

City Planning will assign and stamp reference numbers here

Land Use Review Application

Department of City Planning

22 Reade Street, New York, NY 10007-1216

N130105ZRM

RECEIVED
NOV 14 2012
BY COMMUNITY BOARD 8

1. APPLICANT AND APPLICANT'S REPRESENTATIVES

APPLICATION NUMBER

APPLICATION NUMBER

APPLICATION NUMBER

New York City Department of City Planning

Adam Wolff

APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION) *

APPLICANT'S PRIMARY REPRESENTATIVE

22 Reade Street

Deputy Director, Manhattan Office, NYCDCP

STREET ADDRESS

REPRESENTATIVE'S COMPANY/AGENCY OR OTHER ORGANIZATION

New York NY 10007

22 Reade Street

CITY STATE ZIP

STREET ADDRESS

212-720-3583 212.720.3488

New York NY 10007

AREA CODE TELEPHONE # FAX#

CITY STATE ZIP

212-720-3583 212-720-3488

AREA CODE TELEPHONE # FAX#

* List additional applicants below:

CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION)

CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION)
ADDITIONAL APPLICANT REPRESENTATIVE:

NAME AND PROFESSIONAL AFFILIATION (ATTORNEY/ARCHITECT/ENGINEER ETC.)

TELEPHONE # FAX #

N/A

Manhattan Core Parking Text Amendment

STREET ADDRESS

PROJECT NAME (IF ANY)

DESCRIPTION OF PROPERTY BY BOUNDING STREETS OR CROSS STREETS

EXISTING ZONING DISTRICT (INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY)

ZONING SECTIONAL MAP NO(S).

TAX BLOCK AND LOT NUMBER

BOROUGH

COMM. DIST.

URBAN RENEWAL AREA, HISTORIC DISTRICT OR OTHER DESIGNATED AREA (IF ANY)

IS SITE A NEW YORK CITY OR OTHER LANDMARK? NO YES IF YES, IDENTIFY

N/A

3. DESCRIPTION OF PROPOSAL

(If the entire project description does not fit in this space, enter "see attached description" below and submit description on a separate sheet, identified as "LR item 3. Description of Proposal")

4. ACTIONS REQUESTED AND FEES

(Check appropriate action(s) and attach supplemental form)

* No supplemental form required

- ☐ CHANGE IN CITY MAP.....MM
- ☐ ZONING MAP AMENDMENT.....ZM
- ☒ ZONING TEXT AMENDMENT..... ZR
- ☐ ZONING SPECIAL PERMIT.....ZS
- ☐ ZONING AUTHORIZATION.....ZA
- ☐ ZONING CERTIFICATION.....ZC
- ☐ PUBLIC FACILITY, SEL./ACQ.....PF
- ☐ DISPOSITION OF REAL PROP.....PD
- ☐ URBAN DEVELOP+T ACTION.....HA
- ☐ URBAN RENEWAL PROJECT.....*
- ☐ HOUSING PLAN & PROJECT.....*
- ☐ FRANCHISE.....*
- ☐ REVOCABLE CONSENT.....*
- ☐ CONCESSION.....*
- ☐ LANDFILL.....*
- ☐ OTHER (Describe)

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- ☐ MODIFICATION
- ☐ FOLLOW-UP
- ☐ RENEWAL
- ☐ OTHER
- APPLICATION NO.

APPLICATION NO.

SPECIFY
- TOTAL FEE (For all actions)

\$

Make Check or Money Order payable to Department of City Planning.

If fee exemption is claimed check box below and explain

☒ City Agency

Has pre-application meeting been held? NO YES

If yes

DCP Office/Representative

Date of meeting

5. ENVIRONMENTAL REVIEW

CITY ENVIRONMENTAL QUALITY REVIEW (CEQR) (Discuss with CEQR lead agency before completing)

LEAD AGENCYNew York City Department of City PlanningCEQR NUMBER13DCP041M

TYPE OF CEQR ACTION:

☐ TYPE II

Type II category:

Date determination was made:

☒ TYPE I

Has EAS been filed?

Yes☐

No☒

☐ UNLISTED

If yes, Date EAS filed:

Has CEQR determination been made?

Yes☐

No☒

If yes, what was determination?

Negative Declaration☐

CND☐

Positive Declaration☐

Date determination made:

(Attach Copy)

If Positive Declaration, has PDEIS been filed?

Has Notice of Completion (NOC) for DEIS been issued?

If yes, attach copy.

If PDEIS has not been filed, has final scope been issued?

If yes, date issued:

6. COASTAL ZONE MANAGEMENT

IS SITE IN STATE DESIGNATED COASTAL ZONE MANAGEMENT (CZM)? AREA? No Yes

7. RELATED ACTIONS BY CITY PLANNING

LIST ALL CURRENT OR PRIOR CITY PLANNING COMMISSION ACTIONS RELATED TO SITE:

APPLICATION NO.	DESCRIPTION/ DISPOSITION/STATUS	CAL. NO.	DATE
N/A			

8. RELATED ACTIONS BY OTHER AGENCIES

LIST ALL OTHER CURRENT OR PRIOR CITY, STATE OR FEDERAL ACTIONS RELATED TO APPLICATION:

REFERENCE NO.	DESCRIPTION/ DISPOSITION/STATUS	CAL. NO.	DATE
N/A			

9. FUTURE ACTIONS REQUIRED

LIST ALL FUTURE CITY, STATE OR FEDERAL ACTIONS REQUIRED TO IMPLEMENT THE PROPOSED ACTION:

10. APPLICANT (Attach authorizing resolution(s), if applicable)

Adam Wolff, Deputy Director, Manhattan Office

NAME AND TITLE OF APPLICANT OR AUTHORIZED REPRESENTATIVE

10/24/12

SIGNATURE OF APPLICANTDATE

New York City Department of City Planning

APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION (IF ANY)

11. CO-APPLICANTS

(Attach authorizing resolution(s), if applicable)

NAME AND TITLE OF CO-APPLICANT OR AUTHORIZED REPRESENTATIVE	SIGNATURE OF CO-APPLICANT	DATE			
CO-APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION					
STREET ADDRESS	CITY	STATE	ZIP	TEL.NO.	FAX
NAME AND TITLE OF CO-APPLICANT OR AUTHORIZED REPRESENTATIVE			SIGNATURE OF CO-APPLICANT		DATE
CO-APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION					
STREET ADDRESS	CITY	STATE	ZIP	TEL.NO.	FAX

ADMINISTRATIVE CODE

ANY PERSON WHO SHALL KNOWINGLY MAKE A FALSE REPRESENTATION ON OR WHO SHALL KNOWINGLY FALSIFY OR CAUSE TO BE FALSIFIED ANY FORM, MAP, REPORT OR OTHER DOCUMENT SUBMITTED IN CONNECTION WITH THIS APPLICATION SHALL BE GUILTY OF AN OFFENSE PUNISHABLE BY FINE OR IMPRISONMENT OR BOTH, PURSUANT TO SECTION 10-154 OF THE CITY OF NEW YORK ADMINISTRATIVE CODE.

NOTICE

THIS APPLICATION WILL BE DEEMED PRELIMINARY UNTIL IT IS CERTIFIED AS COMPLETE BY THE DEPARTMENT OF CITY PLANNING OR THE CITY PLANNING COMMISSION. ADDITIONAL INFORMATION MAY BE REQUESTED OF THE APPLICANT BY THE DEPARTMENT OF CITY PLANNING.

N130105ZRM

City Map Change MM

Proposed City Map Change
(Check appropriate boxes)

APPLICATION NO

1. ESTABLISH NEW.....☐ STREET☐ PARK☐ PUBLIC PLACE☐ GRADE

2. ELIMINATE EXISTING.....☐ STREET☐ PARK☐ PUBLIC PLACE☐ GRADE

3. CHANGE EXISTING STREET.....☐ WIDTH☐ ALIGNMENT☐ GRADE

4. EASEMENT
Delineate New.....☐ Remove Existing.....☐ Modify Existing.....☐

5. RELATED ACQUISITION OR DISPOSITION OF PROPERTY☐

Zoning Map Change ZM

Proposed Zoning Map Change(s)

APPLICATION NO

(If more than five changes are being requested, enter "see attached" below and list ALL PROPOSED ZONING CHANGES in the same format as below on a separate sheet titled "Proposed Zoning Map Changes")

CHANGE #1FROM:EXISTINGTO:PROPOSED

CHANGE #2FROM:EXISTINGTO:PROPOSED

CHANGE #3FROM:EXISTINGTO:PROPOSED

CHANGE #4FROM:EXISTINGTO:PROPOSED

CHANGE #5FROM:EXISTINGTO:PROPOSED

Zoning Text Amendment ZR

N130105ZRM

Affected Zoning Resolution (ZR) Sections

APPLICATION NO.

If more than five sections are proposed to be amended, enter "see attached" below, and list ALL PROPOSED TEXT AMENDMENTS in the same format as below on a separate sheet titled "Proposed Zoning Text Amendments.")

ZR SECTION NUMBER

ZONING RESOLUTION SECTION TITLE

see attached

PROPOSED ZONING TEXT AMENDMENTS (EXISTING SECTIONS)

Affected Zoning Resolution (ZR) Sections	ZR SECTION NUMBER	ZONING RESOLUTION SECTION TITLE
	<u>Article I, Chapter 3</u>	<u>Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core (Entire Chapter revised)</u>
	<u>23-635</u>	<u>Special bulk regulations for certain sites in Community District 4, Borough of Manhattan</u>
	<u>25-023</u>	<u>Applicability of regulations in the Manhattan Core and Long Island City</u>
	<u>32-17</u>	<u>Use Group 8</u>
	<u>32-21</u>	<u>Use Group 12</u>
	<u>32-32</u>	<u>By the City Planning Commission</u>
	<u>36-024</u>	<u>Applicability of regulations in the Manhattan Core and Long Island City</u>
	<u>42-12</u>	<u>Use Groups 3A, 6A, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16</u>
	<u>42-32</u>	<u>By the City Planning Commission</u>
	<u>44-022</u>	<u>Applicability of regulations in the Manhattan Core and Long Island City</u>
	<u>52-31</u>	<u>General Provisions</u>
	<u>52-41</u>	<u>General Provisions</u>
	<u>73-45</u>	<u>Modification of Off-Site Parking Provisions</u>
	<u>73-47</u>	<u>Rental of Accessory Off-Street Parking Spaces to Non-Residents</u>
	<u>73-48</u>	<u>Exceptions to Maximum Size of Accessory Group Parking Facilities</u>
	<u>74-52</u>	<u>Parking Garages or Public Parking Lots in High Density Central Areas</u>
	<u>74-53</u>	<u>Accessory Group Parking Facilities for Uses in Large-Scale Residential Developments or Large-Scale Community Facility Developments or Large-Scale General Developments</u>
	<u>81-31</u>	<u>General Provisions</u>
	<u>81-311</u>	<u>Applicability of more restrictive provisions</u>
	<u>81-312</u>	<u>Prohibitions of off-street parking or off-street loading facilities</u>
	<u>81-44</u>	<u>Curb Cut Restrictions</u>
	<u>81-731</u>	<u>Special regulations for signs, transparency, banners and canopies</u>
	<u>82-50</u>	<u>OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS</u>
	<u>82-60</u>	<u>PUBLIC PARKING GARAGES</u>
	<u>82-70</u>	<u>EXISTING PUBLICLY ACCEESIBLE OPEN AREAS OR OTHER PUBLIC AMENITIES</u>
	<u>84-031</u>	<u>Special permit uses</u>
	<u>84-141</u>	<u>Accessory off-street parking spaces</u>
	<u>84-142</u>	<u>Accessory off-street parking spaces for buildings containing hotel uses</u>
	<u>84-143</u>	<u>Off-street loading</u>
	<u>91-50</u>	<u>OFF-STREET PARKING, LOADING AND CURB CUT REGULATIONS</u>
	<u>91-511</u>	<u>Authorization for off-site parking facilities for converted buildings</u>

<u>91-52</u>	<u>Curb Cut Regulations</u>
<u>92-05</u>	<u>Maximum Number of Accessory Off-Street Parking Spaces</u>
<u>93-052</u>	<u>Applicability of Article I, Chapter 3</u>
<u>93-80</u>	<u>OFF-STREET PARKING REGULATIONS</u>
<u>93-821</u>	<u>Permitted parking when the reservoir surplus is greater than or equal to zero</u>
<u>93-822</u>	<u>Permitted parking when a reservoir deficit exists</u>
<u>93-823</u>	<u>Parking permitted by special permit</u>
<u>93-83</u>	<u>Use and Location of Parking Facilities</u>
<u>95-09</u>	<u>Special Regulations for Accessory Off-Street Parking and Curb Cuts</u>
<u>96-111</u>	<u>Off-street parking regulations</u>
<u>96-21</u>	<u>Special Regulations for the 42nd Street Perimeter Area</u>
<u>99-06</u>	<u>Off-Street Parking Regulations</u>
<u>109-16</u>	<u>Parking Regulations</u>
<u>109-35</u>	<u>Curb Cuts</u>
<u>109-351</u>	<u>Parking regulations</u>
<u>109-352</u>	<u>Curb cut regulations</u>
<u>117-02</u>	<u>General Provisions</u>
<u>117-54</u>	<u>Off-street Parking and Loading Regulations</u>
<u>121-111</u>	<u>Use Group A</u>
<u>121-40</u>	<u>PARKING PROVISIONS FOR PRESERVATION AREA P-2</u>
<u>123-70</u>	<u>PARKING AND LOADING</u>
<u>125-50</u>	<u>PARKING REGULATIONS</u>
<u>125-53</u>	<u>Maximum Size of Permitted Accessory Group Parking Facilities</u>

PROPOSED ZONING TEXT AMENDMENTS (NEW SECTIONS)

**Affected Zoning
Resolution (ZR)
Sections**

ZR SECTION NUMBER	ZONING RESOLUTION SECTION TITLE
<u>Article I, Chapter 6</u>	<u>Comprehensive Off-Street Parking Regulations in Long Island City (Entire Chapter is new)</u>

LR ITEM 3 DESCRIPTION OF PROPOSAL

INTRODUCTION

The Department of City Planning proposes a zoning text amendment to modify the off-street parking regulations in the Manhattan Core. The area to which the proposed regulations would apply includes the entirety of Manhattan Community Districts 1-8, excepting Governor's Island in Community District 1, and Roosevelt Island in Community District 8. In the area subject to the special Hudson Yards parking regulations (portions of the Special Hudson Yards District, the Special Garment Center District and the Special Clinton District, in Community Districts 4 and 5) certain provisions of the proposal would apply.

The proposed text amendment would promote a more rational and efficient allocation of off-street parking in the Manhattan Core through a series of amendments to the as-of-right and discretionary parking regulations in the Zoning Resolution. A detailed study on off-street parking in the Manhattan Core was completed in 2011 which helped the Department's understanding of recent trends in off-street parking utilization and supply, and informed the development of this zoning proposal.

The key findings derived from this study include:

1. **The Manhattan Core parking regulations have proved to be compatible with population and job growth and a thriving Central Business District.** In almost three decades since the Manhattan Core regulations were enacted, the Manhattan Core has added population and jobs and has strengthened its position as the vital heart of a world city. Travel into the CBD has shifted toward transit and away from private vehicles. While off-street parking is less critical than it was in this respect, it still plays an important role in supporting economic activity and provides a necessary amenity for residential neighborhoods in the Core.
2. **The supply of off-street parking in the Manhattan CBD has declined** by about one-fifth since the Manhattan Core parking regulations were enacted. With the redevelopment of surface lots and garages, as well as the effects of the regulations in limiting the provision of parking, the number of off-street public (DCA-licensed) parking spaces below 60th Street has decreased from around 127,000 in 1978 to approximately 102,000 in 2010.
3. **Levels of car ownership and auto commuting in the Manhattan Core are relatively low.** Approximately 23 percent of Manhattan Core households own a car (compared with 46 percent Citywide), and only about one-fifth of those households commute to work by car. However, since 1982, car ownership has increased at a faster rate in the Manhattan Core than in Manhattan outside the Core.
4. **Public parking facilities serve a large number of Manhattan residents and fill neighborhood needs for residential parking.** In contrast with 1982, when most public parking was utilized by commuters and other business parkers, a large portion of spaces in public parking facilities were found to be utilized by Manhattan residents on a monthly basis. This follows changes in supply and demand, with 25,000 fewer off-street public parking spaces in Manhattan Community Districts 1 through 6 (the only geography for which a comparison with 1980 off-street parking counts is available) and 11,000 additional households with cars within this same area, according to 1980 Census and 2006-2010 ACS data. In public parking facilities located in residential and mixed-use buildings, approximately 60 percent of spaces were occupied by residential monthly parkers, most of who do not live in the building but come from the surrounding neighborhood. In more residential neighborhoods such as the Upper East Side, over 70 percent of spaces in public parking facilities in residential and mixed-use buildings were used by neighborhood residents. To a much greater extent than in 1982, the supply of public parking is serving neighborhood needs for long-term residential parking.
5. **Most new as of right parking facilities in the Manhattan Core operate as public facilities,** despite zoning regulations that require parking permitted on an as of right basis to be reserved for accessory use only. These facilities are available to neighborhood residents who do not live in the building and function as a neighborhood parking resource. While the 1982 regulations assumed that distinguishing between accessory and public parking was necessary to avoid use by commuters and ensure that there is parking sufficient to meet residential demand, use of these facilities by commuters is much less prevalent and neighborhood residents enjoy a variety of parking options.
6. **Limited amounts of new parking are still needed.** Many travelers into the Manhattan Core who park in public parking facilities make all or most of their trips into the Core by car. New investments in transit infrastructure and land use policies that encourage transit-oriented development are

expected to further the positive trend of the last 30 years, where people traveling into the Manhattan CBD have come by transit in ever greater numbers. For the foreseeable future, however, parking will still be needed to accommodate some share of trips into the Manhattan Core, even if that share continues to fall. As the survey results showed, people choose to drive for a variety of reasons ranging from the needs of their job, because they are transporting goods or other people, or the inadequacy of transit where they live. A population of car-owning households in the Manhattan Core will remain, in part because residents of new housing in the Core tend to own cars at higher rates than the residents of existing housing. Some new parking will be necessary to support economic activity and accommodate residential demand.

The proposal recognizes current trends in parking development since 1982 and seeks to update the regulations to reflect current patterns in the following ways:

1. Permit all new as-of-right accessory parking to operate as public. DCA-licensed accessory garages existing as of January 1, 2012 may file their DCA license with the Department of Buildings to indicate that public use is permitted.
2. Replace existing applicable Special Permits that lack sufficient findings to permit the City Planning Commission to evaluate relevant land use issues, with four new Special Permit processes in which applicants may demonstrate the need for parking above the permitted as-of-right ratios based on the following factors, as applicable :
 - a. Special Permit for additional parking spaces for residential growth based on the supply of parking relative to the growth in neighborhood residents
 - b. Special permit for additional parking for health care, arts or public assembly uses based on a parking deficit as a consequence of close proximity to, or existence as, the applicable use and a demonstration that the parking is essential to the operation of the uses
 - c. Special Permit for additional parking for spaces for economic development uses based on a parking deficit as a consequence of close proximity to, or existence as, the applicable use and a demonstration that the parking is essential to the operation of the uses
 - d. Special Permit for additional parking for large-scale developments based on a parking deficit associated with the development, insufficient capacity to accommodate potential parking users, or the inability to provide parking pursuant to as-of-right ratios based on existing parking caps.
3. The existing floor area exemption for accessory parking spaces not more than 23 feet above curb level in new developments would be retained only for buildings wrapped to a certain depth with non-parking uses.
4. Cap as-of-right retail parking allowance to 10 spaces.
5. Allow, by CPC authorization, the elimination of parking spaces required prior to the date of enactment. This would include required accessory parking for residences under zoning regulations in effect between 1950 and 1982, as well as accessory parking for publicly-assisted housing required under post-1982 regulations.
6. Exempt vehicular access ramps, pedestrian access ways and mechanical space from the calculation that limits the size of a parking facility to 200 square feet per parking space.
7. Define guidelines for automated parking facilities. In automated parking facilities, a floor area exemption would be permitted up to 40' provided the façade is consistent with the primary uses in the building.
8. Establish design guidelines for off-street parking facilities to ensure pedestrian and vehicular safety.
9. Rationalize reservoir space requirements in public parking facilities and further apply them to accessory parking facilities and to rental car parking, which currently have no such requirements.

10. Increase the number or spaces allowed for storage of rental cars in dedicated facilities and public parking garages.
11. Revise loading dock requirements to increase loading dock depths from 33' x 12' to 37' x 12', amend the floor area exemption for loading areas accordingly, and expand the conditions under which a loading dock requirement can be waived. Exempt up to 300 square feet of floor area adjacent to the loading berth, allocated for permanent space for dumpster storage with a minimum dimension of 12' x 25'.
12. Increase commercial vehicle parking allowances in public parking facilities.
13. Revise regulations for Special Districts in the Manhattan Core in conjunction with overall Manhattan Core off-street parking regulation revisions.

PURPOSE AND NEED OF THE PROPOSED PROJECT

In 1982, in the context of the Clean Air Act and national and local concerns about deteriorating air quality, the City of New York adopted pioneering rules to manage the supply of off-street parking in Manhattan's Central Business District. The 1982 Manhattan Core parking zoning amendments sought, in the words of the City Planning Commission's report, "to institute land use controls over off-street parking which are consistent with environmental policies and sensitive to the concerns of business and development interests in the City." While the 1982 amendments recognized the continuing need for limited amounts of parking for vehicles associated with services, business, culture, and entertainment as well as residents, strict limits were applied to public parking. It was anticipated that these limits, together with the redevelopment of sites with parking lots and garages, would, over time, reduce the overall number of public parking spaces and that with fewer parking spaces available, fewer motor vehicles would enter Manhattan's most traffic-congested areas. These regulations continue to be in effect today in Community Districts 1 through 8, comprising Manhattan below 96th Street on the East Side and 110th Street on the West Side. This area is referred to as the "Manhattan Core" in the New York City Zoning Resolution and includes some of the City's most populous neighborhoods, major institutions, parks and transit hubs, and the City's primary Central Business District (CBD), defined as Manhattan below 60th Street.

The most significant change in the 1982 parking regulations was a shift from minimum parking requirements for new residential development to maximum parking allowances for parking spaces that are limited to residents of the development, known as accessory spaces. Before 1982, off-street parking was required for residential developments in the Manhattan Core; since 1982, accessory parking is optional and subject to strict limits on the amount of parking spaces that can be provided – an amount of spaces equal, in residential buildings or residential portions of mixed buildings, to no more than 20 percent of the number of residential units for developments in Community Districts 1 through 6 and an amount of spaces equal to no more than 35 percent of residential units for developments in Community Districts 7 and 8. The zoning further limited use of these spaces to building residents, in contrast to pre-1982 regulations that permitted use by nonresidents. Accessory parking for other uses is also subject to maximums, and the total number of spaces provided in a development is capped at no more than 225 spaces for any mix of uses. Under the 1982 regulations, only new developments and enlargements may incorporate parking as-of-right, whereas prior to 1982 the creation of new parking in existing buildings was allowed. In addition, the 1982 regulations require authorizations or special permits for accessory parking exceeding the maximums as well as for new parking in existing buildings and for all public parking garages. New surface public parking lots are not permitted in prime commuter areas such as Lower Manhattan and Midtown except by special permit.

While automobile rental establishments were limited to certain zoning districts prior to 1982, the 1982 zoning regulations further limited the capacity of such establishments in the Manhattan Core to 100 spaces in C2, C4 and C6 districts. There is no discretionary provision to permit larger capacity. The 1982 City Planning Commission report did not explain the reason for this limitation.

Looking back after almost 30 years, these regulations have proven to be compatible with a growing, successful Manhattan Core. The regulations allow limited amounts of off-street parking to be provided with new development and allow some developments to provide additional parking by special permit. In doing so, the 1982 regulations attempt to strike a balance, discouraging auto commuting in a highly traffic-congested part of the city where transit access and walkability are excellent while recognizing that a need for limited additional off-street parking continues to exist.

Since 1982, physical and demographic changes in the Manhattan Core and trends in CBD-bound travel have altered the overall supply of off-street parking and its utilization. While parking facilities have been built as part of new developments since 1982, more spaces have been eliminated – typically as public parking lots and garages have been redeveloped for other uses. The total off-street parking supply in the Manhattan CBD (CD's 1-6) has decreased from approximately 127,000 public parking spaces in 1978 to 102,000 spaces in 2010.

At the same time, there has been an increase in higher-income residents and families with children, characteristics highly correlated with car ownership. There are approximately 20,000 more cars owned by Manhattan Core households today than in 1980. The pressure this trend places on the off-street parking supply has been exacerbated by changing land uses in formerly peripheral neighborhoods, such as Tribeca and the Far West Side, that have seen the rise of a significant amount of residential redevelopment. As a result, public parking facilities in the Manhattan Core are increasingly used by residents rather than Manhattan-bound commuters and other visitors, who are now more likely to choose public transit over cars than in 1982. The Manhattan Core has thrived during this time, and its distinction as the commercial, cultural, and residential center of the region is even stronger than it was.

With the regulations now 30 years old, the Department of City Planning decided to investigate how off-street parking in the Manhattan Core is currently used and to employ that information, along with three decades of experience, to reexamine and update the Manhattan Core parking regulations while retaining their basic framework.

As a result of this research, DCP believes that fine-tuning the existing regulations can add more clarity and predictability, provide mobility improvements, continue to promote the shift away from commuter parking and better ensure that the City provides the right amount of parking spaces to support businesses, residents and visitors. The following are the areas where DCP believes that adjustments to current regulations are needed:

The Special Permit Process for Public Parking Garages

Based on its experience with review of land use applications, DCP believes that the special permit application process does not give the City Planning Commission, City Council or communities a sufficient basis for determining the appropriate number of spaces for a given site over and above the as-of-right maximums. Public comments often concern whether the amount of parking proposed in a project is actually needed. However, the special permit findings currently offer no opportunity to consider this question for public parking. For accessory parking over the as-of-right limits, there is a requirement to find the spaces are “needed,” but no guidance as to how to evaluate this.

More specifically, the special permit process does not give the CPC the ability to consider such factors as how many off-street parking facilities are already in the neighborhood, population trends, whether there has been significant recent development in the area, and whether that development has provided parking. Nor does the special permit process give the CPC guidelines to consider the appropriate amount of parking for special generators – uses that inherently generate higher demand for parking – or parking for large sites that may have unique opportunities or challenges to providing parking. In practice, nearly all applicants meet the current findings, which focus primarily on the traffic effects of the proposed parking facility.

The existing 74-52 Special Permit allows for parking garages or public parking lots in high density central areas. This special permit may also exempt floor area used for such parking up to a height of 23' from curb level. The findings for 74-522 consist of: (a) that 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) that such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow; (c) that such #use# is so located as to draw a minimum of vehicular traffic to and through local #streets# in nearby residential areas; (d) that such #use# has adequate reservoir space at the vehicular entrances to accommodate automobiles equivalent in number to 20 percent of the total number of spaces up to 50 and five percent of any spaces in excess of 200, but in no event shall such reservoir space be required for more than 50 automobiles; (e) that the #streets# providing access to such #use# will be adequate to handle the traffic generated thereby; (f) that, where roof parking is permitted, such roof parking is so located as not to impair the essential character or future use or development of adjacent areas; and (g) 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.

For example, a developer proposing to build a medium sized residential building with twice the amount of permitted parking to serve not only the residents of the proposed development but also the residents

of several new nearby apartments built without parking would not be required to demonstrate to the City Planning Commission why this number is appropriate by showing, for example, how many off-street parking facilities are already in the neighborhood, or whether there has been substantial recent development in the neighborhood that did not provide parking.

In another example, a developer proposing to build a news media headquarters with additional spaces dedicated specifically for the vehicles required for transporting reporters around the city for stories would not be required to demonstrate how those spaces are essential effective operation of essential to the effective operation of the business.

The existing 13-561 Special Permit, allows for on- or off-site accessory off-street parking to be granted with any capacity not otherwise allowed under Section 13-10, provided five findings are met: (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.

While the Special Permit under Section 13-561 makes “insufficient parking spaces” relevant for consideration, there is no discussion or guidelines on how to make this determination. The absence of a clear standard or methodology to determine sufficiency results in confusion and uncertainty for the applicants, the public and agencies alike as to what evidence is appropriate to the finding.

Neighborhood Use of Accessory Parking Facilities

Under existing zoning, parking that serves uses on the same zoning lot – residences, businesses, or other activities – is called “accessory parking.” In the Manhattan Core, residential accessory parking is permitted as-of-right for 20 percent of dwelling units in Community Districts 1-6, and 35 percent of dwelling units in Community Districts 7 and 8. These spaces are restricted to use by residents of the building. These restrictions were intended to ensure that this parking not be available to commuters, and reflect tighter controls over than in areas outside the Manhattan Core, where more flexible use of accessory parking facilities is allowed. Nonresidential accessory parking is permitted as-of-right at various square foot ratios, depending on the use. Retail uses, for example, generate a parking allowance of one space per 4,000 square feet of development. Nonresidential accessory parking is similarly limited to the tenants or employees of the development and may be made available to the public only by special permit.

However, these provisions have not operated in a coordinated fashion with the Department of Consumer Affairs licensing requirements for public parking garages, which are based on different criteria. Many accessory facilities obtain DCA licenses for public parking garages and, as such, hold themselves out to the public as providing public parking. A field survey of 147 new buildings in Manhattan Community Districts 1, 2 and 8 was conducted by the Department of City Planning to better understand how parking is provided – specifically in the 41 buildings built in residential zoning districts (including Battery Park City). Of these 41 new buildings since 2001, only 9 provided parking. Six of the 9 were operating publicly with DCA licenses, and 3 had residential keypad entry for cars. Those acting as strictly accessory to the building tended to be in smaller buildings, with 6, 7, and 41 dwelling units, as compared with those with DCA licenses, which were in buildings with no fewer than 99 dwelling units. The data highlights that the distinction between accessory and public facilities is blurred. The research shows that the distinction between accessory and public facilities is blurred, and that parking facilities in residential districts or in predominantly residential buildings often serve residents beyond those living within the building.

According to records provided by the NYC Department of Finance (DOF), which offers a tax exemption for Manhattan residents who own and register their motor vehicle to a Manhattan address and park in a long-term rented space for a month or more, on average only 10 percent of residents who filed for the tax exemption lived in the same building where they parked their vehicle. By contrast, 53 percent of

DOF filers lived within a quarter-mile of the parking facility where they parked their vehicle, and another 21 percent of filers lived between a quarter-mile and a half-mile of the facility where they parked their vehicle. While accessory parking facilities with DCA licenses also serve commuters and other short-term daily parkers, there has been a marked decrease in the use of public parking by commuters. Studies preceding the 1982 regulations indicate that in 1982 off-street public parking was primarily a commuter resource. In contrast, today it is increasingly utilized by residents. Findings from DCP surveys indicate that approximately 44% of spaces in 97 surveyed DCA licensed facilities (operating as public) were utilized by residential monthly parkers. In residential buildings, this figure increased to 60% of spaces and was over 70% in residential buildings in predominantly residential districts.

However, while about 22 percent of Manhattan Core households have cars according to the 2008-2010 ACS, only about one-fifth of these households have someone in the household using a car as their primary means of commuting to work. Of these Manhattan Core residents who drive to work, only one-third drive to a job in Manhattan. These commuters represent only 2 percent of all people in the workforce who live in the Manhattan Core. Among Manhattan Core residents with jobs in Manhattan in 2009, approximately 69 percent traveled to work by transit, seven percent drove, and the remaining 24 percent biked, walked, used another mode, or worked at home.

Expanding the geography to include all of Manhattan, auto use as the primary means of travel to work for Manhattan residents has declined in spite of the increased number of households owning vehicles. In 1990, the share of Manhattan borough residents using a car as their primary means of commuting was 10.1 percent; in 2000, that percentage was 9.2 percent; and by 2010, it had declined further to 8.9 percent according to the 2008-2010 ACS. Data from 2000 and 2010 indicate an even greater decline among workers living within the Manhattan Core who used a car as their primary means of commuting, from 9.2 percent according to the 2000 Census, to 7.9 percent according to the 2008-2010 ACS.

Looking more closely at all commuters into the Manhattan Core, and not just the commute patterns of Manhattan Core and Borough residents, the data reveal that commuting patterns have increasingly shifted from autos to transit, as transit safety and quality have improved and free transfers and monthly rates have become available to Metrocard-using city residents. A study on travel patterns among all commuters into the central business district (Manhattan south of 59th street), the closest approximation to the Manhattan Core for which data is available, show a decline in auto entries. During the morning peak period (7 am-10 am), when commuter entries are the highest, combined auto, taxi, and truck entries into the CBD between 1982 and 2009 trended down, declining by about seven percent from 154,000 to 143,000, with the decline concentrated since 2000.

Declining numbers of auto commuters into and within the Core, coupled with an increasing number of households within the Manhattan Core with cars but which do not use their cars for a daily commute, are reflected in the current pattern of off-street parking utilization.

This current pattern of use, with accessory parking facilities often functioning as shared community resources by operating as open to the public, and with public facilities meeting the demand of neighborhood households with cars, produces a market-based pricing for parking at all facilities that minimizes incentives for the creation of additional public facilities. Were this widespread public use not the case, and were residential accessory garages used exclusively by the residents of the building in which a garage is located, the price of monthly off-street parking would be less when compared with the prices faced by other Manhattan residents who compete for spaces in public parking garages. Further, this situation would encourage more applications for public parking garage special permits to meet unmet demand.

DCP believes that the use of accessory parking spaces as a neighborhood resource for residential and commercial users which has occurred over time is appropriate: it allocates the supply of parking more efficiently while still preserving the ability for a residential building to maintain its off-street parking as available to residents only. Future buildings with parking wishing to limit access to residents will be permitted to do so under the proposal; however, the ability to operate as open to the public will be formally recognized through the proposed zoning regulations.

Reservoir Space Requirements

Existing reservoir space requirements may be excessive for some facility capacities, due to the failure of the requirements to increase in proportion to facility size, and force public parking facility developers to allocate unnecessary square footage towards reservoir spaces at the expense of other parking spaces or other uses. Additionally, there are no reservoir space requirements for accessory parking or car rental facilities, which may have vehicle volumes similar to those of public parking facilities. The proposal seeks

to modify the reservoir requirements, reducing them for some public facilities and allowing the smallest facilities to waive out, while treating all off-street parking facilities consistently.

Floor Area Exemption up to 23' for Parking Facilities

The current floor area exemption for above-grade parking up to a height of 23' provides an incentive for above-grade parking and may discourage other more active uses on the ground floor. The proposal would require the building to wrap above-grade parking with another use in order to encourage a more desirable streetscape.

As of Right Retail Allowance for Parking

Under the existing regulations, retail and other commercial uses generate parking at an as-of-right ratio of one space per 4,000 square feet of commercial use. While some amount of parking for retail is appropriate, the absence of any limit on parking generated by retail square footage has the potential to facilitate the development of auto-oriented shopping destinations which are generally inappropriate for the Manhattan Core's built environment. The proposal will cap the retail accessory parking allowance at 10 spaces.

Floor Space for Attended Parking Facilities

The current rules limit the size of attended accessory facilities to no more than 200 square feet per permitted parking space, occasionally creating anomalous situations where not all permitted parking can be accommodated in a desirable configuration. The current rules include all aisles and ramps in the square feet -per-space calculation, thereby penalizing facilities with long ramps that lead drivers to parking but don't actually contribute to the provision of parking. This can create an incentive to locate off-street parking close to the street, in lieu of more active uses. The proposal seeks to correct for this by exempting aisles and ramps from the 200 square foot maximum calculation for all attended parking facilities. The proposal would also require a minimum of 180 square feet per space. This could be reduced by CPC Chair certification, for example to accommodate a business that maintains a corporate fleet of subcompact cars.

The current regulations do not include spaces on mechanically operated lifts within the 200-square-foot-per space limitation. The proposal would include such spaces.

Automated Parking Facilities

The current rules did not anticipate new technology that allows for completely automated parking facilities. Automated parking facilities provide a number of advantages over conventional attended public parking facilities, both for developers and communities. Because cars are not running while they are moved to a parking space in an automated facility, emissions are reduced and the need to vent is minimal as compared to a traditional garage. These facilities operate within a smaller footprint, allowing for other uses and, because they lack the need for significant venting, the facilities can be more easily wrapped with other uses.

Many existing traditional facilities are garages retro-fitted into carriage houses and former industrial buildings. Depending on venting considerations, building style and general maintenance, the facades of these facilities may be attractive, contextual, and blend well with the neighborhood. In other cases, however, the parking facilities appear out-of-context with the surrounding buildings with unsightly venting mechanisms or with an open design that provides pedestrians with views only of the parked cars. One purpose of the proposal is to define guidelines for the development of automated parking in order to encourage their development rather than more traditional facilities, whose venting requirements often result in undesirable streetwalls and building facades, as shown in the following examples.



Figure 1 103 West 108th Street



Figure 2 220 East 9th Street

In addition to the previously cited benefits related to neighborhood character, automated facilities also reduce the time spent driving and idling within a traditional parking facility. An additional benefit of these systems is that, because they are fully automated and computerized, more detailed information on parking capacity and utilization is readily available to the facility operators, allowing them to better manage their facilities.

The proposal will define guidelines for the construction of these facilities, whose maneuverability and layout requirements differ from traditional self-park or attended parking facilities.

Garage Design and Configuration

The current regulations do not contain provisions to promote a safe facility design. The proposal includes design standards and pedestrian safety standards such as stop signs and speed bumps at facility exits.

Storage of Rental Cars

As the Manhattan Core has become more affluent since 1982, an increasing number of residents and visitors have utilized car rental services, particularly on weekends. Rental car availability contributes to the choice of Manhattan Core households to forego owning a vehicle since cars may be rented for use only when needed. Manhattan Core rental car agencies serve this peak demand by bringing in cars from remote locations such as the New York-area airports. Because of the restrictions on rental car storage capacity, the car rental agencies have limited ability to store cars in the Manhattan Core, necessitating

car movements at peak times for traffic congestion, and leading to excess returned cars being illegally parked on streets and sidewalks outside rental facilities.

Current regulations permit up to 40 percent of parking spaces in public facilities in C2 and C4 districts to be occupied by car share vehicles, with no allowance for rental cars. Dedicated car rental facilities are limited to 100 spaces. The proposal recognizes that car rental operations and car share operations serve similar purposes in the Manhattan Core, by allowing non-car owning households the flexibility to travel by car when needed and providing access to a vehicle at a location convenient to their point of departure. The proposal also acknowledges the role that car rental and car share options play in affecting a household's decision or need to own a car. Provisions for rental cars in the Manhattan Core will be modified accordingly, by increasing the permitted facility size and allowing a larger number of rental cars to be stored in public parking garages.

Commercial Vehicle Parking Allowances in Public Parking Facilities

Current regulations allow for up to 10 percent of parking spaces in public parking facilities in C5, C6 and M1-6 districts to be occupied overnight by commercial vehicles, resulting in relatively few spaces available for fleets to park overnight. As a result, commercial fleets and vans may leave Manhattan empty to park overnight, returning empty the next day to conduct business. Certain parking facilities in Brooklyn and Queens identify themselves as "open for van parking" in recognition of this demand, and many of the vehicles found within these lots appear to be commercial vans reporting to businesses in Manhattan, based on the addresses shown on the vehicles. The proposal will provide additional opportunities for small commercial vehicle parking by increasing the number of spaces they may occupy overnight in public parking facilities in the Manhattan Core. This will reduce vehicle miles traveled and decrease congestion.

Loading Dock Requirements

Truck loading dock regulations have become outdated as typical trucks serving the Manhattan Core have become longer since 1961 and often obstruct sidewalks while loading. Additionally, truck loading docks may be blocked by trash dumpsters. Finally, zoning loading requirements do not fully account for the circumstances in which providing a loading dock is impractical.

The following regulations are the subject of this proposal, which would fine tune the existing regulations to meet the needs of the Manhattan Core. The current rules require loading dock dimensions of 33' x 12'. However, modern trucks often have lengths that exceed the 33' depth required for a loading dock, resulting in trucks blocking sidewalks in front of loading areas. The proposal will allow loading docks that accommodate typical single-unit trucks by requiring them at a depth of 37', as well as accommodate trash dumpsters. Increased floor space for these expanded loading facilities will be exempt from the definition of floor area. Where it is not practical to provide loading docks, such as sites with below grade or infrastructure constraints, or with frontage on a two streets, where one does not permit curb cuts, and the second is too narrow in width to permit truck maneuvering, the proposal will allow appropriate waivers.

Publicly-Assisted Housing

The existing zoning text contains obsolete references to inactive categories of publicly-assisted housing. These are holdovers from the pre-1982 regulations, and while they have no practical effect, they create confusion as to what rules apply to new affordable housing in the Manhattan Core. The proposed zoning will clarify this text.

Existing Parking Required Pre-1982

Prior to 1982, parking was required and determined by required minimums, rather than the permitted maximums post-1982. As a result, many developments generated large amounts of parking, built as parking lots or structured facilities, in the Manhattan Core. Some of this parking area may be more appropriate for other uses. For example, affordable housing was developed on a site formerly used for open parking for New York City Housing Authority tenants as a consequence of a targeted zoning text amendment (ULURP No. N100262 ZRM). Under the proposal, the removal of previously required parking would be allowed by a City Planning Commission authorization. This would create a mechanism to scrutinize the appropriateness of future proposals on a case-by-case basis.

Special Districts

There are twelve Special Districts throughout the Manhattan Core that have parking and loading regulations specific to the areas they encompass. These Special Districts need to be modified to ensure consistency with the proposed revisions to the underlying Manhattan Core regulations for off-street parking and loading.

BACKGROUND AND DIRECTLY AFFECTED AREA

The Manhattan Core is defined by high residential and commercial densities and a comprehensive public transportation network. The area can be broken down into smaller geographies for discussion; the Central Business Districts in midtown and Lower Manhattan, and the predominantly residential districts of the Upper West Side, Clinton, Chelsea, the West Village, the Upper East Side, Murray Hill, Gramercy, Stuyvesant Town, the East Village and the Lower East Side.

Within the Manhattan Core, only a sliver of blocks west of 11th Avenue on the far west side, and in Yorkville and near Stuyvesant Town on the far east side, are more than a half mile from a subway line. Public bus lines supplement underground options, with over 100 bus routes through the Manhattan Core. An extensive network of bike lanes and dedicated bike paths have been established in recent years, and a comprehensive sidewalk network make every neighborhood accessible by foot. Over 13,000 taxicab medallions are issued for cabs that largely serve the Manhattan Core and a growing fleet of car rental and car share vehicles are available for customers who seek automotive transportation but who do not own their own car.

The entirety of the Manhattan Core is well served by transit, but predominant land uses differ and neighborhood character varies as a result. The Upper East and Upper West sides are characterized by tall residential buildings often with ground floor commercial uses on the avenues. The Midtown and Lower Manhattan business districts are predominantly office and commercial uses with fewer residential units. The Midtown neighborhood has a significant residential component, however; Community District 5 had nearly 52 thousand residents at the 2010 Census, a 17 percent increase from 2000. Lower Manhattan, too, has historically been a commercially-oriented area, but the 2010 Census found Community Board 1 with a population of over 60,000 – a 77 percent increase over its population in 2000, much of which is attributed to the development of Battery Park City, but also with residential high rise development and conversion of older commercial buildings in the financial district.

The neighborhoods east and west of Midtown are a more diverse mix of residential, commercial, and institutional uses. Character varies by block, with residential brownstones lining streets closer to midtown, a more high-rise character on avenues and wide cross-town streets, and larger blocks with industrial, transportation and public facilities closer to the rivers. Like Midtown and Lower Manhattan, however, these neighborhoods underwent significant residential growth during the previous decade. Several rezonings have been adopted in recent years that reflect or respond to the changes. The West Chelsea rezoning was approved in 2005, resulting in extensive residential development in the vicinity of the High Line. In 2011, the West Clinton rezoning extended the residential districts in Community District 4 west to 11th Avenue, and also increased the permitted density for manufacturing-compatible uses. In 2010, the North Tribeca rezoning provided opportunities for housing through residential conversions, in-fill residential development, and incentives for affordable housing.

Redevelopment trends also differ by neighborhood, with some having undergone dramatic transformations in recent years, as discussed above, and others largely retaining their historic built form. Many historic districts are now mapped throughout the Manhattan Core, limiting new development. Most of the Manhattan Core, however, is well-established and even neighborhoods that experienced significant new development are still generally set within an older context; the average build year for the nearly 30,000 buildings in the Manhattan Core is 1920, but over 600 buildings have been built in the past 10 years.

Existing Zoning and Land Uses

The area to which the proposed zoning text amendment would apply encompasses a total 29,767 blocks - the entirety of Manhattan Community Districts 1 through 8, except for the Special Hudson Yards District in Community District 4, and Roosevelt Island in Community District 8. Zoning districts within this geography include:

BPC
C1-6
C1-6A

C1-7
C1-7A
C1-8
C1-8A
C1-8X
C1-9
C1-9A
C2-6
C2-6A
C2-7
C2-7A
C2-8
C2-8A
C4-2F
C4-4A
C4-5
C4-5A
C4-6
C4-6A
C4-7
C5-1
C5-1A
C5-2
C5-2.5
C5-3
C5-5
C5-P
C6-1
C6-1G
C6-2
C6-2A
C6-2G
C6-2M
C6-3
C6-3A
C6-3X
C6-4
C6-4.5
C6-4A
C6-4M
C6-4X
C6-5
C6-5.5
C6-6
C6-6.5
C6-7
C6-7T
C6-9
C8-4
M1-1
M1-2
M1-4
M1-5
M1-5/R7X
M1-5A
M1-5B
M1-5M
M1-6
M1-6D

M2-1
M2-3
M2-4
M3-2
PARK
R10
R10A
R10H
R3-2
R6
R6A
R7-2
R7A
R7B
R8
R8A
R8B
R8X
R9
R9A
R9X

Many of the residential districts are further mapped with C1-5 or C2-5 commercial overlays.

A land use survey of the area to which the off-street parking regulations would be applicable demonstrates the diversity of uses found within the Manhattan Core. In terms of both lot area (45%) and total number of lots (70%), residential uses are more prevalent than any other type of use.

Land Use	Lot Area	Total Lots	% Lot Area	% Total Lots
One & Two Family	4,370,521	2,437	2%	8%
Multi-Family Walkup	17,623,511	6,923	7%	23%
Multi-Family Elevator	42,777,079	3,617	17%	12%
Mixed Commercial/Residential	45,586,431	7,934	19%	27%
Commercial/Office	42,704,149	4,460	17%	15%
Industrial/Manufacturing	7,617,042	1,286	3%	4%
Transportation/Utility	23,076,619	260	9%	1%
Public Facilities & Institutions	24,685,949	1,531	10%	5%
Open Space	22,037,012	215	9%	1%
Parking Facilities	3,896,026	458	2%	2%
Vacant Land	6,911,722	489	3%	2%
Other/ Unknown	3,735,515	157	2%	1%
Total	245,021,576	29,767	100%	100%
Source: PLUTO 2012				

In total, there is approximately 776 million square feet of commercial space and over 623 million square feet of residential space, comprising over 639,000 residential units.

Twelve Special Districts in the Manhattan Core would be affected by the proposed changes; the area subject to the special Hudson Yards parking regulations (portions of the Special Hudson Yards District, the Special Garment Center District and the Special Clinton District) would only be affected by the revisions to automated parking, rental cars, commercial parking, and loading docks provisions of the proposal. These districts are shown below:

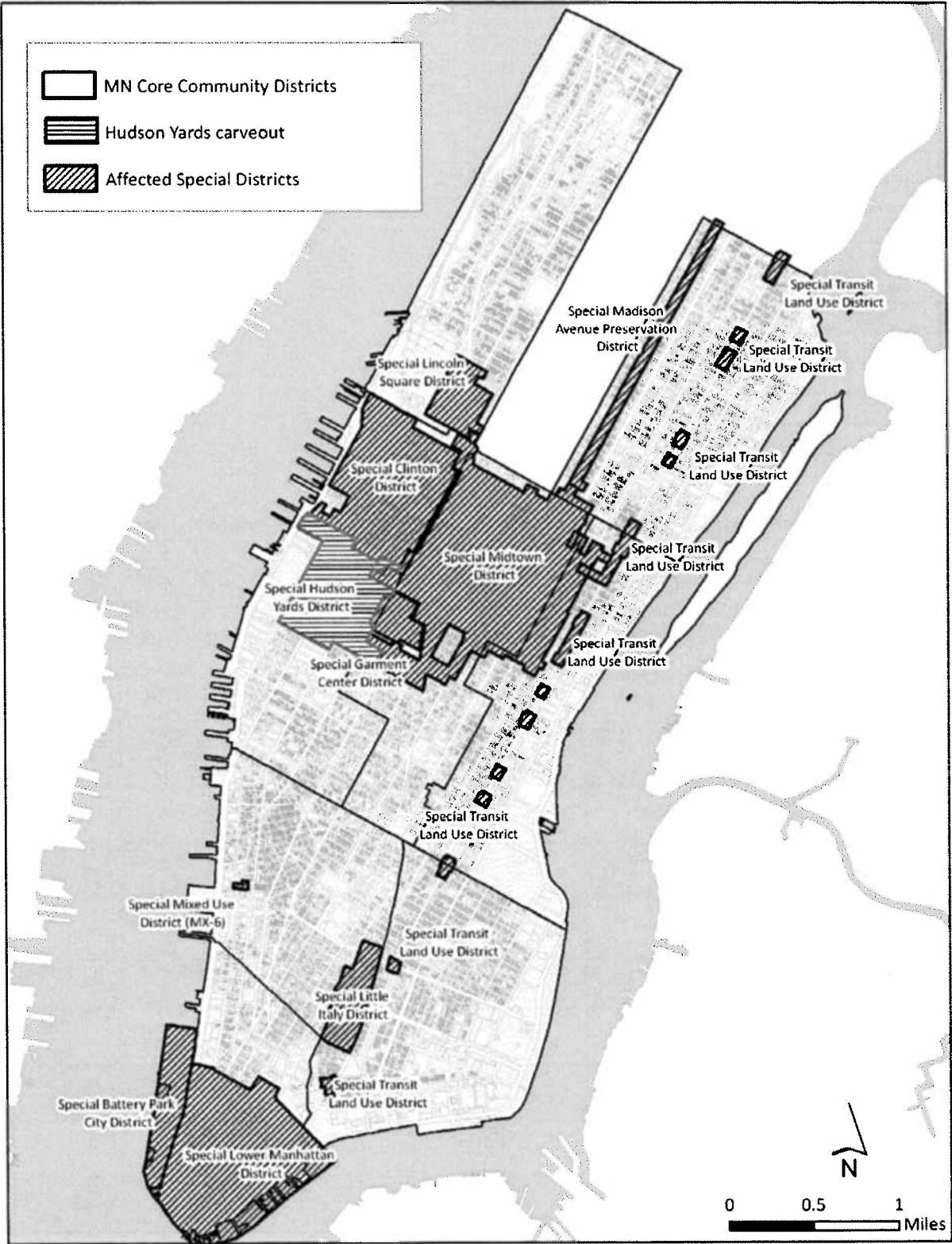


Figure 3 Affected Special Districts

PROPOSED ZONING TEXT AMENDMENT

Proposed Zoning Text Amendment

The proposed zoning text amendment would modify the regulations for off-street parking in the Manhattan Core and apply four new processes for Special Permit to exceed as-of-right parking ratios.

The proposed text was informed by the following key findings from the Manhattan Core Study, referenced above:

- The Manhattan Core parking regulations have proved to be compatible with population and job growth and a thriving Central Business District;
- Some new parking is still needed;
- Levels of car ownership in the Manhattan Core are relatively low;
- Public parking facilities serve a large number of Manhattan residents and fill neighborhood needs for residential parking, as well as parking for commuters, business, visitors, and tourists; and
- Most new as of right parking facilities in the Manhattan Core operate as public facilities serving largely neighborhood residents.

A summary of the proposed text provisions are discussed below.

Proposed Text changes to Article I Chapter 3

1. Permit all new as-of-right accessory parking to operate as public. DCA-licensed accessory garages existing as of January 1, 2012 may file their DCA license with the Department of Buildings to indicate that public use is permitted. This provision would recognize that accessory parking serves as a neighborhood resource for residential and commercial users, allowing for the more efficient allocation of parking supply while still preserving the right for a residential building to maintain its off-street parking as strictly accessory.
2. The existing floor area exemption for parking spaces between curb level up to 23' in new developments would be retained only for buildings wrapped to a depth of 30' with non-parking uses. For automated facilities, floor area for garages up to a height of 40' would be exempted, but with a ground-floor wrapping requirement up to 23', and façade requirements up to 40'. In residential districts, exempted floor area would have a planting and screening requirement.
3. Cap the as-of-right retail parking allowance to 10 spaces.
4. Allow for, by Authorization, a reduction of the number of required accessory off-street parking spaces for off-street parking facilities built prior to January 1, 2012 where the Commission finds that such reduction will not have undue adverse effects on residents, businesses, or community facilities in the surrounding area.
5. Exempt ramps and mechanical space from 200'-per-space parking requirement. Define standards for mechanical lifts.
6. Modify reservoir space requirements to allow small facilities to waive out, and to enable a more rational provision of reservoir spaces given garage capacities. The proposal would reduce the requirement to: none for facilities with less than 25 parking spaces; 5 percent reservoir spaces for a facility with a capacity between 26-50 spaces; 10 percent reservoir spaces for a facility with a capacity between 51-100 spaces; 10 reservoir spaces for a facility with between 101-200 spaces; and 10 reservoir spaces plus 5 percent of all spaces for a facility with more than 200 parking spaces. The current requirement is 20 percent of spaces up to 50 spaces, and 5 percent of the number over 200. Reservoir space requirements would be applied to accessory facilities and automobile rental facilities.
7. Define guidelines for automated parking facilities, including wrapping requirements and floor area exemptions. These recommendations would encourage the development of automated facilities, which are a more efficient use of space and have some environmental benefits over conventional attended garages. The Commissioner of Buildings would be given authority to determine capacity and the number of reservoir spaces needed, based on the operational

characteristics of the facility. This flexibility is needed because each automated parking facility is custom-designed for the site, and because the technology for this type of facility is evolving. The proposal would also increase the floor area waiver, now permitted for garages up to a height of 23', to 40' for automated parking facilities by Chair certification, provided that:

- a. there is floor area above the garage (there has to be another use and not just a stand-alone garage);
 - b. the first story must be wrapped by another use to a depth of 30';
 - c. the façade up to 40' is consistent with the rest of the building's façade.
8. Establish design regulations to ensure safe vehicular and pedestrian access. The following safety features shall be provided at all vehicular exit points: a 'stop' sign which shall be clearly visible to drivers, and a speed bump located within the exit lane of the parking facility.
9. Replace existing applicable Special Permits that lack sufficient findings to permit the City Planning Commission to evaluate relevant land use issues, with four new Special Permit processes in which applicants may demonstrate the need for parking above the permitted as-of-right ratios based on the following factors, as applicable:
 - a. Special Permit for additional parking spaces for residential growth based on the supply of parking relative to the growth in neighborhood residents;
 - b. Special permit for additional parking for health care, arts or public assembly uses based on a parking deficit as a consequence of close proximity to, or existence as, the applicable use and a demonstration that the parking is essential to the operation of the uses;
 - c. Special Permit for additional parking for spaces for economic development uses based on a parking deficit as a consequence of close proximity to, or existence as, the applicable use and a demonstration that the parking is essential to the operation of the uses;
 - d. Special Permit for additional parking for large-scale developments based on a parking deficit associated with the development, insufficient capacity to accommodate potential parking users, or the inability to provide parking pursuant to as-of-right ratios based on existing parking caps.
10. Increase the minimum loading dock depth to 37' x 12' from 33' x 12' to address the issue of trucks blocking sidewalks in front of loading areas. There will be a waiver via a certification for sites with below grade or infrastructure constraints. Additionally, internal areas used for dumpsters may be excluded from floor area (up to 25' x 12'). The proposal would grant the Commissioner of Buildings expanded ability to exempt loading requirements on zoning lots that have two street frontages, one of which does not permit curb cuts. The waiver would be allowed if the second street frontage, where curb cuts are permitted, has an unusually narrow street width (as in Lower Manhattan), or is encumbered by residential buildings, landmark buildings, or large commercial buildings that preclude access to a required loading dock.
11. Increase the permitted number of car rental vehicles in public parking facilities to 40 percent in C2,C4,C5, C6, C8 and M districts, where they are currently not permitted or, 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, limited to 10 spaces or 10 percent of total facility capacity, whichever is less. The current 100 space limit on rental car vehicles in stand-alone facilities in the Manhattan Core would be modified to allow for additional storage (150 in C2 districts, 225 in C4, C5, C6 and C8 districts, 300 in M districts). Rental car vehicles (and car share vehicles) would also be permitted to count towards the 50 percent of commercial vehicles in C5, C6, C8 and all M districts (see below). Reservoir spaces would be required in standalone rental car facilities.
12. Allow commercial vehicle parking up to 50 percent in C5, C6, C8 and all M districts for all commercial vehicles, including car share and car rental vehicles. Permitted car share and car rental vehicles would be counted within this cap.

Special Permits

Under the text amendment existing Special Permits which allow as-of-right parking ratios and maximum capacities to be exceeded would be replaced with new Special Permit mechanisms. Currently, there is a

lack of guidance to inform the City Planning Commission's determination about the appropriate amount of parking for a proposed development seeking accessory spaces above the permitted as-of-right ratios, and no findings on appropriateness of amount of parking for a proposed public parking facility. New findings for the parking special permits would provide a rational framework for evaluating whether the number of spaces proposed is appropriate. The finding would set a standard of reasonableness for the number of spaces, based on recent residential development in the surrounding area and recent changes in the supply of public parking used by residents in the area.

The existing special permit applicable to the Manhattan Core and Long Island City would be moved in the Zoning Resolution to proposed Section 16-35 and be made applicable only to Long Island City. The proposed Special Permits applicable to the Manhattan Core make distinctions between different types of development and assess the proposed parking supply accordingly.

A new Special Permit for a limited increase of parking spaces in existing buildings or parking facilities will allow the City Planning Commission to permit an increase in the number of parking spaces within an existing off-street parking facility, where such an increase does not exceed the number of parking spaces that would be permitted on the zoning lot if the zoning lot were vacant and developed with a new building.

Four new Special Permits will apply to additional off-street parking in the Manhattan Core, related to as-of-right ratios. These four will all be subject to their own findings, as well as a universal set of conditions and findings found in Section 13-46, Special Permits for Additional Parking. This Special Permit lays the groundwork for the three additional proposed Special Permits granting parking above what would otherwise be permitted. The condition and findings associated with this Special Permit must be met for the Special Permits in Sections 13-461, 13-462, 13-463 and 13-464:

1. The proposed parking facility shall comply with the applicable provisions of Section 13-20 (Special Rules for Manhattan Core Parking Facilities);
2. The proposed parking facility will not interrupt the flow of traffic or create conflict between vehicles and pedestrians;
3. The location of vehicular entries and exits in the proposed parking facility will not interfere with the efficient functioning of the street;
4. Any exempted floor area used for parking is needed in order to prevent excessive on-street parking demand and relieve traffic congestion;
5. The proposed parking facility will not be inconsistent with the character of the existing streetscape; and
6. The proposed off-street parking facility complies with the additional findings set forth in Section 13-461, 13-462, 13-463 and 13-464, as applicable.

The four proposed Special Permits build on the above.

1. **Special Permit for additional parking for residential growth (Section 13-461):** This Special Permit allows for parking above what is permitted as-of-right with a development, provided that:

- a. The number of parking spaces in the proposed facility is reasonable and not excessive in relation to the increased number of dwelling units in close proximity (typically within one-third to one-half of a mile) to the proposed facility in recent years (typically the previous decade, for reasons outlined in Attachment B); and
- b. The number of parking spaces in the proposed facility is reasonable and not excessive in relation to the number of public and accessory parking spaces in close proximity, including any parking spaces for which building permits have been granted, or which have obtained City Planning Commission Special Permits to be built; or
- c. The proposed ratio of parking spaces to dwelling units in the proposed development does not exceed what would be allowed for an as-of-right building developed under the provisions of Section 13-10 (Permitted Off-Street Parking in the Manhattan Core), disregarding the applicable limits on the total number of permitted parking spaces established for as-of-right buildings.

2. **Special Permit for additional parking spaces for health care, arts, or public assembly uses (Section 13-462):** This Special Permit allows for additional parking for uses that operate under conditions where additional parking may be appropriate, and allows for additional parking provided that:

- a. The proposed parking facility is in close proximity to, or on the same zoning lot as, a hospital or related facility, a museum, a theater, an arena, an auditorium, a trade exposition or a stadium;
- b. An increased number of permitted parking spaces is essential to the operation of the above use; and
- c. Reasonable measures to minimize parking demand have been identified. For existing uses wishing to expand their parking, such measures have been implemented where feasible, prior to application, and a commitment has been made to continue and improve upon such measures. For new uses seeking additional parking with development, a commitment has been made to utilize measures to minimize parking demand.

3. Special Permit for additional parking spaces for economic development uses (Section 13-463):

This Special Permit allows for additional parking for uses that are considered to be of significant importance to the economic well-being of the city, provided that:

- a. The proposed facility is in close proximity to, or on the same zoning lot as, a use of significant economic importance to the city;
- b. An increased number of permitted parking spaces is essential to the operation of the above use; and
- c. Reasonable measures to minimize parking demand have been identified. For existing uses wishing to expand their parking, such measures have been implemented where feasible, prior to application, and a commitment has been made to continue and improve upon such measures. For new uses seeking additional parking with development, a commitment has been made to utilize measures to minimize parking demand.

4. Special Permit for additional parking spaces for large-scale developments (Section 13-464):

This Special Permit allows for additional parking within a development or enlargement on a tract of land exceeding one-and-a-half acres, provided that:

- a. The increased number of parking spaces would alleviate a parking deficit associated with the development or enlargement of a residential use;
- b. An increased number of permitted parking spaces is essential to the operation of the above use;
- 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 close proximity will be of insufficient capacity to accommodate such potential parking users;
- d. Reasonable measures to minimize parking demand have been identified. For existing uses wishing to expand their parking, such measures have been implemented where feasible, prior to application, and a commitment has been made to continue and improve upon such measures. For new uses seeking additional parking with development, a commitment has been made to utilize measures to minimize parking demand; and
- e. where phased construction will occur in the large-scale development, a phased parking plan has been provided which 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.

Special Districts

The Special Midtown District

Regulations for the Special Midtown District are found in Section 81-00 of the Zoning Resolution. Four provisions are modified: Section 81-31, General Provisions, is changed to refer to the Manhattan Core, not all 8 affected Community Districts; Section 81-311, Applicability of More Restrictive Provisions, is deleted, as the more restrictive regulations already apply pursuant to Section 11-22; Section 84-44, Curb

Cut Restrictions, is cross-referenced with the proposed Manhattan Core loading regulations; and Section 81-731, Special Regulations for Signs, Transparency, Banners and Canopies, is clarified to indicate that glazing is not required for off-street loading berths and parking.

The Special Lincoln Square District

Regulations for the Special Lincoln Square District are found in Section 82-00 of the Zoning Resolution. Three references are modified: Section 82-50, Off-Street Parking and Off-Street Loading Regulations, is changed to refer to the Manhattan Core rather than all 8 affected Community Districts; paragraph (a) of that Section is changed to refer to the proposed new Section 13-46 Special Permits, rather than the existing Section 13-561 Special Permit for accessory parking; and Section 82-60, Public Parking Garages, which unnecessarily refers users to the underlying zoning regulations, is deleted.

The Special Battery Park City District

Regulations for the Special Battery Park City District are found in Section 84-00 of the Zoning Resolution. Four unnecessary references to the underlying off-street parking and loading regulations for the Manhattan Core are removed: Section 84-031, Special Permit Uses; Section 84-141, Accessory Off-Street Parking Spaces; Section 84-142, Accessory Off-Street Parking Spaces for Buildings Containing Hotel Uses; and Section 84-143, Off-Street Loading. The authorization in Section 84-141 (Accessory off-street parking spaces), permitting the location of such spaces anywhere within Zone A, is modified to reference the proposed traffic-related findings in Section 13-46, rather than having separate, similar findings.

The Special Lower Manhattan District

Regulations for the Special Lower Manhattan District are found in Section 91-00 of the Zoning Resolution. Three provisions are modified: Section 91-50, Off-Street Parking, Loading and Curb Cut Regulations, is changed to refer to the Manhattan Core rather than all 8 affected Community Districts; Section 91-511, Authorization for Off-Site Parking Facilities for Converted Buildings, is modified to reference the proposed traffic-related findings in Section 13-46, rather than having separate, similar findings; and Section 91-52, Curb Cut Regulations, is cross-referenced with the proposed Manhattan Core loading regulations.

The Special Park Improvement District

Regulations for the Special Park Improvement District are found in Section 92-00 of the Zoning Resolution. One reference is modified: Section 92-05, Minimum Number of Accessory Off-street Parking Spaces, to clarify the applicable regulations.

The Special Hudson Yards District

Regulations for the Special Hudson Yards District are found in Section 93-00 of the Zoning Resolution. Six Sections are modified to update cross-references: Section 93-052, Applicability of Article I, Chapter 3; Section 93-80, Off-Street Parking Regulations; Section 93-821, Permitted Parking when the Reservoir Surplus is Greater Than or Equal to Zero; Section 93-822, Permitted Parking when a Reservoir Deficit Exists; Section 93-823, Parking Permitted by Special Permit; and Section 93-83, Use and Location of Parking Facilities.

The Special Transit Land Use District

Regulations for the Special Transit Land Use District are found in Section 95-00 of the Zoning Resolution. One reference is modified: Section 95-09, Special Regulations for Accessory Off-Street Parking and Curb Cuts, to clarify the applicable regulations.

The Special Clinton District

Regulations for the Special Clinton District are found in Section 96-00 of the Zoning Resolution. Two references are modified: Section 96-111, Off-Street Parking Regulations, is changed to refer to the proposed new Section 13-46 Special Permits, rather than the existing Section 13-561 Special Permit for accessory parking and 13-562 Special Permit for public parking garages and public parking lots; and Section 96-21, Special Regulations for 42nd Street Perimeter Area, is changed to clarify language.

The Special Madison Avenue District

Regulations for the Special Madison Avenue District are found in Section 99-00 of the Zoning Resolution. One reference is modified: Section 99-06, Off-Street Parking Regulations, to clarify the applicable regulations.

The Special Little Italy District

Regulations for the Special Little Italy District are found in Section 109-00 of the Zoning Resolution. Two provisions are modified: Sections 109-16, Parking Regulations for Area A, and 109-351, Parking Regulations for Area B. These provisions, which have separate special permit findings relating to the provision of accessory off-street parking, and in Area B, the reduction of required parking, will be replaced by the new proposed Section 13-46 special permits and, for the reduction of required parking, the proposed Section 13-443 authorization (Reduction in the number of required existing parking spaces).

The Special Garment Center District

Regulations for the Special Garment Center District are found in Section 121-00 of the Zoning Resolution. Two provisions are modified: a cross-reference is updated in Section 121-111 (Use Group A), and Section 121-40 (Parking Requirements in Preservation Area P-2), is changed to clarify language.

The Special Mixed Use Districts

Regulations for the Special Mixed Use Districts are found in Section 123-00 of the Zoning Resolution. One reference is modified: Section 123-70, Parking and Loading, is clarified to state that mixed use districts mapped within the Manhattan Core (MX-6 is currently the only Special Mixed Use District so mapped) are subject to Article I, Chapter 3.

Proposed Manhattan Core Parking Text Amendment

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

Article I: General Provisions

* * *

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~~

13-00 GENERAL PURPOSES

(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)

The provisions of this Chapter establish special comprehensive regulations for off-street parking in the #Manhattan Core#, as defined in Section 12-10 (DEFINITIONS).
These regulations reflect best practices to address sustainability goals, while accommodating the parking needs of residents and businesses in a more rational 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 Appendix A of this Chapter and are hereby incorporated and made an integral part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements set forth in this Chapter apply.

Map 1 – Locations where #public parking lots# are not permitted in the Midtown #Manhattan Core#

Map 2 – Locations 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 (date of adoption), the number of parking spaces required or permitted shall be as set forth in Section 13-07 (Existing Buildings and Off-Street Parking Facilities in the Manhattan Core).
- (b) for #accessory# off-street parking facilities, automobile rental establishments and #public parking lots# developed# or #enlarged# after (date of adoption), 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), shall only be permitted by the City Planning Commission pursuant to the applicable special permit in Section 13-46 (Special Permits for Additional Parking Spaces).
- (d) #Public parking garages developed# or #enlarged# after (date of adoption) 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 13-46. 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#:

- (a) Section 73-48 (Exceptions to Maximum Size of Accessory Group Parking Facilities);
- (b) 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
- (c) 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 (date of adoption).

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 (date of adoption), 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 City Planning Commission or Board of Standards and Appeals prior to (date of adoption) 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 of Special Permit Granted by the City Planning Commission) 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 13-46 (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 (date of adoption) 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 (date of adoption) shall continue to be subject to the applicable zoning district regulations in effect prior to (date of adoption), 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 (date of adoption), 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, and such proposed increase:

- (i) does not exceed the number of parking spaces that would be permitted on the #zoning lot# if such #zoning lot# were vacant and #developed# with a new #building# pursuant to the applicable regulations of Section 13-10 (PERMITTED OFF-STREET PARKING IN THE MANHATTAN CORE), the Commission may permit such an increase pursuant to the provisions of Section 13-45 (Special Permit for Limited Increase of Parking Spaces in Existing Buildings or Parking Facilities); or
- (ii) results in a capacity not otherwise allowed under the applicable regulations of Section 13-10, the Commission may permit such an increase, pursuant to the applicable provisions of Section 13-46 (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 13-46.
- (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 paragraph (b) of this Section.

13-10

PERMITTED OFF-STREET PARKING IN 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 as set forth in this Section, inclusive.

13-101

Calculating parking spaces in automated parking facilities

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, and #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:
 - (1) within the area designated on Map 1 (Locations where #public parking lots# are not permitted in the Midtown #Manhattan Core#) in Appendix A of this Chapter;
 - (2) within the area designated on Map 2 (Locations where #public parking lots# are not permitted in the Downtown #Manhattan Core#) in Appendix A of this Chapter; and
 - (3) within 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 and M1-6 Districts, #public parking lots# shall only be permitted in the following locations:
 - (1) in M1-5 and M1-6 Districts north of 42nd Street and west of 10th Avenue;
 - (2) in the M1-5 Districts west of Ninth Avenue between 17th Street and 30th Street; and
 - (3) in the M1-5 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 13-46 (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).

13-15

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 (date of adoption) 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

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 13-46 (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 shall comply with the transparency provisions of Section 132-32 (Ground Floor Level Transparency Requirements). However, where the #base flood elevation# is higher than the level of the #building's# adjoining sidewalk, such transparency requirement 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.

(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 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 Section 81-44 (Curb Cut Restrictions);
- (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 Section 84-144 (Location of 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 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) 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.

(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

The minimum gross surface area, in square feet, of the #parking zone# of an attended #accessory# off-street parking facility shall be 180 times the number of off-street parking spaces provided. However, for portions of an attended parking facility with parking lift systems, such minimum surface area requirement for any elevated spaces may be reduced to 153 times the number of elevated spaces able to be provided on lifted trays.

The maximum gross surface area, in square feet, of such parking facility shall not exceed 200 times the number of off-street parking spaces provided.

(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 (date of adoption) 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) 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 of 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 (date of adoption) containing #residences#;
 - (2) a #non-residential building# existing on (date of adoption) 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 (CERTIFICATIONS, AUTHORIZATIONS AND SPECIAL PERMITS IN THE MANHATTAN CORE), 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 (CERTIFICATIONS, AUTHORIZATIONS AND SPECIAL PERMITS IN THE MANHATTAN CORE) 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 which 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 13-222 (Screening requirements for accessory off-street parking facilities), 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.

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# and 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) 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 13-222 (Screening requirements for accessory off-street parking facilities).

(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 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; and
- (3) 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 of the number of required existing parking spaces

For off-street parking facilities built prior to (date of adoption), the City Planning Commission may authorize a reduction of 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 Permit for Limited Increase of Parking Spaces in Existing Buildings or Parking Facilities

The City Planning Commission may permit an increase in the number of parking spaces within an existing off-street parking facility, where such increase does not exceed the number of parking spaces that would be permitted on the #zoning lot# if such #zoning lot# were vacant and #developed# with a new #building# pursuant to Section 13-10 (PERMITTED OFF-STREET PARKING IN THE MANHATTAN CORE), provided that the conditions of paragraph (a) and the findings of paragraph (b) of this Section are met. Such increase in the number of parking spaces shall be determined in relation to a new #building# that is comparable to the #building# containing the parking facility in terms of its #floor area#, #use#, proportion of #uses# if different #uses# exist, and #dwelling units#, if any. Any #non-complying floor area# or #dwelling units# shall be excluded from such calculation

(a) Conditions

The proposed 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 13-22 (Enclosure and Screening Requirements).

(b) Findings

The Commission shall find, with such increase in the number of parking spaces, 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 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; and
- (3) 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.

13-46

Special Permits for Additional Parking Spaces

In accordance with the special permit provisions of Sections 13-461 through 13-464, 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, the following:

- (1) on-site or off-site, open or enclosed #accessory# off-street parking facilities with any capacity not otherwise allowed under the applicable regulations of Section 13-10 (PERMITTED OFF-STREET PARKING IN THE MANHATTAN CORE);
- (2) #public parking lots# with any capacity not otherwise allowed under the applicable regulations of Section 13-10, or #public parking lots# in locations not permitted by Section 13-14 (Permitted Parking for Public Parking Lots); or
- (3) #public parking garages#, in the zoning districts permitted pursuant paragraph (d) of Section 13-041 (Applicability of parking regulations within the Manhattan Core). 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.

(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 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) 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
- (4) 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 13-461 (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 13-462 (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 13-462 that has or will have an area of less than 1.5 acres;
- (3) Section 13-463 (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 13-462 that has or will have an area of less than 1.5 acres, or
- (4) Section 13-464 (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.

13-461

Additional parking spaces for residential growth

The City Planning Commission may permit a parking facility listed in paragraph (a) of Section 13-46 (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 13-46, 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 this Section; or
- (b) the proposed ratio of parking spaces to #dwelling units# in the proposed #development# does not exceed that for an as-of-right #building developed# under the provisions of Section 13-10 (PERMITTED OFF-STREET PARKING IN THE MANHATTAN CORE). In making this determination, the Commission may disregard the applicable limits on the total number of permitted parking spaces established for such as-of-right #buildings#.

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

13-462

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 13-46 (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 13-46, 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.

13-463

Additional parking spaces for economic development uses

The City Planning Commission may permit a parking facility listed in paragraph (a) of Section 13-46 (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 13-462, provided that, in addition to the conditions and findings set forth in Section 13-46, 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# which 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.

13-464

Additional parking spaces for large-scale developments

The City Planning Commission may permit a parking facility listed in paragraph (a) of Section 13-46 (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 one and one-half acres, provided that, in addition to the conditions and findings set forth in Section 13-46, the Commission shall find that:

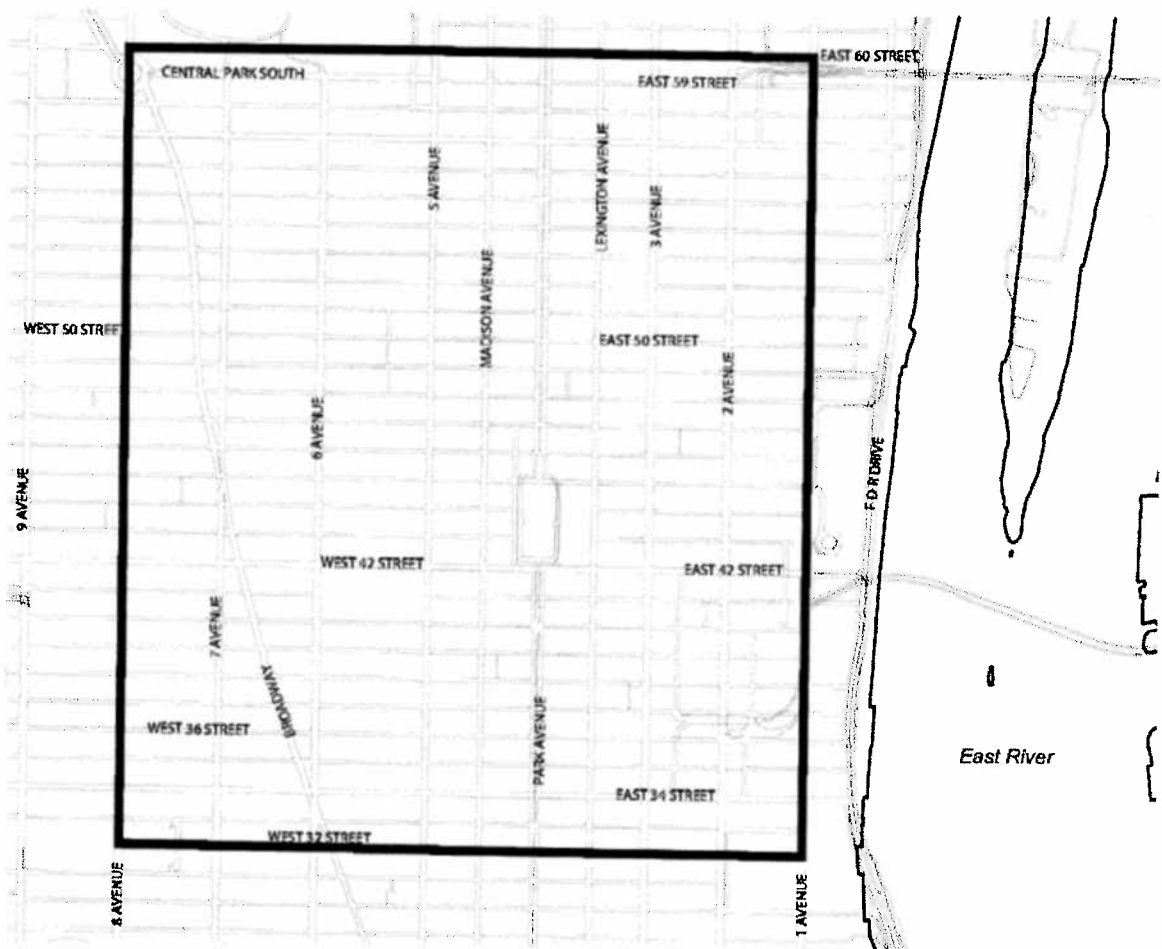
- (a) where an increased number of permitted off-street parking spaces in such proposed parking facility would serve the parking needs of a predominantly #residential# large-scale #development# or #enlargement#, either finding (a) or finding (b) of Section 13-461 (Additional parking spaces for residential 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 which 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.

Appendix A

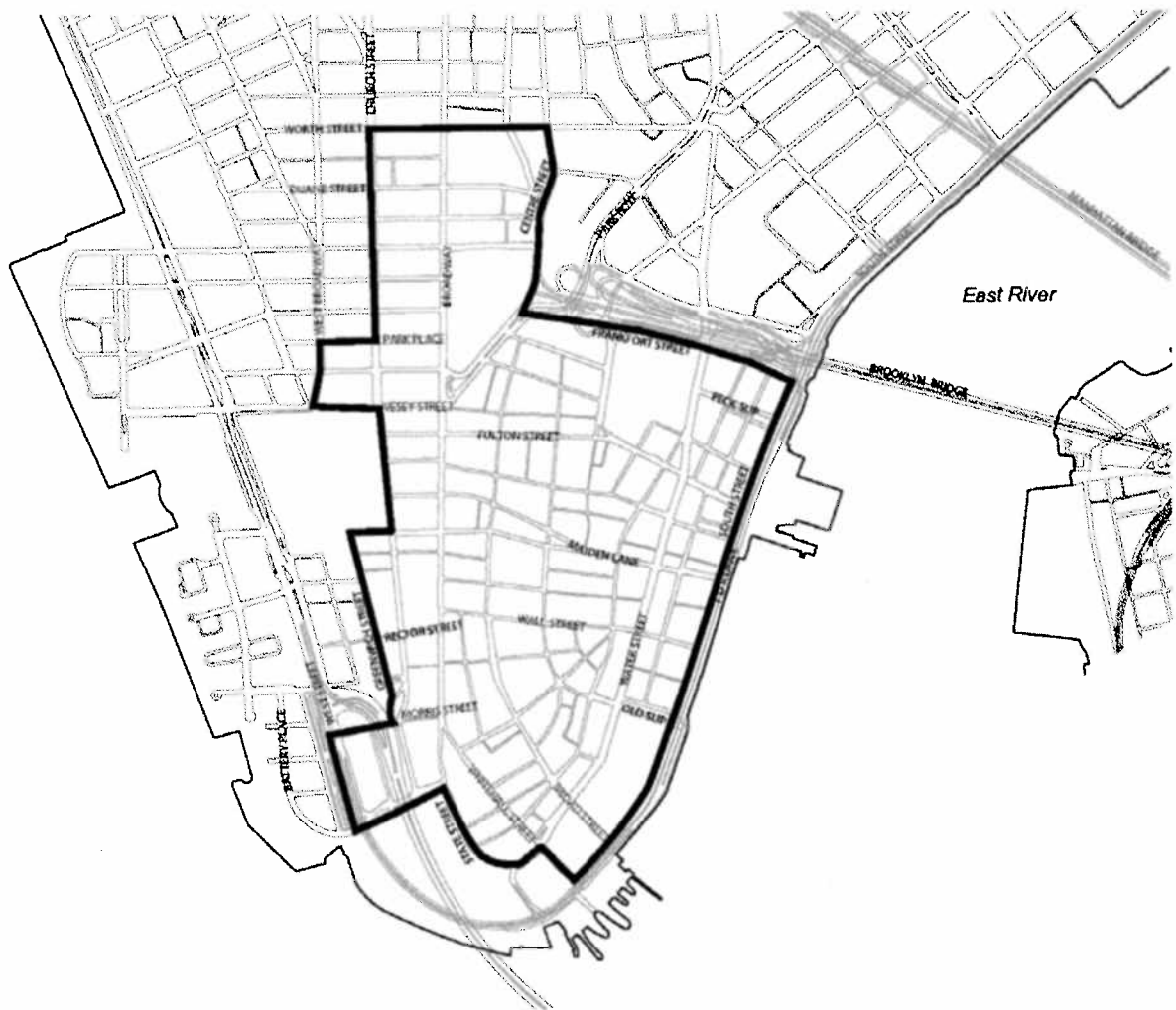
Manhattan Core Parking Maps

Map 1 – Locations where #public parking lots# are not permitted in the Midtown #Manhattan Core#



— Boundary where #public parking lots# are not permitted in the Midtown #Manhattan Core#, except where permitted by Section 13-46 (Special Permits for Additional Parking Spaces)

Map 2 – Locations where #public parking lots# are not permitted in the Downtown #Manhattan Core#



Boundary where #public parking lots# are not permitted in the Downtown
 #Manhattan Core#, except where permitted by Section 13-46 (Special Permits
 for Additional Parking Spaces)

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 Street and its Prolongations (in percent)	North of 60th 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).

13-51

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 Long Island City

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

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.

16-01

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.

16-02

Definitions

Long Island City

For the purpose of this Chapter, “Long Island City” shall refer to the portion of Queens Community Districts 1 and 2 within the boundaries shown on Map 1 (#Long Island City# and Subareas) in Appendix A of this Chapter.

16-03

Maps

Maps are located in Appendix A of this Chapter and are hereby incorporated and made an integral part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements set forth in this Chapter apply.

Map 1 - #Long Island City# and Subareas

Map 2 – Locations where curb cuts are prohibited

16-04

Subareas

In order to carry out the purposes and provisions of this Chapter, three subareas, Subareas A, B and C, are established within #Long Island City#, the boundaries of which are shown on Map 1 (#Long Island City# and Subareas) in Appendix A of this Chapter.

16-05

Applicability

16-051

Applicability of parking regulations within Long Island City

The provisions of this Chapter shall apply to #accessory# off-street parking facilities, #public parking lots# and #public parking garages# in #Long Island City#, as follows:

- (b) 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 in Long Island City).
- (c) 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 LONG ISLAND CITY). 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 (SPECIAL RULES FOR LONG ISLAND CITY PARKING FACILITIES).
- (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 Long Island City

The provisions of this Chapter shall not apply to #large-scale residential developments# utilizing the provisions of 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 Long Island City

Additional modifications to the provisions of this Chapter are 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 #Long Island City# 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 be subsequently 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) 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 (Special Permits).

16-07

Existing Buildings and Off-Street Parking Facilities

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;
- (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:
 - (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);
 - (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 LONG ISLAND CITY), 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 LONG ISLAND CITY

Off-street parking spaces located within #accessory# off-street parking facilities, #public parking lots# and #public parking garages# in #Long Island City# shall be allowed as set forth in this Section, inclusive.

16-11

Permitted Parking for Residences

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

- (a) within Subarea A, #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 Subareas B and C, #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 Subarea A, 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 Subareas B and C, #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 Subarea A comprising #community facility uses# other than hospitals, #commercial uses# other than #transient hotels#, and #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 Subareas 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 Parking in Public Parking Lots

No #public parking lots# shall not be permitted within #Long Island City#, except where authorized by the City Planning Commission in accordance with the provisions of Section 16-342 (Public parking lots).

16-15

Permitted Parking for Public Parking Garages

#Public parking garages# may be #developed# or #enlarged# with #Long Island City# in accordance with the underlying district regulations. However, within Subarea C, notwithstanding any underlying district regulations, #public parking garages# with a maximum capacity of 150 spaces are 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 written request therefore 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 LONG ISLAND CITY PARKING FACILITIES

All #accessory# off-street parking facilities, #public parking lots# and #public parking garages developed# or #enlarged# after October 25, 1995 in #Long Island City# 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 use#.

16-23

Curb Cut Restrictions

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

- (a) the #Special Long Island City Mixed Use District#, as set forth in paragraph (b) of Section 117-54 (Off-Street Parking and Loading Regulations); and
- (b) the #Special Southern Hunters Point District#, as set forth in Section 125-55 (Location of Curb Cuts).

16-231

Location of curb cuts

For #accessory# off-street parking facilities, #public parking lots# and #public parking garages#, curb cuts accessing entrances and exits to such parking facilities:

- (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 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; and
- (b) for #accessory# off-street parking facilities and #parking garages#, such curb cuts shall not be located on a #wide streets# designated on Map 2 (Locations where curb cuts are prohibited) in Appendix A of this Chapter, except where authorized pursuant to Section 16-343 (Curb cuts).

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 onsite 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 #Long Island City#, 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, 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.

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 onsite 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 LONG ISLAND CITY), 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.

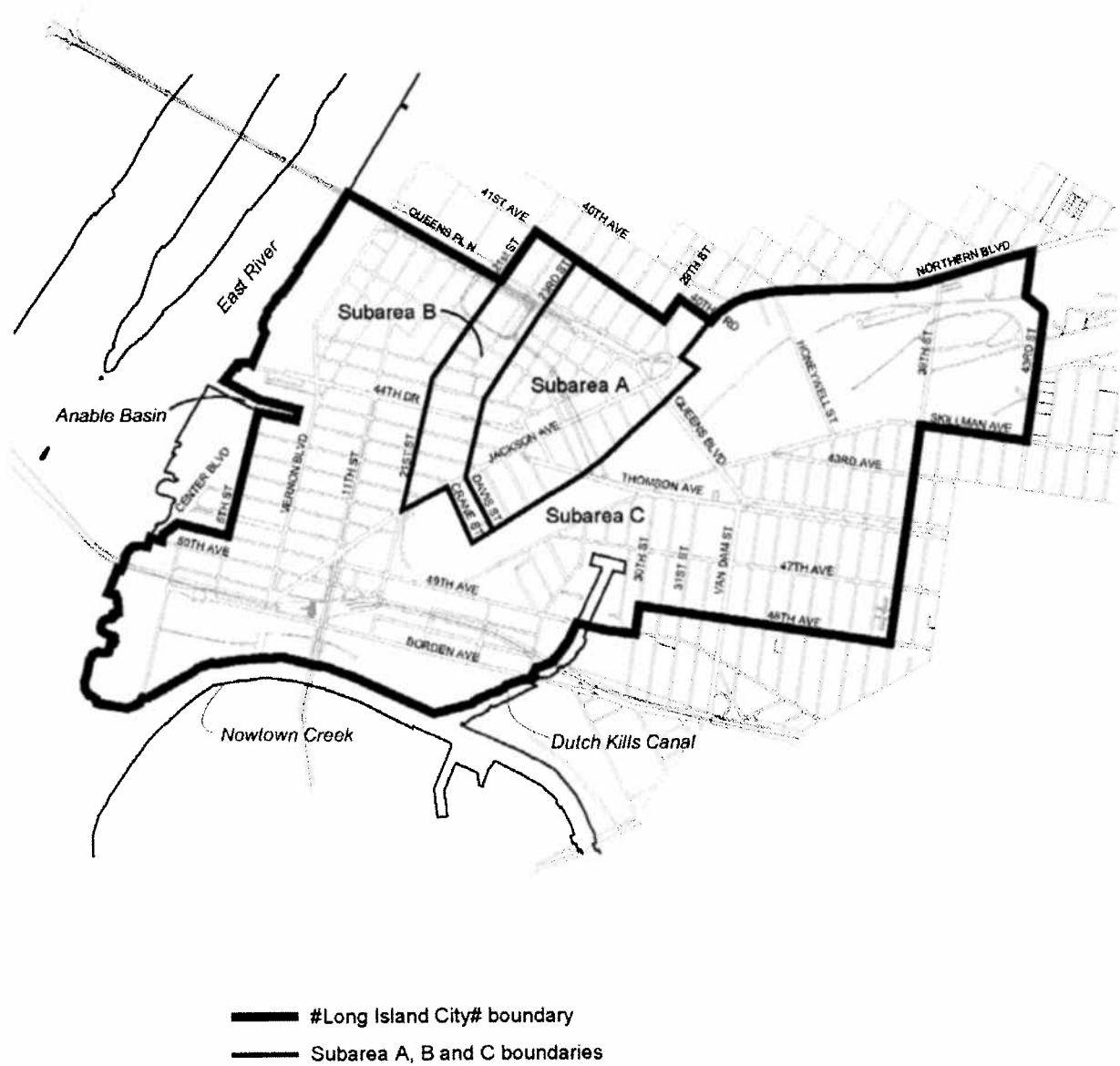
16-352

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).

Appendix A
Long Island City Parking Maps

Map 1 - #Long Island City# and Subareas



Map 2 – Locations where curb cuts are prohibited



* * *

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 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 1, Chapter 3~~, and special regulations governing #accessory# off-street parking in #Long Island City#~~, as defined in Section 16-02 (Definitions), are set forth in Article 1, 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 #Long Island City#, 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 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 #Long Island City#, 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 #Long Island City#, 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 #Long Island City#, 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 Long Island City 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 #Long Island City#, 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, 12E, 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 foodstores, 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 Group 8C and 12D are subject to the provisions of Article I, Chapter 3-, and in #Long Island City#, as defined in Section 16-02 (Definitions), #public parking garages# and #public parking lots# in Use Group 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 #Long Island City#, 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 Long Island City 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 #Long Island City#, 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 #Long Island City#, 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 #Long Island City#, 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.

* * *

74-52

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 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#, 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 OFFSTREET 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 13-46 (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) and (c)(4) of Section 13-46 (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#.

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	

~~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) and (c)(4) of Section 13-46 (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) shall apply, inclusive. 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 (Definitions), 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 13-22 (Enclosure and Screening Requirements), Section 13-241 (Location of curb cuts), paragraph (b) of Section 13-242 (Maximum width of curb cuts), paragraph (c) 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 (OFF-STREET LOADING REGULATIONS IN THE MANHATTAN CORE), 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 finding.

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) shall apply, inclusive. 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 13-46 (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

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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) shall apply, inclusive. 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

* * *

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 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 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 #wide streets#, as set forth in paragraph (b) of Section 16-231 (Location of curb cuts), 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) shall apply, inclusive, and for #Special Mixed Use Districts# located within #Long Island City#, as defined in Section 16-02 (Definitions), the provisions of Article I, Chapter 6 (Comprehensive Off-Street Parking Regulations in Long Island City) shall apply, inclusive. 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#.

END

