



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

44-20 - REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR MANUFACTURING, COMMERCIAL OR COMMUNITY FACILITY USES

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44-20 - REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR MANUFACTURING, COMMERCIAL OR COMMUNITY FACILITY USES

LAST AMENDED
12/15/1961

44-21 - General Provisions

LAST AMENDED
6/6/2024

M1 M2 M3

In all districts, as indicated, #accessory# off-street parking spaces, open or enclosed, shall be provided in conformity with the requirements set forth in the table in this Section for all #development# after December 15, 1961, for the #manufacturing#, #commercial# or #community facility# #uses# listed in the table. In addition, all other applicable requirements of this Chapter shall apply as a condition precedent to the #use# of such #development#.

After December 15, 1961, if an #enlargement# results in a net increase in the #floor area# or other applicable unit of measurement specified in the table in this Section, the same requirements set forth in the table shall apply to such net increase in the #floor area# or other specified unit of measurement.

A parking space is required for a portion of a unit of measurement one-half or more of the amount set forth in the table.

For the purposes of this Section, a tract of land on which a group of such #uses# is #developed# under single ownership or control shall be considered a single #zoning lot#.

For those #uses# for which rated capacity is specified as the unit of measurement, the Commissioner of Buildings shall determine the rated capacity as the number of persons which may be accommodated by such #uses#.

The requirements of this Section shall be waived in the following situations:

- (a) when, as the result of the application of such requirements, a smaller number of spaces would be required than is specified by the provisions of Section [44-232](#) (Waiver of Requirements for Spaces Below Minimum Number) or, for certain #uses#, below the #lot area# or establishment size thresholds set forth in Section [44-233](#) (Waiver of requirements for certain small zoning lots or establishments);
- (b) when the Commissioner of Buildings has certified, in accordance with the provisions of Section [44-24](#) (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden), that there is no way to arrange the spaces with access to the #street# to conform to the provisions of Section [44-43](#) (Location of Access to the Street);
- (c) for houses of worship, in accordance with the provisions of Section [44-25](#) (Waiver for Locally Oriented Houses of Worship).

For the purposes of applying the loading requirements of this Chapter, #uses# are grouped into the following Parking Requirement Categories (PRC) based on how requirements are measured. The specific designations for #uses# are set forth in the Use Group tables.

Parking Requirement Category	Type of Requirement
PRC-A	square feet of #floor area#

PRC-B	person-rated capacity
PRC-C	square feet of #lot area#
PRC-D	square feet of #floor area#, or number of employees
PRC-E	number of beds
PRC-F	guest rooms or suites
PRC-G	other

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

Parking Requirement Category	PRC - A				PRC - B			C
	A1	A2	A3	A4	B1	B2	B3	
Unit of Measurement	per square feet of #floor area# ¹				per persons-rated capacity			per square feet of #lot area# 3,4
M1-1 M1-2 M1-3 M2-1 M2-2 M3-1 Districts without an A suffix M1, M2 M3 Districts with an A suffix outside the #Expanded Transit Zone#	1 per 200	1 per 300	1 per 300 2	1 per 600	1 per 8	1 per 8	1 per 10	1 per 500

M1-4 M1-5 M1-6 M2-3 M2-4 M3-2 Districts without an A suffix M1, M2 M3 Districts with an A suffix within the #Expanded Transit Zone#	None required	None required	None required	None required	None required	None required	None required	None required
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- 1 For ambulatory diagnostic or treatment facilities listed in Use Group III(B), #cellar# space, except #cellar# space used for storage shall be included to determine parking requirements.
- 2 Parking requirements for #uses# in PRC-A3 may be reduced by permit of the Board of Standards and appeals in accordance with the provisions of Section [73-44](#).
- 3 In the case of golf driving ranges, the requirements in this table apply only to that portion of the range used for tees.
- 4 In the case of outdoor skateboard parks, in M3-1 Districts, the requirements of this table apply only to that portion used as skating runs and #accessory# #buildings#. The #floor area# of #accessory# #buildings# shall be considered #lot area# for the purpose of these requirements.

Parking Requirement Category	PRC - D		PRC - E			PRC - F	
	D1	D2	E1	E2	E3	F1	F2
Unit of Measurement	per square feet of #floor area# or per employees ⁵		per bed			per guest room or suites	

Unit of Measurement	per square feet of #lot area# used for selling purposes	per court	per square feet of #lot area#	per square feet of #floor area# used for classrooms, laboratories, student centers or offices	per square feet of #floor area#	per persons-rated capacity 7	per square feet of #floor area#
M1-1 M1-2 M1-3 M2-1 M2-2 M3-1 Districts without an A suffix M1, M2 M3 Districts with an A suffix outside the #Expanded Transit Zone#	1 per 1,000	1 per 2	1 per 800	1 per 1,000		1 per 15	
M1-4 M1-5 M1-6 M2-3 M2-4 M3-2 Districts without an A suffix M1, M2 M3 Districts with an A suffix within the #Expanded Transit Zone#	None required	None required	None required	None required	None required	None required	None required

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Parking requirements for houses of worship shall be applicable only to the facility's largest room of assembly; however, rooms separated by movable partitions shall be considered a single room.

Parking	PRC - G (continued)
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Requirement Category	Court houses	Fire or Police stations	Prisons	Docks	Camps, overnight and day	Post Offices	Funeral Establishments	Riding academies or stables
Unit of Measurement	per square feet of #floor area#	per square feet of #floor area#	per beds-rated capacity	see Section 62-43	per square feet of #lot area# or per employees	per square feet of #floor area#	per square feet of #floor area#	per square feet of #floor area#
M1-1 M1-2 M1-3 M2-1 M2-2 M3-1 Districts without an A suffix M1, M2 M3 Districts with an A suffix outside the #Expanded Transit Zone#	1 per 600		1 per 10			1 per 1,200	1 per 400	
M1-4 M1-5 M1-6 M2-3 M2-4 M3-2 Districts without an A suffix M1, M2 M3 Districts with an A suffix within the #Expanded Transit Zone#	None required	None required	None required	see Section 62-43	1 per 2,000 or 1 per 3	None required	None required	None required

44-211 - Parking requirements applicable to non-profit hospital staff dwellings

M1

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

District	#Commercial District# whose Regulations are Applicable
M1-1 M1-2 M1-3	C4-2
M1-4 M1-5 M1-6	C4-7

44-22 - Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements

LAST AMENDED

6/6/2024

M1 M2 M3

In all districts, as indicated, where any #building# or #zoning lot# contains two or more #uses# having different parking requirements as set forth in Section [44-21](#) (General Provisions), the parking requirements for each type of #use# shall apply to the extent of that #use#.

However, the number of spaces required for houses of worship or for #uses# in parking requirement category B1, when in the same #building# or on the same #zoning lot# as any other #use#, may be reduced by the Board of Standards and Appeals in accordance with the provisions of Section [73-431](#) (Reduction of parking spaces for houses of worship) or [73-432](#) (Reduction of parking spaces for places of assembly).

44-23 - Waiver of Requirements for Spaces Below Minimum Number or Certain Small Zoning Lots, Developments or Enlargements

LAST AMENDED

6/6/2024

M1 M2 M3

In all districts, as indicated, the requirements for accessory off-street parking spaces shall be subject to the waiver provisions of this Section.

44-231 - Exceptions to application of waiver provisions

LAST AMENDED

6/6/2024

M1 M2 M3

In all districts, as indicated, the waiver provisions of Section [44-232](#) shall not apply to the following types of #uses#:

- (a) #Uses# within parking requirement category D;
- (b) The following #commercial# #uses# in parking requirement categories F or G:

Camps, overnight or day

#Motels# or #tourist cabins#

44-232 - Waiver of requirements for spaces below minimum number

LAST AMENDED

6/6/2024

M1 M2 M3

In all districts, as indicated, subject to the provisions of Section [44-231](#) (Exceptions to application of waiver provisions), the parking requirements set forth in Sections [44-21](#) (General Provisions) or [44-22](#) (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements) shall not apply to #commercial# #uses#, or #community facility# #uses#, if the total number of #accessory# off-street parking spaces required for all such #uses# on the #zoning lot# is less than the number of spaces set forth in the following table:

District	Number of Spaces
M1-1 M1-2 M1-3 M2-1 M2-2 M3-1	15
M1-4 M1-5 M1-6 M2-3 M2-4 M3-2	40

44-233 - Waiver of requirements for certain small zoning lots or establishments

LAST AMENDED

6/6/2024

M1 M2 M3

In all districts, as indicated, the parking requirements of Section [44-21](#) (General Provisions) for certain #uses# shall be waived in accordance with this Section:

- (a) For #uses# in PRC-D1, no #accessory# off-street parking requirements shall apply where either the #floor area# allocated to such #use# is less than 7,500 square feet or the number of employees is fewer than 15;

- (b) For #uses# in PRC-D2, no #accessory# off-street parking requirements shall apply where either the #floor area# allocated to such #use# is less than 10,000 square feet or the number of employees is fewer than 15; and
- (c) For camps, overnight or day, parking requirements, no #accessory# off-street parking requirements shall apply where either the #lot area# is less than 10,000 square feet or the number of employees is fewer than 10.

44-24 - Waiver of Requirements for All Zoning Lots Where Access Would be Forbidden

LAST AMENDED

12/15/1961

M1 M2 M3

In all districts, as indicated, the requirements set forth in Sections [44-21](#) (General Provisions) or [44-22](#) (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements) shall not apply to any #building# or #zoning lot# as to which the Commissioner of Buildings has certified that there is no way to arrange the required spaces with access to the #street# to conform to the provisions of Section [44-43](#) (Location of Access to the Street).

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

44-25 - Waiver for Locally Oriented Houses of Worship

LAST AMENDED

6/6/2024

M1

In the district indicated, the requirements set forth in Sections [44-21](#) (General Provisions) and [44-22](#) (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements) shall not apply to a house of worship, provided the Chairperson of the City Planning Commission certifies that:

- (a) seventy-five percent or more of the congregants of such house of worship reside within a three-quarter mile radius of the house of worship;
- (b) the number of spaces required pursuant to this Section is less than the number of spaces listed in the table in Section [44-231](#) (Waiver of Requirements for Spaces Below Minimum Number); and
- (c) such house of worship shall not include, as an #accessory use#, the leasing, licensing or any other grant of permission to utilize a room or other space in such house of worship for the operation of a business engaged in serving food or beverages for functions, occasions or events.

For the purposes of determining the number of spaces required pursuant to this Section, the product of the actual percentage of congregants living within a three-quarter mile radius of the house of worship, computed for the purposes of paragraph (a) of this Section, multiplied by the persons-rated capacity of the largest room of assembly, shall be subtracted from the persons-rated capacity of the largest room of assembly.

The provisions of paragraph (c) of this Section are not intended to restrict the lease, license or other permission to use a room or other space in a house of worship, when given by the house of worship to a person in order to hold a function, occasion or event, where such person hires or retains a business engaged in serving food or beverages for purposes of such function, occasion or event, and provided that such business is not located on the same #zoning lot# as the house of worship, makes its services

available to non-congregants, and does not operate its business substantially for the benefit or convenience of congregants or visitors to the house of worship.

A certification pursuant to this Section shall be granted on condition that the Certificate of Occupancy for such house of worship be marked or amended to provide that #accessory uses# shall not include the utilization of a room or other space in such house of worship for the operation of a business engaged in serving food or beverages for functions, occasions or events. The Chairperson may impose additional conditions and safeguards to ensure compliance with the provisions of this Section, in the form of a signed declaration of restrictions. The filing of any such declaration in the Borough Office of the Register of the City of New York shall be precondition for the issuance of a building permit.

Within 45 days of receipt of a complete application, including documentation of the residences of congregants in a form acceptable to the Department of City Planning, the Chairperson shall either certify that the proposed #development# or #enlargement# complies with the requirements of this Section or disapprove such application, citing the nature of any failure to comply.

44-26 - Special Provisions for Zoning Lots Divided by District Boundaries

LAST AMENDED
6/24/1976

M1 M2 M3

In all districts, as indicated, whenever a #zoning lot# is divided by a boundary between districts having different requirements for #accessory# off-street parking spaces, the provisions set forth in Article VII, Chapter 7, shall apply.

44-27 - Special Provisions for Expansion of Existing Manufacturing Buildings

LAST AMENDED
9/9/2004

M1 M2 M3

In all districts, as indicated, whenever an existing #manufacturing# #building# is expanded pursuant to the provisions of Section [43-121](#) (Expansion of existing manufacturing buildings), the City Planning Commission may reduce, up to a maximum of 40 spaces, the parking requirements of Sections [44-21](#) (General Provisions) or [44-22](#) (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Regulations), provided the Commission certifies:

- (a) that because of site limitations such a reduction is necessary for the proper design and operation of the #manufacturing# #building#; and
- (b) that off-site parking and mass transit facilities are adequate to satisfy the additional parking demand generated by the expansion.

44-28 - Parking Regulations for Residential Uses in M1-1D Through M1-5D Districts

LAST AMENDED
6/6/2024

In M1-1D, M1-2D, M1-3D, M1-4D and M1-5D Districts, the regulations of this Section shall apply to #residential uses# authorized pursuant to Section [42-321](#) (Residential uses in M1-1D through M1-5D Districts).

- (a) In M1-1D Districts, for any new #residence# authorized pursuant to Section [42-47](#), one #accessory# parking space shall be provided for each #dwelling unit#. The Commission may reduce this requirement if the Commission determines that there is sufficient on-street parking space available to meet the needs of the new #residence#.

Access to such required #accessory# parking shall be designed so as to minimize any adverse effect upon the availability of on-street parking and loading for conforming #manufacturing# and #commercial# #uses#. If necessary, in order to implement this requirement, the Commission may modify the 10 foot maximum setback requirement of paragraph (e) of Section [43-61](#) (Bulk Regulations for Residential Uses in M1-1D Through M1-5D Districts).

- (b) In M1-2D, M1-3D, M1-4D and M1-5D Districts, #accessory# parking shall not be permitted, except when authorized by the City Planning Commission.

The Commission may authorize #accessory# parking provided:

- (1) the #zoning lot# extends 40 feet or more along the #street line#;
- (2) the curb cut extends no more than 15 feet along the #street line# and provides access to a #group parking facility# of five or more #accessory# off-street parking spaces; and
- (3) the Commission determines that such curb cut will not adversely affect the availability of on-street parking and loading for conforming #manufacturing# and #commercial# #uses#.

44-29 - Parking Regulations for Zoning Lots Containing Self-Service Storage Facilities in Designated Areas

LAST AMENDED
6/6/2024

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

In the Districts indicated, in designated areas within #Manufacturing Districts# in Subarea 1, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, the provisions of Section [44-21](#) (General Provisions) are modified as set forth in this Section for all #uses# within the #industrial floor space#.

For any #zoning lot# containing a #self-service storage facility# that meets the requirements of paragraphs (d)(1) or (d)(2)(i) of Section [42-193](#) (Use Group IX – use subject to additional conditions), #accessory# off-street parking spaces, open or enclosed, shall not be required for #uses# within #industrial floor space#, where all such #uses# occupy less than 10,000 square feet of #floor area# or have fewer than 15 employees. For #industrial floor space# on such #zoning lots# where such #uses#, in total, occupy at least 10,000 square feet of #floor area# or have 15 or more employees, #accessory# off-street parking spaces, open or enclosed, shall be required for all #uses# within the #industrial floor space# at the rate of one space per 2,000 square feet of #floor area#, or one space per three employees, whichever will require fewer spaces.