceed 50 percent of the number of new #transient hotel# rooms. All such parking spaces shall be used primarily for the personnel, guests and occupants of the #transient hotel#;

- (b) Hospitals

For hospital #developments# or #enlargements# in Area A, as shown on the map in Section 16-03, a maximum of 150 #accessory# off-street parking spaces, open or enclosed, are permitted if there is only one entrance to the #accessory# group parking facility and a maximum of 225 #accessory# off-street parking spaces, open or enclosed, are permitted if there are two or more entrances;

For hospital #developments# or #enlargements# within Areas B and C, as shown on the map, #accessory# off-street parking may be provided in accordance with the underlying district regulations;

All such parking spaces are to be used exclusively by the hospital staff, patients and visitors;

(c) Other #commercial#, #community facility# and #manufacturing uses#

For #developments# or #enlargements# in Area A containing #community facility uses# other than hospitals, #commercial uses# other than #transient hotels#, or #manufacturing uses#, the maximum number of #accessory# off-street parking spaces permitted shall not exceed one space per 4,000 square feet of such #community facility#, #commercial# or #manufacturing floor area#, or 100 spaces, whichever is less. All such parking spaces shall be used exclusively by the tenants or employees of the #development# or #enlargement# and shall not be available to the public.

Within Areas B and C, the maximum number of #accessory# off-street parking spaces permitted for each #development#, #enlargement#, or alteration shall not exceed one space per 4,000 square feet of #floor area# or 100 spaces, whichever is less. In the event that the permitted number of #accessory# off-street spaces would be less than 15, an #accessory# parking facility of up to 15 spaces may be provided. All spaces shall be used exclusively by the tenants or employees of the #development# or #enlargement# and shall not be available to the public.

16-13

Permitted Parking for Zoning Lots with Multiple Uses

Where a #development# or #enlargement# contains a combination of #uses# for which parking regulations are set forth in Sections 16-11 (Permitted Parking for Residences), and 16-12 (Permitted Parking for Non-Residential Uses), the number of #accessory# off-street parking spaces for all such #uses# shall not exceed the number of spaces permitted for each #use# in accordance with the provisions of such Sections. However, in no event shall the maximum number exceed 225 #accessory# off-street parking spaces. The exclusive or primary #use# provisions of Sections 16-11 and 16-12 shall be applicable to the number of spaces provided for each #use#.

16-14

Permitted Public Parking Lots

#Public parking lots# shall not be permitted within the #Long Island City area#, except where authorized by the City Planning Commission in accordance with the provisions of

Section 16-342.

16-15

Permitted Public Parking Garages

Within Areas A or B, as shown on the map in Section 16-03, #public parking garages shall be permitted only in accordance with the special permit provisions of Section 16-352. However, notwithstanding any underlying district regulations, within Subarea C, as shown on the map, #public parking garages# with a maximum capacity of 150 spaces shall be permitted as-of-right within any zoning district.

16-16

Permitted Parking for Car Sharing Vehicles and Commercial Vehicles

#Car sharing vehicles# and commercial vehicle parking for motor vehicles not exceeding a length of 20 feet shall be permitted as follows:

(a) #Accessory# off-street parking facilities

#Car sharing vehicles# may occupy parking spaces in an #accessory# off-street parking facility, provided that such #car sharing vehicles# shall not exceed 20 percent of all parking spaces in such facility, or five spaces, whichever is greater. #Accessory residential# off-street parking spaces shall be made available to the occupant of a #residence# to which it is #accessory# within 30 days after a written request therefor is made to the landlord;

(b) #Public parking garages# and #public parking lots#

(1) #Car sharing vehicles# shall be permitted within #public parking garages# and, where authorized pursuant to Section 16-342, #public parking lots#, provided such vehicles do not exceed, in total, 40 percent of the total number of parking spaces permitted;

(2) Commercial vehicle parking for motor vehicles not exceeding a length of 20 feet shall be permitted within #public parking garages# and, where authorized pursuant to Section 16-342, #public parking lots#, provided that the total amount of parking spaces occupied by commercial vehicles shall not exceed 10 percent of the total number of parking spaces permitted, or 10 spaces, whichever is less.

16-20

SPECIAL RULES FOR PARKING FACILITIES WITHIN THE LONG ISLAND CITY AREA

All #accessory# off-street parking facilities, #public parking lots# and #public parking garages developed# or #enlarged# after October 25, 1995, in the #Long Island City area# shall comply with the applicable provisions of this Section, inclusive.

16-21

Off-Site Parking

No #accessory# off-street parking spaces shall be located on a #zoning lot# other than the same #zoning lot# as the #use# to which they are #accessory#.

16-22

Enclosure, Surfacing and Screening Requirements

All #accessory# off-street parking spaces shall be located within a #completely enclosed building#, with the exception of:

- (a) parking spaces #accessory# to a hospital, as listed in Use Group 4; and
- (b) up to 15 off-street parking spaces #accessory# to #commercial uses# other than a #transient hotel#, as listed in Use Group 5, #community facility uses# other than hospitals, or #manufacturing uses#.

16-23

Curb Cut Restrictions

In the #Long Island City area#, for #accessory# off-street parking facilities and #public parking garages#, curb cuts accessing entrances and exits to such parking facilities shall not be permitted at the following locations:

- (a) within 50 feet of the intersection of any two #street lines#, except where the Commissioner of Buildings certifies that such location is not hazardous to traffic safety, is not likely to create traffic congestion and will not unduly inhibit surface traffic or pedestrian flow. The Commissioner of Buildings may refer such matter

to the Department of Transportation, or its successor, for a report:

- (b) for #accessory# off-street parking facilities, on 21st Street, 44th Drive, Jackson Avenue, Queens Boulevard, Queens Plaza (North, South, and East), Skillman Avenue or Thomson Avenue, except by authorization of the City Planning Commission pursuant to Section 16-343.
- (c) for #public parking garages, on 21st Street, 44th Drive, Jackson Avenue, Queens Boulevard, Queens Plaza (North, South, and East), or Vernon Boulevard, except by authorization pursuant to Section 16-343.

16-24

Minimum and Maximum Size of Parking Facilities

The gross unobstructed surface area, in square feet, of a permitted #accessory group parking facility# including stalls, aisles, driveways and maneuvering areas shall not exceed 200 times the number of #accessory# off-street parking spaces provided. This size limitation shall not be applicable to off-street parking spaces permitted under the provisions of paragraph (c) of Section 16-12 (Permitted Parking for Non-Residential Uses) where such spaces are exclusively #accessory#, no-charge, self-parking spaces in enclosed facilities with a capacity limited to 100 automobiles. In such facilities, the gross unobstructed surface area, in square feet, shall not exceed 300 times the number of #accessory# off-street parking spaces provided.

16-30

AUTHORIZATIONS AND SPECIAL PERMITS

16-31

General Provisions

The City Planning Commission may grant authorizations and special permits, pursuant to Sections 16-34, inclusive, and 16-35, inclusive.

All such special permits and authorizations, in addition to meeting the requirements, conditions and safeguards prescribed by the Commission, shall conform to and comply with all of the applicable zoning district regulations of the Zoning Resolution, except as otherwise specified herein.

16-32

Requirements for Applications

An application to the City Planning Commission for the grant of a special permit or authorization under the provisions of this Section shall include a site plan showing the location of all #buildings or other structures# on the site, the location of all vehicular entrances and exits and off-street parking spaces, and such other information as may be required by the Commission.

16-33

Relationship to Public Improvement Projects

In all cases, the City Planning Commission shall deny a special permit application or authorization whenever the #use# will interfere with a public improvement project (including housing, highways, public #buildings# or facilities, redevelopment or renewal projects, or rights-of-way for sewers, transit or other public facilities) which is approved by or pending before the City Council or the Commission, as determined from the Calendar of each agency issued prior to the date of the public meeting on the application for a special permit or authorization.

16-34

Authorizations

16-341

Limited increase in parking spaces for existing buildings without parking

The City Planning Commission may, by authorization, subject to the otherwise applicable zoning district regulations, allow on-site enclosed #accessory# off-street parking facilities with a maximum capacity of 15 spaces in existing #buildings#, provided that the Commission finds that:

- (a) the #building# does not have #accessory# off-street parking spaces;
- (b) such parking spaces are needed for and will be used exclusively by the occupants of the #use# to which they are #accessory#, except that #car sharing vehicles# may occupy #accessory# off-street parking spaces; however, the number of spaces so occupied shall not exceed five spaces or 20 percent of all such parking spaces, whichever is greater. For the purposes of this paragraph, (b), such need shall exist where there are special circumstances and there are no reasonably viable alternatives to on-site enclosed parking spaces;

- (c) the parking spaces will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic;
- (d) the parking spaces will not adversely affect pedestrian movement;
- (e) the parking spaces will not be incompatible with, or adversely affect, adjacent #uses# including #uses# within the #building#; and
- (f) the curb cut accessing such parking spaces will not be inconsistent with the character of the existing streetscape.

16-342

Public parking lots

The City Planning Commission may authorize #public parking lots# with a capacity of not more than 150 spaces in the #Long Island City area#, provided that the otherwise applicable regulations set forth in Sections 36-55 or 44-44 (Surfacing), and Sections 36-56 or 44-45 (Screening) are met.

As a condition for authorizing any such #public parking lots#, the Commission shall make the following findings:

- (a) such #use# will not be incompatible with, or adversely affect, the growth and development of #uses# comprising vital and essential functions in the general area within which such #use# is to be located;
- (b) such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit vehicular and pedestrian movement;
- (c) such #use# is so located as to draw a minimum of vehicular traffic to and through local #residential streets#; and
- (d) the #streets# providing access to such #use# will be adequate to handle the traffic generated thereby.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on #signs#, or requirements for shielding of floodlights and for locations of entrances and exits.

16-343

Curb cuts

The City Planning Commission may authorize curb cuts located on a #street# designated in Section 16-23 (Curb Cut Restrictions) , provided the Commission finds that a curb cut at such location:

- (a) is not hazardous to traffic safety;
- (b) will not create or contribute to serious traffic congestion, or unduly inhibit vehicular movement;
- (c) will not adversely affect pedestrian movement;
- (d) will not interfere with the efficient functioning of bus lanes, specially designated #streets# and public transit facilities; and
- (e) will not be inconsistent with the character of the existing streetscape.

16-35

Special Permits

16-351

Accessory off-street parking spaces

The City Planning Commission may, by special permit, subject to the otherwise applicable zoning district regulations, allow on-site or off-site, open or enclosed, #accessory# off-street parking facilities with any capacity not otherwise allowed under Section 16-10 (PERMITTED OFF-STREET PARKING IN THE LONG ISLAND CITY AREA), provided the Commission finds that:

- (a) such parking spaces are needed for, and will be used by, the occupants, visitors, customers or employees of the #use# to which they are #accessory#, except that #car sharing vehicles# may occupy #accessory# off-street parking spaces; however, the number of spaces so occupied shall not exceed five spaces or 20 percent of all such parking spaces, whichever is greater;
- (b) within the vicinity of the site, there are insufficient parking spaces available;

- (c) the facility will not create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement;
- (d) the facility is so located as to draw a minimum of vehicular traffic to and through local #residential streets#; and
- (e) adequate reservoir space is provided at the vehicular entrance to accommodate vehicles equivalent in number to 20 percent of the total number of parking spaces, up to 50 parking spaces, and five percent of any spaces in excess of 200 parking spaces, but in no event shall such reservoir spaces be required for more than 50 vehicles. However, in the case of a facility with a capacity of 10 vehicles or less, the Commission may waive this finding.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including traffic improvements, if necessary, and limitations on #signs# or requirements for shielding or floodlights or for locations of entrances and exits.

16-352

Public parking garages and public parking lots

The City Planning Commission may, by special permit, allow #public parking garages# and #public parking lots# not otherwise permitted, pursuant to the applicable provisions of Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas).

* * *

Article II: Residence District Regulations

* * *

Chapter 3

Residential Bulk Regulations in Residence Districts

* * *

23-635

Special bulk regulations for certain sites in Community District 4, Borough of Manhattan

Within the boundaries of Community District 4 in the Borough of Manhattan, excluding the #Special Clinton District#, for #developments# or #enlargements# in R8 Districts without a letter suffix, on #zoning lots# larger than 1.5 acres that include #residences# for which #public funding#, as defined in Section 23-911 (General definitions) is committed to be provided, the City Planning Commission may authorize modifications of height and setback regulations and in conjunction therewith reduce the amount of required off-street parking, provided the Commission finds that such modifications will facilitate the provision of such #residences#, and such modifications will not unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# on the #zoning lot# or nearby properties, #open space# or #streets# ~~and that the reduction in parking is consistent with the needs of the residents~~. Prior to issuing a building permit for any #development# or #enlargement# utilizing modifications granted by this authorization, the Department of Buildings shall be furnished with written notice of a commitment from the appropriate funding agency for the provision of such #public funding#.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

* * *

Chapter 5 Accessory Off-Street Parking and Loading Regulations

* * *

25-023 Applicability of regulations in the Manhattan Core and Long Island City area ~~Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a~~ ~~Portion of Community Districts 1 and 2 in the Borough of Queens~~

Special regulations governing ~~permitted or required~~ #accessory# off-street parking and loading in the #Manhattan Core# are set forth in Article I, Chapter 3-, and special regulations governing #accessory# off-street parking in the #Long Island City area#, as defined in Section 16-02 (Definitions), are set forth in Article I, Chapter 6.

* * *

Article III: Commercial District Regulations

* * *

**Chapter 2
Use Regulations**

* * *

**32-17
Use Group 8
C2 C4 C6 C8**

* * *

C. Automotive Service Establishments

Automobile rental establishments, except that ~~in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a portion of Community Districts 1 and 2 in the Borough of Queens, in the #Long Island City area#, as defined in Section 16-02 (Definitions),~~ the number of automobiles that may be stored in such establishments in C2, C4 or C6 Districts shall not exceed 100 spaces and the maximum size in square feet of such storage area shall not exceed 200 times the number of parking spaces provided, exclusive of entrance/exit ramps

#Public parking garages# or #public parking lots# with a capacity of 150 spaces or less, subject to the provisions set forth for #accessory# off-street parking spaces in Sections 36-53 (Width of Curb Cuts and Location of Access to the Street), 36-55 (Surfacing) and 36-56 (Screening), and provided that such #public parking lots# are not permitted as of right in C6-1A Districts and such #public parking garages# are not permitted as of right in C2-5, C2-6, C2-7, C2-8, C4-5, C4-5A, C4-5X, C4-6, C4-7, C6, C8-4, M1-4, M1-5, M1-6, M2-3, M2-4 or M3-2 Districts. #Public parking garages# may be open or enclosed, provided that no portion of such #use# shall be located on a roof other than a roof which is immediately above a #cellar# or #basement#.

~~In the #Manhattan Core# Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a portion of Community Districts 1 and 2 in the Borough of Queens, these #uses# are subject to the provisions of Article I, Chapter 3-, and in the #Long Island City area#, as defined in Section 16-02 (Definitions), such #uses# are subject to the provisions of Article 1, Chapter 6.~~

* * *

32-21

Use Group 12

C4 C6 C7 C8

* * *

D. Automotive Service Establishments

#Public parking garages# or #public parking lots# with capacity of 150 spaces or less, subject to the provisions set forth for #accessory# off-street parking spaces in Sections 36-53 (Width of Curb Cuts and Location of Access to the Street), 36-55 (Surfacing) and 36-56 (Screening), and provided that such #public parking lots# are not permitted as-of-right in C7 Districts and such #public parking garages# are not permitted as-of-right in C4-5, C4-6, C4-7, C6, C8-4, M1-4, M1-5, M1-6, M2-3, M2-4 or M3-2 Districts. #Public parking garages# may be open or enclosed, provided that no portion of such #use# shall be located on a roof other than a roof which is immediately above a #cellar# or #basement#.

In the #Manhattan Core#, ~~Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a portion of Community Districts 1 and 2 in the Borough of Queens~~, these #uses# are subject to the provisions of Article I, Chapter 3, and in the #Long Island City area#, as defined in Section 16-02 (Definitions), such #uses# are subject to the provisions of Article 1, Chapter 6.

* * *

32-32

By the City Planning Commission

* * *

#Public parking garages#*:

C1
Limited in capacity to 100 spaces

C2-1 C2-2 C2-3 C2-4 C4-1 C4-2 C4-3 C4-4 C7 C8-1 C8-2 C8-3
With capacity of more than 150 spaces

C2-5 C2-6 C2-7 C2-8 C4-5 C4-6 C4-7 C5 C6 C7 C8-4
With any capacity

#Public parking lots#*:

C1
Limited in capacity to 100 spaces

C2 C4 C6 C7 C8
With capacity of more than 150 spaces

C5 C7
With any capacity

* * *

* In the #Manhattan Core#, Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a portion of Community Districts 1 and 2 in the Borough of Queens, these #uses# are subject to the provisions of Article I, Chapter 3-, and in the #Long Island City area#, as defined in Section 16-02 (Definitions), such #uses# are subject to the provisions of Article 1, Chapter 6.

* * *

Article III: Commercial District Regulations

* * *

**Chapter 6
Accessory Off-Street Parking and Loading Regulations**

* * *

**36-024
Applicability of regulations in the Manhattan Core and the Long Island City area
Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a
portion of Community Districts 1 and 2 in the Borough of Queens**

Special regulations governing ~~permitted or required~~ #accessory# off-street parking and loading in the #Manhattan Core# are set forth in Article I, Chapter 3-, and special regulations governing #accessory# off-street parking in the #Long Island City area#, as

defined in Section 16-02 (Definitions), are set forth in Article 1, Chapter 6.

* * *

Article IV: Manufacturing District Regulations

* * *

**Chapter 2
Use Regulations**

* * *

42-12

Use Groups 3A, 6A, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 13, 14 and 16

M1 M2 M3

Use Group 3A shall be limited to Museums that are ancillary to existing Motion Picture Production Studios or Radio or Television Studios, provided they are located within 500 feet of such studios and do not exceed 75,000 square feet of #floor area#.

Use Groups 6A except that food stores, including supermarkets, grocery stores or delicatessen stores, shall be limited to 10,000 square feet of #floor area# per establishment, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16 as set forth in Sections 32-15 to 32-23, inclusive, and Section 32-25. However, in Community District 1, in the Borough of the Bronx, in M1-4 Districts, foodstores, including supermarkets, grocery stores or delicatessen stores, shall be limited to 30,000 square feet of #floor area# per establishment.

Use Group 10A shall be limited to depositories for storage of office records, microfilm or computer tapes, or for data processing; docks for ferries; office or business machine stores, sales or rental; photographic or motion picture production studios; and radio or television studios.

In the #Manhattan Core# Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a portion of Community Districts 1 and 2 in the Borough of Queens, automobile rental establishments, #public parking garages# and #public parking lots# in Use Groups 8C and 12D are subject to the provisions of Article I, Chapter 3-, and in the #Long Island City area#, as defined in Section 16-02 (Definitions), #public parking garages# and #public parking lots# in Use Groups 8C and 12D are subject to the provisions of Article I, Chapter 6.

* * *

42-32

By the City Planning Commission

In the districts indicated, the following #uses# are permitted by special permit of the City Planning Commission, in accordance with standards set forth in Article VII, Chapter 4.

* * *

M1-1 M1-2 M1-3 M2-1 M2-2 M3-1

#Public parking garages#** with capacity of more than 150 spaces

M1-4 M1-5 M1-6 M2-3 M2-4 M3-2

#Public parking garages#** with any capacity

M1 M2 M3

#Public parking lots# with capacity of more than 150 spaces**

* * *

** In the #Manhattan Core#, Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a portion of Community Districts 1 and 2 in the Borough of Queens these #uses# are subject to the provisions of Article 1, Chapter 3-, and in the #Long Island City area#, as defined in Section 16-02 (Definitions), such #uses# are subject to the provisions of Article 1, Chapter 6.

* * *

Chapter 4

Accessory Off-Street Parking and Loading Regulations

* * *

44-022

Applicability of regulations in the Manhattan Core and the Long Island City area Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a portion of Community Districts 1 and 2 in the Borough of Queens

Special regulations governing ~~permitted or required~~ #accessory# off-street parking and loading in the #Manhattan Core# are set forth in Article I, Chapter 3-, and special

regulations governing #accessory# off-street parking in the #Long Island City area#, as defined in Section 16-02 (Definitions), are set forth in Article I, Chapter 6.

* * *

Article V: Non-Conforming Uses and Non-Complying Buildings

* * *

Chapter 2 - Non-Conforming Uses

* * *

52-31

General Provisions

For the purposes of this Chapter, a change of #use# is a change to another #use# listed in the same or any other Use Group. However, a change in ownership or occupancy shall not, by itself, constitute a change of #use#.

A #non-conforming use# may be changed to any conforming #use#, and the applicable district #bulk# regulations and #accessory# off-street parking requirements shall not apply to such change of #use# or to alterations made in order to accommodate such conforming #use#, but shall apply to any #enlargement#.

In all zoning districts which mandate compliance with the Quality Housing Program, the provisions of Article II, Chapter 8, shall apply to such change of #use#.

However, notwithstanding the provisions above, in Manhattan Community Districts 1, 2, 3, 4, 5 and 6, Brooklyn Community Districts 1, 2, 6 and 8, and Queens Community Districts 1 and 2, the #conversion# of non-#residential floor area# to #residences# shall be subject to the provisions of Article I, Chapter 5 (Residential Conversion within Existing Buildings), unless such #conversions# meet the requirements for #residences# of Article II (Residence District Regulations).

A #non-conforming use# may be changed to another #non-conforming use# only in accordance with the provisions of this Chapter.

Any such change of #use# permitted by this Chapter shall conform to the applicable district regulations on #accessory# off-street loading berths as set forth in Section 52-41 (General Provisions) and on #accessory signs#, except that in #Residence Districts# such change shall conform to the regulations on #accessory signs# applicable in a C1 District.

In the #Manhattan Core#, ~~Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of~~

~~Manhattan and a portion of Community Districts 1 and 2 in the Borough of Queens, a #non-conforming use# may be changed to an automobile rental establishment, #public parking garage# or #public parking lot# in Use Groups 8 and 12D only pursuant to the provisions of Article I, Chapter 3-, and in the #Long Island City area#, as defined in Section 16-02 (Definitions), a #non-conforming use# may be changed to a #public parking garage# or #public parking lot# in Use Groups 8 and 12D only pursuant to the provisions of Article I, Chapter 6.~~

In the case of a conflict between these provisions and retail continuity provisions that apply to the ground floor of #buildings#, a #non-conforming use# on the ground floor in such #building# may be changed only to a #conforming use#.

* * *

52-41

General Provisions

* * *

For #non-conforming use# in #Residence Districts#, #accessory# off-street parking spaces or loading berths shall be subject to the provisions of Sections 25-66 or 25-77 (Screening).

~~In the #Manhattan Core# Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a portion of Community Districts 1 and 2 in the Borough of Queens, #enlargements# or #extensions# of #nonconforming uses# which involve the provision of off-street parking are subject to the regulations set forth in Article I, Chapter 3-, and in the #Long Island City area#, as defined in Section 16-02 (Definitions), such #enlargements# or #extensions# are subject to the regulations set forth in Article I, Chapter 6.~~

In the case of a conflict between these provisions and retail continuity provisions that apply to the ground floor of #buildings#, a #non-conforming use# on the ground floor in such #building# may be changed only to a #conforming use#.

* * *

Article VII: Administration

* * *

Chapter 3

Special Permits by the Board of Standards and Appeals

* * *

73-45

Modification of Off-Site Parking Provisions

In all districts, the Board of Standards and Appeals may modify the provisions regulating the location of #accessory# off-street parking spaces provided off the site, in accordance with the provisions of this Section which are applicable in the specified district. However, in no event shall #accessory# off-street parking spaces be permitted off-site in a #public parking garage#.

This Section shall not apply to ~~the #Manhattan Core#, Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan~~ where the regulations set forth in Article I, Chapter 3, shall apply.

In all cases, the Board may impose appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

* * *

73-47

Rental of Accessory Off-Street Parking Spaces to Non-Residents

In C1 or C5 Districts, for a term not to exceed five years, the Board of Standards and Appeals may permit off-street parking spaces #accessory# to #residences# or #non-profit hospital staff dwellings# to be rented for periods of less than one week, to persons who are not occupants of such #residences# or #non-profit hospital staff dwellings#, provided that such rental of spaces conforms to the provisions set forth in Section 36-46 (Restrictions on Use of Accessory Off-Street Parking Spaces) and that the following special findings are made:

- (a) that the number of spaces to be rented or the location of access, thereto, is such as to draw a minimum of vehicular traffic to and through #streets# having predominantly #residential# frontages;
- (b) that the total number of spaces to be rented to nonresidents does not exceed 100; and
- (c) that where the total number of spaces to be rented to nonresidents exceeds 20, reservoir space is provided at the vehicular entrance to accommodate 10 automobiles or 20 percent of the spaces so rented, whichever amount is less.

The Board may impose appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on #signs# or requirements

for the shielding of floodlights.

This Section shall not apply to ~~the #Manhattan Core# Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan~~ where the regulations set forth in Article I, Chapter 3, shall apply.

* * *

73-48

Exceptions to Maximum Size of Accessory Group Parking Facilities

The Board of Standards and Appeals may permit #accessory group parking facilities# with more than 150 spaces in #Commercial# or #Manufacturing Districts# or for hospital and related facilities in #Residence Districts# in accordance with the provisions of this Section provided that such provisions shall not apply to #accessory# off-street parking spaces provided in #public parking garages# in accordance with the provisions of Section 36-57 or 44-46 (Accessory Off-Street Parking Spaces in Public Parking Garages).

This Section shall not apply to ~~the #Manhattan Core# Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan~~ where the regulations set forth in Article I, Chapter 3, shall apply.

* * *

74-512

In other Districts

In C2-1, C2-2, C2-3, C2-4, C4-1, C4-2, C4-3, C4-4, C4-5D, C7, C8-1, C8-2, C8-3, M1-1, M1-2, M1-3, M2-1, M2-2 or M3-1 Districts, the City Planning Commission may permit #public parking garages# or #public parking lots# with more than 150 spaces, provided that the applicable regulations set forth in Sections 36-53 (Width of Curb Cuts and Location of Access to the Street) or 44-43 (Location of Access to the Street), Sections 36-55 or 44-44 (Surfacing) and Sections 36-56 or 44-45 (Screening) are met. The Commission may permit some of such spaces to be located on the roof of such #public parking garage#, or may permit floor space on one or more #stories# and up to a height of 23 feet above #curb level# to be exempted from the definition of #floor area# as set forth in Section 12-10 (DEFINITIONS). As a condition of permitting such #use#, the Commission shall make the following findings:

* * *

The City Planning Commission may prescribe appropriate conditions and safeguards to

minimize adverse effects on the character of the surrounding area, including limitations on #signs# or requirements for shielding of floodlights, for locations of entrances and exits, or for setback of any roof parking areas from #lot lines#.

This Section shall not apply to the #Manhattan Core# where the regulations set forth in Article I, Chapter 3, shall apply, except as provided in Section 13-06 (Previously Filed or Approved Special Permits or Authorizations).

74-52

Parking Garages or Public Parking Lots in High Density Central Areas

In C1-5, C1-6, C1-7, C1-8 or C1-9 Districts, the City Planning Commission may permit #public parking garages# or #public parking lots# with a capacity of not more than 100 spaces, and in C2-5, C2-6, C2-7, C2-8, C4-5, C4-5A, C4-5X, C4-6, C4-7, C6, C8-4, M1-4, M1-5, M1-6, M2-3, M2-4 or M3-2 Districts, the Commission may permit #public parking garages# with any capacity or #public parking lots# with more than 150 spaces, and in C5 and C6-1A Districts, the Commission may permit #public parking garages# or #public parking lots# with any capacity, provided that the applicable regulations set forth in Sections 36-53 (Width of Curb Cuts and Location of Access to the Street) or 44-43 (Location of Access to the Street), Sections 36-55 or 44-44 (Surfacing) and Sections 36-56 or 44-45 (Screening) are met.

* * *

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area including limitations on #signs#, or requirements for shielding of floodlights, for locations of entrances and exits, or for setback of any roof parking areas from #lot lines#.

This Section shall not apply to the #Manhattan Core# where the regulations set forth in Article I, Chapter 3, shall apply, except as provided in Section 13-06 (Previously Filed or Approved Special Permits or Authorizations).

74-53

Accessory Group Parking Facilities for Uses in Large-Scale Residential Developments or Large-Scale Community Facility Developments or Large-Scale General Developments

The City Planning Commission may permit #group parking facilities accessory# to #uses#

in #large-scale residential developments# or #large-scale community facility developments# or #large-scale general developments# with more than the prescribed maximum number of parking spaces set forth in Sections 25-12, 36-12 and 44-12 (Maximum Size of Accessory Group Parking Facilities) or may permit modifications of the applicable provisions of Sections 25-11, 36-11 and 44-11 (General Provisions) so as to permit off-street parking spaces #accessory# to such #uses# to be located on the roof of a #building#.

As a condition of permitting such exceptions or modifications, the Commission shall make the following findings:

- (a) that such #use# is so located as to draw a minimum of vehicular traffic to and through local #streets# in residential areas;
- (b) that such #use# has adequate reservoir space at the vehicular entrance to accommodate either 10 automobiles or five percent of the total parking spaces provided by the #use#, whichever amount is greater, but in no event shall such reservoir space be required for more than 50 automobiles;
- (c) that the #streets# providing access to such #use# will be adequate to handle the traffic generated thereby; and
- (d) that where roof parking is permitted, such roof parking is so located as not to impair the essential character or future use or development.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area including requirements for shielding of floodlights, for locations of entrances and exits, or for setback of any roof parking areas from #lot lines#.

This Section shall not apply to the #Manhattan Core# Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a portion of Community Districts 1 and 2 in the Borough of Queens, where the regulations set forth in Article I, Chapter 3, shall apply, or to the #Long Island City area#, as defined in Section 16-02 (Definitions), where the regulations set forth in Article I, Chapter 6, shall apply.

* * *

Article VIII: Special Purpose Districts

* * *

Chapter 1
Special Midtown District

* * *

81-30

OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS

81-31

General Provisions

The regulations of Article I, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a portion of Community Districts 1 and 2 in the Borough of Queens), and the applicable underlying district regulations of Article III, Chapter 6, or Article IV, Chapter 4, relating to Off-Street Loading Regulations, shall apply throughout the #Special Midtown District#, except as otherwise provided in this Section.

~~81-311~~

~~Applicability of more restrictive provisions~~

~~In the event of a conflict between the provisions in this Chapter and those contained in Article I, Chapter 3, the more restrictive provisions shall apply. For the purpose herein, the more restrictive provisions shall be considered those which permit:~~

- ~~(a) — fewer number of parking spaces;~~
- ~~(b) — more exclusive use of parking spaces; and~~
- ~~(c) — more limited location of curb cuts.~~

81-311

~~81-312~~

Prohibitions of off-street parking or off-street loading facilities

Notwithstanding the provisions of Article I, Chapter 3, prohibitions of off-street parking facilities or #accessory# off-street loading berths or restrictions as to their location or access, as provided in Sections 81-44 (Curb Cut Restrictions) or 81-84 (Mandatory

Regulations and Prohibitions), may be waived only in accordance with the applicable provisions of Sections 81-44 or 81-84.

* * *

81-40

MANDATORY DISTRICT PLAN ELEMENTS

* * *

81-44

Curb Cut Restrictions

Along all avenues in Midtown and along 57th, 53rd, 42nd and 34th Streets, no driveway curb cuts for parking facilities or loading berths shall be permitted except for the following:

- (a) the Commissioner of Buildings may approve a curb cut where there are no alternative means of access to off-street loading berths from other #streets# bounding the #zoning lot#; or
- (b) the City Planning Commission may authorize curb cuts where such curb cuts are needed for required loading berths. Such loading berths must be adjacent to a fully enclosed maneuvering area on the #zoning lot# at least equal in area to the area of the required loading berth and arranged so as to permit head-in and head-out truck movements to and from the #zoning lot#. The City Planning Commission will refer such applications to the Department of Transportation for their comment.

In addition, for #zoning lots# with frontage along such avenues and #streets# in Midtown where curb cuts are prohibited, the Commissioner of Buildings may waive required off-street loading berths pursuant to the provisions set forth in Section 13-35 (Modification of Loading Berth Requirements).

Where a curb cut is permitted as indicated in this Section, the maximum width of such curb cut shall be 15 feet for one-way traffic and 25 feet for two-way traffic. These curb cut requirements shall be in addition to any other applicable City rules or regulations concerning driveway curb cuts.

The above exceptions do not apply to Fifth Avenue, or between 43rd and 50th Streets, to Seventh Avenue or Broadway and no curb cuts shall be permitted in these cases. Between 43rd and 50th Streets, access to #accessory# off-street loading berths or off-street parking

facilities shall not be permitted on Seventh Avenue or Broadway or, except where the length of a #narrow street block# frontage between the #street lines# of Seventh Avenue and Broadway exceeds 75 feet but is less than 125 feet, within 50 feet of the Seventh Avenue or Broadway #street line#. #Interior lots# between 43rd and 50th Streets with a #street# frontage only on Seventh Avenue or Broadway shall not contain loading berths.

* * *

81-70

SPECIAL REGULATIONS FOR THEATER SUBDISTRICT

* * *

81-73

Special Sign and Frontage Regulations

81-731

Special regulations for signs, transparency, banners and canopies

Within that area of the Theater Subdistrict whose boundaries are described in Section 81-72 (Use Regulations Modified), the following provisions apply along #wide street# frontages. Within the Theater Subdistrict Core, the following provisions also apply along #narrow street# frontages.

- (a) At least 50 percent of the #street wall# of a #development# or ground floor #enlargement# shall be glazed at the ground floor level with clear, untinted, transparent material and not more than 50 percent of such transparent surface shall be painted or obstructed with #signs#.

For the purpose of the glazing requirements, the #street wall# surface at the ground floor level shall be measured from the floor to the height of the ceiling or 14 feet above grade, whichever is less, and shall exclude any area of #street wall# occupied by #accessory# off-street loading berths or entrances and exits to #accessory# off-street parking provided pursuant to the ~~required under~~ provisions of Section 81-30 (OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS). For the purposes of this Section, clear, unobstructed openings in the surface of a #street wall# provided for a stairway entrance into a subway relocated onto a #zoning lot# in accordance with the requirements of Section 81-46 (Off-Street Relocation or Renovation of a Subway Stair) or a through #block# connection provided in accordance with the requirements of paragraph (h) of Section 37-53 (Design Standards for Pedestrian Circulation Spaces) shall be

treated as transparent glazed surfaces.

- (b) Canopies (as defined in the Building Code) and awnings shall not be permitted on the exterior of any #building#.

For the purposes of this Section, any #signs# which do not comply with the regulations of this Section may be continued for one year after May 13, 1982, provided that after the expiration of that period such #non-conforming sign# shall terminate; a #sign# which the Chairperson of the City Planning Commission certifies as an integral part of the #building# shall not be required to terminate.

* * *

Chapter 2 Special Lincoln Square District

* * *

82-50 OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS

The regulations of Article I, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core, ~~Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a portion of Community Districts 1 and 2 in the Borough of Queens~~) and the applicable underlying district regulations of Article III, Chapter 6, relating to Off-Street Loading Regulations, shall apply in the #Special Lincoln Square District# except as otherwise provided in this Section. In addition, the entrances and exits to all off-street loading berths shall not be located on a #wide street# except by authorization as set forth in this Section.

- (a) #Accessory# off-street parking spaces

#Accessory# off-street parking spaces are permitted only by the applicable special permit of the City Planning Commission pursuant to Section 13-45 (Special Permits for Additional Parking Spaces), inclusive 13-561 (Accessory off-street parking spaces).

- (b) Curb cuts

The City Planning Commission may authorize curb cuts within 50 feet of the intersection of any two #street lines#, or on #wide streets# where such curb cuts

are needed for off-street loading berths, provided the location of such curb cuts meets the findings in Section ~~13-553~~13-441.

(c) Waiver of loading berth requirements

The City Planning Commission may authorize a waiver of the required off-street loading berths where the location of the required curb cuts would:

- (1) be hazardous to traffic safety;
- (2) create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement; or
- (3) interfere with the efficient functioning of bus lanes, specially designated streets or public transit facilities.

The Commission shall refer these applications to the Department of Transportation for its comments.

~~82-60~~

~~PUBLIC PARKING GARAGES~~

~~In that portion of the #Special Lincoln Square District# located within a C4-7 District, the City Planning Commission may permit #public parking garages# with any capacity pursuant to Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas).~~

82-60

~~82-70~~

EXISTING PUBLICLY ACCESSIBLE OPEN AREAS OR OTHER PUBLIC AMENITIES

* * *

Chapter 4

Special Battery Park City District

84-00

GENERAL PURPOSES

* * *

**84-031
Special permit uses**

The following #uses# are permitted only by special permit of the City Planning Commission:

* * *

~~In Zone A, #public parking garages# as provided for in C5 Districts, pursuant to Section 74-52.~~

As a condition precedent to the granting of such special permit, the Commission shall make a finding that such #use# is located so as to minimize adverse effects on existing or future development in nearby areas or on the use or enjoyment of the #Esplanade# or other public facilities.

* * *

**84-10
ZONE A GENERAL DISTRICT REGULATIONS**

* * *

**84-14
Parking Regulations and Curb Cuts**

**84-141
Accessory off-street parking spaces**

Except as provided in Section 84-142 (Accessory off-street parking spaces for buildings containing hotel uses), #accessory# off-street parking spaces may be provided only for #residential uses# subject to the provisions of this Section. The ownership requirement for #accessory# off-street parking is satisfied by an interest commensurate with the interest of the principal #use#. Such #accessory# parking spaces shall be #completely enclosed#. No portion of any #accessory# parking facility may be constructed at a height of more than 23 feet above #curb level#. Except as otherwise provided in this Section, no #accessory# off-site parking shall be permitted.

~~Parking facilities #accessory# to #residential uses# on a #zoning lot# shall contain no~~

~~more than 200 off-street parking spaces or a number of spaces equal to 20 percent of the number of #dwelling units# on such #zoning lot#, whichever is less. The size in square feet of an #accessory# off-street parking facility, exclusive of entrance and exit ramps, shall not exceed 200 times the number of parking spaces provided.~~

#Accessory# parking facilities shall be constructed so that no exhaust vents open onto any #street# or park or onto the #Esplanade# and so that no portion of the facility, other than entrances and exits, is visible from adjoining #zoning lots#, #streets# or parks or the #Esplanade#.

The City Planning Commission may, upon application, authorize permitted #accessory# off-street parking spaces to be located anywhere within Zone A without regard for #zoning lot lines#, provided that the Commission shall find that:

- (a) the #accessory# off-street parking spaces and required curb cuts are located within subzones A-1, A-2 or A-3 for #zoning lots# within subzones A-1, A-2 or A-3, or within subzones A-5 or A-6 for #zoning lots# in subzones A-5 or A-6, as indicated in Appendices 2 and 3; parking setbacks in Appendices 2.5 and 3.4; and curb cut locations in Appendices 2.6 and 3.5;
- (b) such #accessory# off-street parking spaces will be conveniently located in relation to the #buildings# containing #residences# to which such off-street spaces are #accessory#, and provided that all such spaces shall not be further than 600 feet from the nearest boundary of the #zoning lot# occupied by the #residences# to which they are #accessory#;
- (c) such location of #accessory# off-street parking spaces will permit better site planning;
- ~~(d) the #accessory# off-street parking facility will not create or contribute to traffic congestion or unduly inhibit vehicular and pedestrian movement;~~
- ~~(e) the #accessory# off-street parking facility is located so as to draw a minimum of additional vehicular traffic to and through local residential #streets#; and~~
- (d) such #accessory# off-street parking facility shall contain parking spaces #accessory# to #residential uses# only; and
- (e) such parking facility complies with the findings in paragraphs (c)(1), (c)(2), (c)(3) and (c)(5) of Section 13-45 (Special Permits for Additional Parking Spaces).

Whenever off-street parking spaces are authorized to be located without regard to #zoning lot lines# in accordance with the provisions of this Section, the number of spaces generated by each #building# shall be recorded in that building's certificate of occupancy (temporary and permanent). In addition, any certificate of occupancy for the #accessory# off-street parking facility shall state the number of parking spaces authorized to be relocated from each #zoning lot#.

84-142

Accessory off-street parking spaces for buildings containing hotel uses

For the #zoning lot# south of First Place and east of Battery Place, #accessory# off-street parking spaces for hotel #uses# may be provided at the rate established for #transient hotels# in Section 13-12 (Permitted Parking for Non-Residential Uses) or 13-13 (Permitted Parking for Zoning Lots with Multiple Uses), as applicable. ~~only in accordance with this Section. Such #accessory# parking facilities shall contain no more than 15 percent of the number of #transient hotel# rooms or 225 spaces, whichever is less.~~

~~In the case of a #building# containing both #residential# and hotel #uses#, the number of #accessory# off-street parking spaces shall not exceed the number of spaces permitted for each #use# in accordance with this Section and Section 84-141 (Accessory off-street parking spaces); however, in no event may the maximum number of #accessory# off-street parking spaces exceed 225 spaces.~~

84-143

Off-street loading

Enclosed #accessory# off-street loading berths shall be provided in conformity with the requirements set forth in the following table and under rules and regulations promulgated by the Commissioner of Buildings for the #uses# listed in the table.

REQUIRED OFF-STREET LOADING BERTHS

Type of #Use#	For #Floor Area# (in square feet)	Required Berths
Supermarkets	First 8,000	None

	Next 17,000	1
	Next 15,000	1
	Each additional 15,000 or fraction thereof	1
Hotels	First 100,000	None
	Next 200,000	1
	Each additional 300,000 or fraction thereof	1

All required off-street loading berths shall have a minimum length of 33 feet, a minimum width of 12 feet and a minimum vertical clearance of 14 feet, except that required off-street loading berths for hotels, as permitted by Section 84-12 (Use Regulations), shall be allowed to have a minimum vertical clearance of 12 feet.

* * *

Article IX - Special Purpose Districts

* * *

**Chapter 1
Special Lower Manhattan District**

* * *

**91-50
OFF-STREET PARKING, LOADING AND CURB CUT REGULATIONS**

The off-street parking regulations of Article 1, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core ~~Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens~~) and the loading regulations of the underlying districts apply to the #Special Lower Manhattan District#, except as supplemented or modified by the provisions of this Section.

91-511

Authorization for off-site parking facilities for converted buildings

The City Planning Commission may authorize #accessory# residential off-site parking spaces for #non-residential buildings# erected prior to January 1, 1977, or portions thereof, that are #converted# to #residential use#, to be provided in a fully-enclosed #building# on a #zoning lot# within the #Special Lower Manhattan District# other than the #zoning lot# that contains the #residential use#, provided the Commission finds that:

- (a) such #accessory# off-site parking spaces are conveniently located in relation to the #residential use#, and in no case further than 600 feet from the #zoning lot# containing the #residential use#;
- (b) such location of the #accessory# off-site parking facility will permit better site planning for the #building converted# to #residential use#;
- ~~(c) the #accessory# off-site parking facility will not create or contribute to traffic congestion or unduly inhibit vehicular and pedestrian movement;~~
- ~~(d) that the #accessory# off-site parking facility is located so as to draw a minimum of additional vehicular traffic to and through local residential #streets#; and~~
- (c) that such #accessory# off-site parking facility shall contain parking spaces #accessory# only to #residential uses#; and
- (d) such parking facility complies with findings in paragraphs (c)(1), (c)(2), (c)(3) and (c)(5) of Section 13-45 (Special Permits for Additional Parking Spaces).

The number of #accessory# off-site parking spaces authorized in accordance with the provisions of this Section shall be recorded on the certificates of occupancy, temporary and permanent, for both the #residential use# and the #accessory# off-site parking facility.

91-52

Curb Cut Regulations

All curb cuts shall be prohibited on #streets# indicated on Map 5 in Appendix A, except that:

- (a) The Commissioner of Buildings may approve a curb cut where there are no alternative means of access to required off-street loading berths from other #streets# bounding the #zoning lot#.
- (b) The City Planning Commission may authorize curb cuts for loading berths, provided:
 - (1) such loading berths are adjacent to a fully enclosed maneuvering area on the #zoning lot#;
 - (2) such maneuvering area is at least equal in size to the area of the loading berth; and
 - (3) there is adequate space to permit head-in and head-out truck movements to and from the #zoning lot#.

The City Planning Commission may refer such applications to the Department of Transportation for comment.

- (c) The City Planning Commission may authorize curb cuts for #accessory# parking for #residences#, provided such curb cuts:
 - (1) will not create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement; and
 - (2) will not interfere with the efficient functioning of required pedestrian circulation spaces, or public transit facilities.

The City Planning Commission may refer such applications to the Department of Transportation for comment.

No curb cuts may be approved or authorized on Battery Place, Broad Street, Broadway, Liberty Street west of Broadway, Park Row South or Wall Street.

In addition, for #zoning lots# with frontage on #streets# where curb cuts are prohibited, the Commissioner of Buildings may waive required off-street loading berths pursuant to the provisions set forth in Section 13-35 (Modification of Loading Berth Requirements).

Where a curb cut is approved or authorized pursuant to this Section, the maximum width of a curb cut, including splays, shall be 15 feet for a #street# with one-way traffic and 25 feet for a #street# with two-way traffic.

* * *

Chapter 2 Special Park Improvement District

92-00 GENERAL PURPOSES

* * *

92-05 Maximum Number of Accessory Off-Street Parking Spaces

Within the portion of the #Special Park Improvement District# located within the #Manhattan Core#, the provisions of Article I, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core), inclusive, shall apply. For all other portions of the #Special Park Improvement District#, the provisions of this Section shall apply.

In no case shall the number of #accessory# off-street parking spaces for a #residential use# exceed 40 percent of the number of #dwelling units#. In no case shall curb cuts for vehicular access be located on Fifth Avenue or Park Avenue or on a #street# within 50 feet of its intersection with the #street line# of Fifth Avenue or Park Avenue. No off-site #accessory# off-street parking facilities for any #use# shall be permitted within the Special District. All parking spaces #accessory# to #residences# shall be designed and operated exclusively for the long term storage of the private passenger motor vehicles used by the occupants of such #residences#.

The parking requirements set forth in Sections 25-21, 25-31, 36-21 or 36-31 shall not apply to any #development# for which the Commissioner of Buildings has certified that there is no way to provide the required parking spaces with access to a #street# in conformity with the provisions of this Section.

~~The maximum number of permitted, and the minimum number of required #accessory# off street parking spaces, for #zoning lots# in the area of the Special District located within Manhattan Community District 8, are set forth in Article I, Chapter 3.~~

* * *

Chapter 3 Special Hudson Yards District

93-00

GENERAL PURPOSES

* * *

93-05

Applicability of District Regulations

* * *

93-052

Applicability of Article I, Chapter 3

~~#Public parking lots# authorized pursuant to Section 13-552~~ prior to January 19, 2005, and ~~#accessory# off-street parking facilities for which a special permit has been granted pursuant to Section 13-561~~ prior to January 19, 2005, may be renewed subject to the terms of such authorization or special permit.

The provisions of Article I, Chapter 3, in their entirety shall be applied to Subdistrict F. The following provisions of Article I, Chapter 3, governing #automated parking facilities#, as defined in Section 13-02, automobile rental establishments, commercial vehicle parking, and off-street loading berths, shall apply to Subdistricts A, B, C, D and E, as applicable:

- (a) for #automated parking facilities#, the provisions of Section 13-101 (Calculating parking spaces in automated parking facilities), paragraph (b) of Section 13-25 (Reservoir Spaces), and paragraph (b) of Section 13-27 (Minimum and Maximum Size of Parking Facilities);
- (b) for automobile rental establishments, the provisions of Section 13-15 (Permitted Parking for Automobile Rental Establishments), paragraph (b) of Section 13-221 (Enclosure and screening requirements), Section 13-241 (Location of curb cuts), paragraph (b) of Section 13-242 (Maximum width of curb cuts), paragraph (c) of Section 13-25, and paragraph (c) of Section 13-27;
- (c) for commercial vehicle parking, the provisions of Section 13-16 (Permitted Parking for Car Sharing Vehicles and Commercial Vehicles); and
- (d) for off-street loading berths, the provisions of Section 13-30, inclusive.

Additional provisions of Article I, Chapter 3, shall be applicable as specified in Section

93-80, inclusive.

* * *

93-80

OFF-STREET PARKING REGULATIONS

In Subdistricts A, B, C, D and E, the regulations governing permitted ~~and required~~ ~~#accessory#~~ off-street parking spaces of Article I, Chapter 3 (~~Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens~~), and Article II, Chapter 5; Article III, Chapter 6; and Article IV, Chapter 4 (Accessory Off-Street Parking and Loading Regulations) shall not apply except as set forth in this Section. In lieu thereof, the provisions of this Section, inclusive, shall apply.

In Subdistrict F, the regulations of Article I, Chapter 3, shall apply.

* * *

93-821

Permitted parking when the reservoir surplus is greater than or equal to zero

When the ~~#reservoir surplus#~~ is greater than or equal to zero, off-street parking spaces may be provided only in accordance with the provisions of this Section.

- (a) For ~~#residences#~~, ~~#accessory#~~ off-street parking spaces may be provided for not more than 30 percent of the total number of ~~#dwelling units#~~, except that where such ~~#dwelling units#~~ are comprised of ~~#low income floor area#~~, ~~#moderate income floor area#~~ or ~~#middle income floor area#~~, as defined in Section 23-911, ~~#accessory#~~ off-street parking spaces may be provided for not more than eight percent of the total number of such ~~#dwelling units#~~.
- (b) For Use Group 5 ~~#transient hotels#~~, the applicable provisions of Section 13-12 (Permitted Parking for Non-Residential Uses) ~~13-131~~ shall apply with respect to the number of permitted ~~#accessory#~~ off-street parking spaces, provided that the number of such spaces does not exceed 0.16 for every 1,000 square feet of ~~#floor area#~~.
- (c) For Use Group 6B offices, not more than 0.16 ~~#accessory#~~ off-street parking

spaces may be provided for every 1,000 square feet of #floor area#.

* * *

93-822

Permitted parking when a reservoir deficit exists

When a #reservoir deficit# exists, additional off-street parking spaces may be provided in accordance with the provisions of this Section. However, this Section shall not apply in the Eastern Rail Yard Subarea A1.

- (a) The number of permitted #accessory# off-street parking spaces for Use Group 5 hotels may exceed 0.16 for every 1,000 square feet of #floor area#, up to the number permitted by the applicable provisions of Section 13-12 (Permitted Parking for Non-Residential Uses) ~~Section 13-131~~.
- (b) The number of permitted #accessory# off-street parking spaces for Use Group 6B offices may be increased by up to 33 percent of the number permitted pursuant to Section 93-821, paragraph (b).

* * *

93-823

Parking permitted by special permit

When a #reservoir deficit# exists, the City Planning Commission may allow, by special permit, Use Group 6B offices to exceed the number of #accessory# off-street parking spaces permitted by Section 93-822, provided that: in accordance with the provisions of Section 13-561, except that finding (a) of Section 13-561 shall not apply.

- (a) within the vicinity of the site, there are insufficient parking spaces available;
- (b) the facility will not create or contribute to serious traffic congestion nor unduly inhibit vehicular and pedestrian movement;
- (c) the facility is so located as to draw a minimum of vehicular traffic to and through local #residential streets#; and

(d) adequate reservoir space is provided at the vehicular entrance to accommodate vehicles equivalent in number to 20 percent of the total number of parking spaces, up to 50 parking spaces, and five percent of any spaces in excess of 200 parking spaces, but in no event shall such reservoir spaces be required for more than 50 vehicles. However, in the case of a facility with a capacity of 10 vehicles or less, the Commission may waive this condition.

In addition, the Commission shall find that the number of #accessory# off-street parking spaces in excess of the number permitted by Section 93-821, proposed to be added by the #development# or #enlargement# that is the subject of the application under review, does not exceed the #reservoir deficit#; and that such additional #accessory# off-street parking spaces, when added to the sum of the parking spaces specified in paragraphs (e)(2)(i), (e)(2)(ii) and (e)(2)(iii) of Section 93-821 does not exceed 5,905 spaces, except insofar as the limit of 5,905 spaces set forth in paragraph (e)(2) has been adjusted pursuant to the provisions of paragraph (e)(3) of Section 93-821. In making such finding, the Commission shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution.

* * *

93-83

Use and Location of Parking Facilities

The provisions of this Section shall apply to all off-street parking spaces within the #Special Hudson Yards District#.

- (a) All off-street parking spaces #accessory# to #residences# shall be used exclusively by the occupants of such #residences#. Except in the Eastern Rail Yard Subarea A1, all off-street parking spaces #accessory# to Use Group 5 #transient hotels# and Use Group 6B offices may be made available for public use. No #accessory# off-street parking spaces shall be located on a #zoning lot# other than the same #zoning lot# as the #use# to which they are #accessory#. ~~The provisions of Section 13-141 (Location of accessory off street parking spaces), inclusive, shall apply.~~
- (b) All off-street parking spaces shall be located within facilities that, except for entrances and exits, are:
 - (1) entirely below the level of any #street# or publicly accessible open area upon which such facility, or portion thereof, fronts; or

- (2) located, at every level above-grade, behind #commercial#, #community facility# or #residential floor area#, so that no portion of such parking facility is visible from adjoining #streets# or publicly accessible open areas.

* * *

**Chapter 5
Special Transit Land Use District**

* * *

**95-00
GENERAL PURPOSES**

* * *

**95-09
Special Regulations for Accessory Off-Street Parking and Curb Cuts**

Within the portion of the #Special Transit Land Use District# located within the #Manhattan Core#, the provisions of Article I, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core), inclusive, shall apply. For all other portions of the #Special Transit Land Use District#, the provisions of this Section shall apply.

On any #zoning lot# on which a transit easement volume is provided, the required #accessory# off-street parking requirements for #residential uses# of the applicable underlying districts shall be reduced to a maximum of 20 percent.

In no case within the Special District shall curb cuts for vehicular access be located on a #street# containing transit lines or on a #street# within 50 feet of its intersection with the #street lines# of such a #street#.

The #accessory# parking requirements shall not apply to any #development# or #enlargement# for which the Commissioner of Buildings has certified that there is no way to provide the required parking spaces with access to a #street# in conformity with the provisions of this Section.

* * *

**Chapter 6
Special Clinton District**

* * *

**96-10
PRESERVATION AREA**

* * *

**96-111
Off-street parking regulations**

#Accessory# off-street parking spaces, #public parking lots# or #public parking garages# are not permitted within the Preservation Area except by the applicable special permit as set forth in Section 13-45 (Special Permits for Additional Parking Spaces), inclusive Sections 13-561 (Accessory off-street parking spaces) and 13-562 (Public parking garages and public parking lots).

In addition, the Commission shall find that:

- (a) the property has been or will be vacated pursuant to the provisions of Section 96-108; and
- (b) the applicant has followed the relocation procedures set forth in Section 96-23.

* * *

**96-21
Special Regulations for 42nd Street Perimeter Area**

The provisions of this Section shall apply in all #Commercial Districts# within the area bounded by the following:

* * *

- (f) Special curb cut and parking provisions requirements

No curb cuts shall be permitted on 42nd Street. The parking provisions requirements of the #Special Hudson Yards District# shall apply within the 42nd Street Perimeter Area, as set forth in Section 93-80 (OFF-STREET PARKING REGULATIONS), except that such parking provisions requirements shall not

apply to any #development# or #enlargement# for which a special permit was granted prior to January 19, 2005.

Any #development# or #enlargement# for which a building permit has been lawfully issued prior to December 31, 2004 shall comply with either the parking regulations in effect at the time the permit was issued, or the provisions requirements of this paragraph, (f).

* * *

**Chapter 9
Special Madison Avenue Preservation District**

* * *

**99-00
GENERAL PURPOSES**

* * *

**99-06
Off-Street Parking Regulations**

Within the portion of the #Special Madison Avenue District# located within the #Manhattan Core#, the provisions of Article I, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core), inclusive, shall apply. For all other portions of the #Special Madison Avenue District#, the provisions of this Section shall apply.

Where #accessory# off-street parking is provided, in no case shall curb cuts for vehicular access be located on Madison Avenue or on a #street# within 50 feet of its intersection with the #street line# of Madison Avenue. No off-site #accessory# off-street parking facilities for any #use# shall be permitted within the Special District.

~~The maximum number of permitted, and the minimum number of required, #accessory# off-street parking spaces for #developments# or #enlargements# in the area of the Special District located within Community District 8 are set forth in Article I, Chapter 3.~~

* * *

Article X - Special Purpose Districts

* * *

Chapter 9 – Special Little Italy District

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109-10

PRESERVATION AREA (Area A)

* * *

109-16

Parking Regulations

No ~~#accessory#~~ off-street parking is permitted ~~or required~~ for any ~~#development#~~ or ~~#enlargement#~~ in Area A, except as set forth herein.

The City Planning Commission, ~~by special permit~~, may allow ~~#accessory#~~ off-street parking facilities for any ~~#development#~~ or ~~#enlargement#~~ on a ~~#zoning lot#~~ pursuant to the applicable authorization or special permit in Article I, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core), ~~provided that the following findings are made:~~

- ~~(a) that such off-street parking spaces be used solely as #accessory# parking facilities for #residential use# and that the number of such spaces shall not exceed 20 percent of the total number of new #dwelling units#;~~
- ~~(b) that within the vicinity of the site there is insufficient parking space available; and~~
- ~~(c) that such parking facilities will not create or contribute to serious traffic congestion and will not unduly inhibit vehicular traffic or pedestrian flow.~~

The Commission may ~~prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for shielding, color and intensity of lighting, screening and signage, or for location of entrances and exits.~~

* * *

109-30

HOUSTON STREET CORRIDOR (Area B)

* * *

109-35

~~Parking and Curb Cuts~~

~~109-351~~

~~Parking regulations~~

~~The parking regulations of the underlying district shall apply except that the City Planning Commission may permit additional #accessory# off street parking facilities, or a reduction in the required amount of such facilities, provided the following findings are made:~~

- ~~(a) that in the case of a reduction of such required facilities, there is sufficient parking available or, in the case of additional parking facilities, there is insufficient parking available within the vicinity of the site;~~
- ~~(b) that such parking facilities will not create or contribute to serious traffic congestion and will not unduly inhibit vehicular traffic or pedestrian flow.~~

~~The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for shielding, color and intensity of lighting, screening and signage or for location of entrances and exits.~~

109-351

~~109-352~~

~~Curb cut regulations~~

~~There shall be not more than one curb cut on each #street line# frontage of a #zoning lot#.~~

* * *

Article XI - Special Purpose Districts

* * *

Chapter 7

Special Long Island City Mixed Use District

* * *

117-02

General Provisions

In harmony with the general purposes and content of this Resolution and the general purposes of the #Special Long Island City Mixed Use District#, the regulations of this Chapter shall apply within the #Special Long Island City Mixed Use District#. The regulations of all other Chapters of this Resolution are applicable, except as modified, supplemented or superseded by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

* * *

- (c) Regulations relating to #accessory# parking facilities, #public parking lots# and #public parking garages# within the Hunters Point Subdistrict, the Court Square Subdistrict and the Queens Plaza Subdistrict are set forth in Article I, Chapter 6 (Comprehensive Off-Street Parking Regulations in the Long Island City Area) ~~Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and in Portions of Community Districts 1 and 2 in the Borough of Queens)~~, and such provisions are further modified by Section 117-54 (Off-street Parking and Loading Regulations).

* * *

117-54

Off-street Parking and Loading Regulations

- (a) The off-street parking provisions of Article I, Chapter 6 ~~Chapter 3~~, shall apply, except that:
- (1) the prohibition of curb cuts accessing entrances and exits to #accessory# off-street parking facilities on certain # streets#, as set forth in paragraphs (b) and (c) of Section 16-23 (Curb Cut Restrictions), provisions of paragraph (b) of Section 13-142 (Additional regulations for permitted accessory off-street parking spaces) shall also apply to Northern Boulevard, Crescent Street and 23rd Street; and

(2) the provisions of paragraph (c) of Section 16-12 (Permitted Parking for Non-Residential Uses) ~~Section 13-133 (Community facility, commercial or manufacturing developments)~~ shall be modified as follows: the maximum number of #accessory# off-street parking spaces permitted for a #development# or #enlargement# shall not exceed one space per 2,000 square feet of #floor area# or 250 spaces, whichever is less.

(b) Curb cuts shall not be permitted within 40 feet of a #zoning lot line# that abuts the Sunnyside Yard.

* * *

Article XII - Special Purpose Districts

* * *

Chapter 1 Special Garment Center District

* * *

121-10 PRESERVATION AREA

* * *

121-11 Special Use Regulations

* * *

121-111 Use Group A

Changes of #use# to Use Group A #uses# are exempt from the #floor area# preservation requirements of Section 121-113. In Preservation Area P-1, in the case of a change of #use# of #floor area# to a Use Group 6B #use#, Use Group A #uses# may not be used to satisfy the preservation requirement. In Preservation Area P-2, in the case of a change of #use# of #floor area# to any #use# permitted by the underlying #use# regulations, Use Group A #uses# may not be used to satisfy the preservation requirement.

In Use Group 6A:

All #uses#

In Use Group 6C:

All #uses# except loan offices, telegraph offices and travel bureaus

In Use Group 6D:

All #uses#

In Use Group 9A:

Blueprinting or photostatting establishments

Musical instrument repair shops

Printing establishments, limited to 2,500 square feet of #floor area# per establishment for production

Typewriter or other small business machine sales, rentals or repairs

In Use Group 12B:

All #uses#

Additional #uses#:

#Accessory uses#

Automobile rental establishments

#Public parking lots# and #public parking garages#, pursuant to the provisions of Article I, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core ~~Comprehensive Off Street Parking Regulations in Community Districts 1, 2,3, 4, 5, 6, 7 and 8 in the Borough of Manhattan~~)

Wholesale establishments, with a minimum of 15 percent of #accessory# storage

Wholesale showrooms

* * *

121-40

PARKING PROVISIONS FOR REQUIREMENTS IN PRESERVATION AREA P-2

Within Preservation Area P-2, as shown in Appendix A of this Chapter, the underlying parking requirements shall not apply. In lieu thereof, the parking provisions regulations of the Special Hudson Yards District, as set forth in Section 93-80 (OFF-STREET PARKING) shall apply.

* * *

Chapter 3

Special Mixed Use District

* * *

123-70

PARKING AND LOADING

For #Special Mixed Use Districts# located within the #Manhattan Core#, the provisions of Article I, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core), inclusive, shall apply, and for #Special Mixed Use Districts# located within the #Long Island City area#, as defined in Section 16-02 (Definitions), the provisions of Article I, Chapter 6 (Comprehensive Off-Street Parking Regulations in the Long Island City Area), inclusive, shall apply. For all other #Special Mixed Use Districts#, the provisions of this Section, inclusive, shall apply.

* * *

Chapter 5

Special Southern Hunters Point District

* * *

125-50

PARKING REGULATIONS

The regulations governing permitted and required #accessory# off-street parking spaces of Article I, Chapter 6 (Comprehensive Off-Street Parking Regulations in Long Island City), Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3,

~~4, 5, 6, 7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens)~~ and Article II, Chapter 5; Article III, Chapter 6; and Article IV, Chapter 4 (Accessory Off-Street Parking and Loading Regulations), shall apply, except as set forth in this Section.

* * *

125-53

Maximum Size of Permitted Accessory Group Parking Facilities

In the East River Subdistrict, Section 16-13 (Permitted Parking for Zoning Lots with Multiple Uses) ~~13-134 (Multiple use development)~~ shall apply, except that the maximum number of spaces shall be 780. Section 16-21 (Off-Site Parking) ~~13-141 (Location of accessory off-street parking spaces)~~ shall not apply.

In the Newtown Creek Subdistrict, Section 16-13 ~~13-134~~ shall apply except that the maximum number of spaces shall not exceed 40 percent of the number of #dwelling units# within the #development# or #enlargement#.

* * *