

**Zoning for Quality and Affordability**

**Summary of proposed changes to Article III, Chapter 6 – Accessory Off-Street Parking and Loading Regulations in Commercial Districts**

- Revises Section 36-35 to reflect modifications to parking regulations for “income-restricted housing units” and “affordable independent residences for seniors” in Section 25-25.
- Removes the provision that stipulates “affordable independent residences for seniors” are not eligible for a waiver of parking requirements for a small number of spaces.
- Reverses the order of many tables with parking requirements to make them easier to read.
- Removes references to rooming units, which is an obsolete term.
- Consolidates provisions for “non-profit hospital staff dwellings.”
- References to re-numbered or re-titled sections are updated. Terms removed or revised in the proposal are updated. Other edits for general clarity are also included.

If you would have comments or questions on this draft, please send them to [ahousing@planning.nyc.gov](mailto:ahousing@planning.nyc.gov).

Matter in underline is new, to be added;  
Matter in ~~strikeout~~ is to be deleted;  
Matter within ## is defined in Section 12-10;  
\*\*\* indicates where unchanged text appears in the Zoning Resolution

### Article III - Commercial District Regulations

#### Chapter 6

#### Accessory Off-Street Parking and Loading Regulations

\* \* \*

#### 36-00 GENERAL PURPOSES AND DEFINITIONS

Off-Street Parking Regulations

\* \* \*

#### 36-02 Applicability of District Regulations

\* \* \*

#### 36-021 Applicability of regulation to non-profit hospital staff dwellings

~~Except as modified in Sections 36-313 (Application of requirements to non-profit hospital staff dwellings in C1 or C2 Districts with bulk governed by surrounding Residence District) or 36-314 (Application of requirements to non-profit hospital staff dwellings in other Commercial Districts), the district regulations applicable to #residences#, as set forth in this Chapter, shall apply to #non-profit hospital staff dwellings#, and the district regulations applicable to #community facility uses#, as set forth in this Chapter, shall not apply to such #use#. Except as modified in Section 36-314, the regulations of this Chapter applicable to #residences# in C4-2 Districts shall apply to #non-profit hospital staff dwellings# in C8 Districts. In all districts, the regulations of this Chapter applicable to #community facility uses# shall not apply to #non-profit hospital staff dwellings#. In lieu thereof, the regulations applicable to #residences# shall apply, as follows:~~

- (a) the regulations of a C4-1 District shall apply to #non-profit hospital staff dwellings# located in C1 or C2 Districts mapped within R1, R2 and R3 Districts, and to C3 Districts;
- (b) the regulations of a C4-2 District shall apply to #non-profit hospital staff dwellings# located in C1 or C2 Districts mapped within R4 and R5 Districts, and to C4-1 and C8-1 Districts; and

Commented [DCP1]: Consolidating applicable requirements for non-profit hospital staff dwellings from Sections 36-313 and 36-314 to make requirements easier to find.

(c) the regulations of a C4-7 District shall apply to #non-profit hospital staff dwellings# located in C1 or C2 Districts mapped within R6 through R10 Districts, and to C1-6, C1-7, C1-8, C1-9, C2-6, C2-7, C2-8, C4-2, C4-3, C4-4, C4-5, C4-6, C4-7, C5, C6, C8-2, C8-3, and C8-4 Districts.

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**36-026**

**Applicability of regulations to Quality Housing**

On any #zoning lot# containing a #Quality Housing building#, all #accessory# off-street parking spaces shall comply with the provisions of Section ~~28-50~~ 28-40 (PARKING FOR QUALITY HOUSING), inclusive.

Commented [DCP2]: Updating cross reference to reflect reorganization in Article II, Chapter 8.

\* \* \*

**36-20**

**REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR COMMERCIAL OR COMMUNITY FACILITY USES**

**36-21**

**General Provisions**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, #accessory# off-street parking spaces, open or enclosed, shall be provided in conformity with the requirements set forth in the table in this Section for all #developments# after December 15, 1961, for the #commercial# or #community facility uses# listed in the table. If an #enlargement# results in a net increase in the #floor area# or other applicable unit of measurement specified in the table, the same requirements set forth in the table shall apply to such net increase in the #floor area# or other specified unit of measurement. In addition, all other applicable requirements of this Chapter shall apply as a condition precedent to the #use# of such #development# or #enlargement#.

\* \* \*

**REQUIRED OFF-STREET PARKING SPACES FOR COMMERCIAL OR COMMUNITY FACILITY USES**

Type of #Use#

Parking Spaces Required in Relation  
to Specified Unit of Measurement - Districts

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\* \* \*

FOR COMMUNITY FACILITY USES

\* \* \*

Philanthropic or non-profit institutions with sleeping accommodations; #long-term care facilities# ~~all types of nursing homes or sanitariums~~

Commented [DCP3]: Updating terms.

None required - C1-4 C1-5 C1-6 C1-7 C1-8 C1-9 C2-4 C2-5 C2-6  
C2-7 C2-8 C4-4 C4-5 C4-6 C4-7 C5 C6

1 per 10 beds - C1-1 C1-2 C2-1 C2-2 C3 C4-1 C4-2

1 per 20 beds - C1-3 C2-3 C4-2A C4-3

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**36-23**

**Waiver of Requirements for Spaces below Minimum Number**

\* \* \*

**36-231**

**In districts with high, medium, or low parking requirements**

C1-1 C1-2 C1-3 C2-1 C2-2 C2-3 C3 C4-1 C4-2 C4-3 C7 C8-1 C8-2

In the districts indicated, except for the #uses# listed in Section 36-233 (Exceptions to application of waiver provisions), and except as otherwise provided in Section 36-27 (Waiver for Certain Small Zoning Lots), the parking requirements set forth in Sections 36-21 (General Provisions) or 36-22 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements) shall not apply to #commercial uses# in parking requirement category A, B, B1, C, D, E, or H, or to permitted #community facility uses#, if the total

number of #accessory# off-street parking spaces required for all such #uses# on the #zoning lot# is less than the number of spaces set forth in the following table:

Commented [DCP4]: Reversing order of table for greater clarity.

Number of Spaces	Districts
10	C1-1 C2-1 C3 C4-1
15	C1-2 C2-2 C4-2 C8-1
25	C1-3 C2-3 C4-2A C4-3 C7 C8-2

Districts	Number of Spaces
<u>C1-1 C2-1 C3 C4-1</u>	<u>10</u>
<u>C1-2 C2-2 C4-2 C8-1</u>	<u>15</u>
<u>C1-3 C2-3 C4-2A C4-3 C7 C8-2</u>	<u>25</u>

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**36-30  
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES WHEN  
PERMITTED IN COMMERCIAL DISTRICTS**

**36-31  
General Provisions**

C1 C2 C3 C4 C5 C6

In all districts, as indicated, #accessory# off-street parking spaces, open or enclosed, shall be provided for all #dwelling units# or #rooming units# created constructed after December 15, 1961, in accordance with the provisions of the following Sections and the other applicable provisions of this Chapter, as a condition precedent to the #use# of such #dwelling unit# or #rooming unit#:

- Section 36-32 (Requirements Where Individual Parking Facilities Are Provided)
- Section 36-33 (Requirements Where Group Parking Facilities Are Provided)
- Section 36-34 (Modification of Requirements for Small Zoning Lots)
- Section 36-35 (~~Modification of Requirements for Income-Restricted Housing Units or Affordable Independent Residences for Seniors Public Housing or Non-profit Residences for Elderly~~)
- Section 36-37 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements)
- Section 36-39 (Special Provisions for Zoning Lots Divided by District Boundaries)

Commented [DCP5]: Updating cross reference.

For #dwelling units# or #rooming units# constructed pursuant to the zoning regulations in effect after July 20, 1950, and prior to December 15, 1961, off-street parking spaces #accessory# to such #dwelling units# or #rooming units# cannot be removed if such spaces were required by such zoning regulations, unless such spaces would not be required pursuant to the applicable zoning regulations currently in effect.

~~For the purposes of these Sections, three #rooming units# shall be considered the equivalent of one #dwelling unit#.~~

Commented [DCP6]: Removing obsolete term.

**36-311  
Application of requirements to conversions in C1 or C2 Districts**

C1 C2

- (a) In the districts indicated, where such districts are mapped within R1, R2, R3, R4, R5, R6 or R7 Districts, except R7-2 Districts, the requirements of Section 36-31 (General Provisions) shall not apply to the additional #dwelling units# or ~~#rooming units#~~ created by #conversions# on #zoning lots# with less than 5,000 square feet of #lot area#.
- (b) In the districts indicated, where such districts are mapped within R7-2, R8, R9 or R10 Districts, the requirements of Section 36-31 shall not apply to the additional #dwelling units# or ~~#rooming units#~~ created by #conversions# on #zoning lots# of any size.

Commented [DCP7]: Removing obsolete term.

**36-312  
Application of requirements to conversions in C3, C4, C5 and C6 Districts**

C3 C4-1 C4-2 C4-3

- (a) In the districts indicated, the requirements of Section 36-31 (General Provisions) shall not apply to the additional #dwelling units# ~~or #rooming units#~~ created by #conversions# on #zoning lots# with less than 5,000 square feet of #lot area#.

C4-4 C4-5 C4-6 C4-7 C5 C6

- (b) In the districts indicated, no #accessory# off-street parking is required for additional #dwelling units# ~~or #rooming units#~~ created by #conversion# within #buildings# existing prior to December 15, 1961.

Commented [DCP8]: Removing obsolete term.

**36-313**

**Application of requirements to non-profit hospital staff dwellings in C1 or C2 Districts with bulk governed by surrounding Residence Districts**

Commented [DCP9]: Relocating requirements to 36-021 for greater clarity and accessibility.

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, the regulations of Sections 36-31 to 36-39, inclusive, relating to Required Accessory Off-Street Parking Spaces for Residences When Permitted in Commercial Districts, shall apply as set forth in this Section to #non-profit hospital staff dwellings#. The district regulations of these Sections applicable to #non-profit hospital staff dwellings# are determined by the #Residence District# within which such #Commercial Districts# are mapped in accordance with the following table, and are the same as the regulations applicable to #residences# in the districts indicated in the right hand column of the table.

**DISTRICT REGULATIONS APPLICABLE TO  
NON-PROFIT HOSPITAL STAFF DWELLINGS**

#Residence District# within which C1 or C2 District is Mapped	District Whose Regulations are Applicable
R1 R2 R3	C4-1
R4 R5	C4-2
R6 R7 R8 R9 R10	C4-7

**36-314**

**Application of requirements to non-profit hospital staff dwellings in other Commercial Districts**

Commented [DCP10]: Relocating requirements to 36-021 for greater clarity and accessibility.

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6 C8

In the districts indicated, the regulations of Section 36-31 to 36-39, inclusive, relating to Required Accessory Off-Street Parking Spaces for Residences When Permitted in Commercial Districts, shall apply as set forth in this Section to #non-profit hospital staff dwellings#. The district regulations of these Sections applicable to #non-profit hospital staff dwellings# are determined in accordance with the following table, and are the same as the regulations applicable to #residences# in the districts indicated in the table.

Districts	Districts Whose Regulations Are Applicable
<del>C3</del>	<del>C4-1</del>
<del>C4-1 C8-1</del>	<del>C4-2</del>
<del>C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C4-2 C4-3 C4-4 C4-5 C4-6 C4-7 C5-C6 C8-2 C8-3 C8-4</del>	<del>C4-7</del>

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**36-34  
Modification of Requirements for Small Zoning Lots**

\* \* \*

**36-341  
Reduced requirements in C1 or C2 Districts governed by surrounding Residence District bulk regulations**

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, for #zoning lots# of 10,000 or 15,000 square feet or less, the number of required #accessory# off-street parking spaces is determined by the #Residence District# within which such #Commercial District# is mapped, in accordance with the following table:

**REDUCED REQUIREMENTS FOR  
SMALL ZONING LOTS**

Parking Spaces Required as a Percent of	District within which C1 or C2 District is Mapped
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Commented [DCP11]: Reversing order of table for greater clarity.



#Lot Area#	Total #Dwelling Units#	
10,000 square feet or less	50	<del>R6 R7-1* R7B</del>
	30	<del>R7-1 R7A R7D R7X</del>
10,001 to 15,000 square feet	30	<del>R7-2</del>
	20	<del>R8** R9 R10</del>

#Lot Area#	District within which C1 or C2 District is Mapped	Parking Spaces Required as a Percent of Total #Dwelling Units#
10,000 square feet or less	R6 R7-1 <sup>1</sup> R7B	50
	R7-1 R7A R7D R7X	30
10,001 to 15,000 square feet	R7-2	30
	R8 <sup>2</sup> R9 R10	20

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<sup>1</sup> In C1 or C2 Districts mapped within R7-1 Districts within #lower density growth management areas# in Community District 10, Borough of the Bronx

<sup>2</sup> In R8B Districts, the parking requirements may not be reduced

**36-342**

**Reduced requirements in other C1 or C2 Districts or in C4, C5 or C6 Districts**

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C4-2 C4-3 C4-4 C4-5 C4-6 C4-7 C5 C6

In the districts indicated, for #zoning lots# of 10,000 or 15,000 square feet or less, the number of required #accessory# off-street parking spaces is as set forth in the following table:

**REDUCED REQUIREMENTS FOR  
SMALL ZONING LOTS**

Commented [DCP12]: Reversing order of table for greater clarity.

<u>#Lot Area#</u>	<u>Parking Spaces Required as a Percent of Total #Dwelling Units#</u>	<u>District</u>
10,000 square feet or less	50	C4-2 C4-3
10,001 to 15,000 square feet	30	C1-6 C2-6 C4-4 C4-5 C6-1
	20	C1-7 C1-8 C1-9 C2-7 C2-8 C4-6 C4-7 C5 C6-2 C6-3 C6-4 C6-5 C6-6 C6-7 C6-8 C6-9

<u>#Lot Area#</u>	<u>District</u>	<u>Parking Spaces Required as a Percent of Total #Dwelling Units#</u>
<u>10,000 square feet or less</u>	<u>C4-2 C4-3</u>	<u>50</u>
<u>10,001 to 15,000 square feet</u>	<u>C1-6 C2-6 C4-4 C4-5 C6-1</u>	<u>30</u>
	<u>C1-7 C1-8 C1-9 C2-7 C2-8 C4-6 C4-7 C5 C6-2 C6-3 C6-4 C6-5 C6-6 C6-7 C6-8 C6-9</u>	<u>20</u>

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36-35

**Modification of Requirements for Income-Restricted Housing Units or Affordable Independent Residences for Seniors Public Housing or Non-profit Residences for the Elderly**

C1 C2 C3 C4 C5 C6

In the districts indicated, the number of required #accessory# off-street parking spaces is as set forth in Section

**Commented [DCP13]:** Revising provisions to reflect modifications to parking regulations for income-restricted housing units and affordable independent residences for seniors in Section 25-25.

25-25 (Modifications of Requirements for Income-Restricted Housing Units or Affordable Independent Residences for Seniors, ~~Public, Publicly Assisted and Government Assisted Housing or for Non-profit Residences for the Elderly~~) for the applicable #Residence District#, as determined in accordance with Section 35-22 or 35-23. ~~For the purpose of determining the number of required #accessory# off-street parking spaces for such #residences# in C4-4, C4-5 and C6-1 Districts, the regulations of an R7B District shall apply, except that for assisted housing projects in #Quality Housing buildings# in such districts, the number of required #accessory# off-street parking spaces for such #residences# shall be in accordance with an R7A District. For C1-6 and C2-6 Districts, the number of required #accessory# off-street parking spaces for such #residences# shall be in accordance with an R7-2 District.~~

**36-36  
Waiver of Requirements for Small Number of Spaces**

C1 C2 C4-2 C4-3 C4-4 C4-5 C4-6 C4-7 C5 C6

In the districts indicated, the requirements set forth in Section 36-31 (General Provisions) shall be subject to the waiver provisions of this Section, ~~except that the waiver provisions shall not apply to #non-profit residences for the elderly#.~~

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**36-362  
In other C1 or C2 Districts or in C4, C5 or C6 Districts**

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C4-2 C4-3 C4-4 C4-5 C4-6 C4-7 C5 C6

In the districts indicated, the requirements set forth in Section 36-31 (General Provisions) shall be waived if the required number of #accessory# off-street parking spaces resulting from the application of such requirements is no greater than the maximum number as set forth in the following table:

Maximum Number of Spaces Waived	Districts
5	C4-2 C4-3
15	C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C4-4 C4-5 C4-6 C4-7 C5 C6

**Commented [DCP14]:** Updating provision to allow waiver of parking spaces for "affordable independent residences for seniors" with a small number of required parking spaces. Given there are no parking proposed parking requirements in the Transit Zone for this use, applicability is limited to areas outside the Transit Zone.

**Commented [DCP15]:** Reversing order of table for greater clarity.

<u>Districts</u>	<u>Maximum Number of Spaces Waived</u>
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<u>C4-2 C4-3</u>	<u>5</u>
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<u>C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C4-4 C4-5 C4-6 C4-7 C5 C6</u>	<u>15</u>
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**36-40  
RESTRICTIONS ON LOCATION AND USE OF ACCESSORY OFF-STREET PARKING SPACES**

\* \* \*

**36-42  
Off-Site Spaces for Residences**

\* \* \*

**36-421  
Maximum distance from zoning lot**

C1 C2 C3 C4 C5 C6

In the districts indicated, all such spaces shall not be further than the distance set forth in the following table from the nearest boundary of the #zoning lot# occupied by the #residences# to which they are #accessory#.

<u>Maximum Distance from the #Zoning Lot#</u>	<u>District</u>
600 feet	<del>C1-1 C1-2 C1-3 C2-1 C2-2 C2-3 C3 C4-1 C4-2 C4-3</del>
1,000 feet	<del>C1-4 C1-5 C1-6 C1-7 C1-8 C1-9 C2-4 C2-5 C2-6 C2-7 C2-8 C4-4 C4-5 C4-6 C4-7 C5 C6</del>

Commented [DCP16]: Reversing order of table for greater clarity.

<u>District</u>	<u>Maximum Distance from the #Zoning Lot#</u>
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<u>C1-1 C1-2 C1-3 C2-1 C2-2 C2-3 C3 C4-1 C4-2 C4-3</u>	<u>600 feet</u>
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<u>C1-4 C1-5 C1-6 C1-7 C1-8 C1-9 C2-4 C2-5 C2-6 C2-7 C2-8 C4-4 C4-5 C4-6 C4-7 C5 C6</u>	<u>1,000 feet</u>
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**OFF-STREET LOADING REGULATIONS**

\* \* \*

**36-70  
BICYCLE PARKING**

\* \* \*

**36-71  
Required Bicycle Parking Spaces**

**36-711  
Enclosed bicycle parking spaces**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, enclosed #accessory# bicycle parking spaces shall be provided for at least that amount specified for the applicable #use# set forth in the table in this Section.

For the purposes of calculating the number of required bicycle parking spaces, any fraction of a space 50 percent or greater shall be counted as an additional space. For #residences#, the #accessory# bicycle parking requirement shall be calculated separately for separate #buildings# or #building segments#.

Where any #building# or #zoning lot# contains two or more #uses# having different bicycle parking requirements as set forth in the table, the bicycle parking requirements for each type of #use# shall apply to the extent of that #use#.

Where an enclosed #accessory group parking facility# is provided, the required number of bicycle parking spaces for the #use# to which such facility is #accessory# shall be the amount set forth for such #use# in the table, or one for every 10 automobile parking spaces that are enclosed within a #building or other structure# or located on the roof of a #building#, whichever will require a greater number of bicycle parking spaces.

REQUIRED BICYCLE PARKING SPACES  
FOR RESIDENTIAL, COMMUNITY FACILITY  
OR COMMERCIAL USES

Type of #Use#	Bicycle Parking Spaces Required in Relation to Specified Unit of Measurement
<b>FOR RESIDENTIAL USES</b>	
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Use Group 1	None required
Use Group 2	1 per 2 #dwelling units#
<u>#Affordable Independent Residences for Seniors#</u>	1 per 10,000 square feet of #floor area#
<del>#Non-profit residences for the elderly# or #dwelling units# for the elderly as specified in Section 36-35(d)</del>	

Commented [DCP17]: Updating term.

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**36-75  
Floor Area Exemption**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, space provided for enclosed #accessory# bicycle parking spaces pursuant to the standards of this Section shall be excluded from the calculation of #floor area#, provided that:

- (a) the space excluded from #floor area# does not exceed an amount equal to 15 square feet multiplied by the number of required spaces or, if spaces are waived pursuant to paragraphs (a), (b), (c) or (d) of Section 36-711 (Enclosed bicycle parking spaces), the number that would have been required but for the waiver

or, if spaces are not required because the #building# was constructed prior to April 22, 2009, the number that would be required if such #building# were newly-constructed; and

- (b) the #accessory# bicycle parking spaces provided meet the standards for required bicycle parking of Section 36-73 (Restrictions on Operation, Size and Location of Bicycle Parking Spaces).

Notwithstanding the provisions of paragraph (a) of this Section, for the #uses# listed in the table, the amount of space that may be excluded from the calculation of #floor area# shall not exceed an amount equal to 15 square feet multiplied by the number of spaces set forth in the table.

MAXIMUM BICYCLE PARKING SPACES  
EXCLUDED FROM FLOOR AREA

Type of #Use#	Maximum Bicycle Parking Spaces Excluded from #Floor Area# in Relation to Specified Unit of Measurement
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FOR RESIDENTIAL USES

~~#Affordable Independent Residences for Seniors#~~ 1 per 2,000 square feet of #floor area#  
~~#Non-profit residences for the elderly# or~~  
~~#dwelling units# for the elderly as specified in~~  
Section 36-35 (d) -----

Commented [DCP18]: Updating term.

\* \* \*

END