



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **36-20 - REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR COMMERCIAL OR COMMUNITY FACILITY USES**

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## 36-20 - REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR COMMERCIAL OR COMMUNITY FACILITY USES

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LAST AMENDED  
12/15/1961

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### 36-21 - General Provisions

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LAST AMENDED  
6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

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

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 that may be accommodated by such #uses#.

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

- (a) when, as a result of the application of such requirements, a smaller number of spaces would be required than is specified by the provisions of Section [36-23](#) (Waiver of Requirements for Spaces Below Minimum Number);
- (b) when the Commissioner of Buildings has certified, in accordance with the provisions of Section [36-24](#) (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 [36-53](#) (Width of Curb Cuts and Location of Access to the Street);
- (c) for houses of worship, in accordance with the provisions of Section [36-25](#) (Waiver for Locally Oriented Houses of Worship); and
- (d) for certain #zoning lots#, #developments# or #enlargements# below minimum thresholds pursuant to Section [36-27](#) (Waiver for Certain Small Zoning Lots or Establishments).

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  
COMMERCIAL OR COMMUNITY FACILITY USES**

Parking Requirement Category	PRC - A				PRC - B			PRC - C
	A1	A2	A3	A4	B1	B2	B3	
Unit of measurement	per square feet of #floor area# <sup>1</sup>				per persons-rated capacity			per square feet of # lot area# <sup>4</sup>
C1-1 C2-1 C3 C4-1	1 per 100	1 per 150	1 per 150 2, 3	1 per 400	1 per 4	1 per 8	1 per 10	1 per 500
C1-2 C2-2 C4-2 C8-1	1 per 200	1 per 300	1 per 300 2, 3	1 per 600	1 per 8			
C1-3 C2-3 C4-2A C4-3 C8-2	1 per 300	1 per 400	1 per 400 <sup>2</sup>	1 per 800	1 per 12	1 per 16	1 per 20	1 per 2,000

C1-4 C2-4 C4-4 C4-5D C8-3 C7 outside the #expanded transit zone#	1 per 1,000	1 per 1,000	1 per 1,000	1 per 1,000	1 per 25	None required	None required	None required
C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-4L C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4  C7 within the #expanded transit zone#	None required	None required	None required	None required	None required	None required	None required	None required

1 For ambulatory diagnostic or treatment facilities listed under 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 C1-1, C1-2, C2-1 and C2-2 Districts mapped within R3-2 Districts, the parking requirements for ambulatory diagnostic or treatment health care facilities shall be 1 per 400 square feet of #floor area# when located above the first #story# ceiling.

4 In the case of golf driving ranges, the requirements in this table apply only to that portion of the range used for tees.

Parking Requirement Category	PRC - D		PRC - E			PRC - F	
	D1	D2	E1	E2	E3 <sup>7</sup>	F1	F2
Unit of measurement	per square feet of #floor area# or per employees <sup>5</sup>		per bed			per guest room or suites	
C1-1 C2-1 C3 C4-1			1 per	1 per 6	1 per 10		1 per 4

C1-2 C2-2 C4-2 C8-1	1 per 1,000 sq ft or 1 per 3 employees,	1 per 2,000 sq ft or 1 per 3 employees,	5 <sup>6</sup>				1 per 8
C1-3 C2-3 C4-2A C4-3 C8-2	whichever will require a larger number of spaces	whichever will require a larger number of spaces		1 per 12	1 per 20		
C1-4 C2-4 C4-4 C4-5D C8-3  C7 outside the #expanded transit zone#			1 per 8 <sup>6</sup>	None required	None required	1 per 1	1 per 12
C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-4L C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4  C7 within the #expanded transit zone#	None required	None required	1 per 10 <sup>6</sup>	None required	None required		None required

5 For predominantly open storage of miscellaneous #uses# in PRC-D2, the #lot area# used for such #uses# shall be considered as #floor area# for the purposes of these requirements.

6 Parking requirements for #uses# in PRC-E1 are in addition to area utilized for ambulance parking.

7 Independent living #dwelling units# within a continuing care retirement community shall be subject to the #accessory# off-street parking requirements of Section [36-30](#). For the purposes of applying such requirements, #dwelling units# shall be as defined in Section [28-02](#).

Parking Requirement Category	PRC - G						
	Agricultural #uses#	Outdoor racket courts	Outdoor skating rinks	Colleges, universities or seminaries	#Schools#	Houses of worship	Libraries, museums or non-commercial art galleries

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 8	per square feet of #floor area# 10
C1-1 C2-1 C3 C4-1	1 per 1,000	1 per 2	1 per 800	1 per 800	None required	1 per 10 9	1 per 800
C1-2 C2-2 C4-2 C8-1						1 per 15 9	1 per 800
C1-3 C2-3 C4-2A C4-3 C8-2	1 per 2,500	1 per 5	1 per 2,000	1 per 2,000		None required 9	1 per 2,000
C1-4 C2-4 C4-4 C4-5D C8-3 C7 outside the #expanded transit zone#	None required	None required	None required	None required		None required 9	None required
C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-4L C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4 C7 within the #expanded transit zone#	None required	None required	None required	None required	None required 9	None required	

8 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.

9 In C1 or C2 Districts mapped within R1, R2 or R3 Districts, the parking requirements shall be 1 per 10 persons-rated capacity. In C1 or C2 Districts

mapped within R4 or R5 Districts, the parking requirements shall be 1 per 15 persons-rated capacity. In C1 or C2 Districts mapped within R6, R7, R8, R9 or R10 Districts, no parking shall be required.

10 Parking requirements for libraries, museums or non-commercial art galleries shall not apply to #floor area# used for storage.

Parking Requirement Category	PRC - G (continued)							
	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 <a href="#">62-43</a>	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#
C1-1 C2-1 C3 C4-1	1 per 500	None required	1 per 10	see Section <a href="#">62-43</a>	1 per 2,000 or 1 per 3	1 per 800	1 per 200	None required
C1-2 C2-2 C4-2 C8-1	1 per 800					1 per 1,200	1 per 400	
C1-3 C2-3 C4-2A C4-3 C8-2	1 per 1,000		1 per 20			1 per 1,500	1 per 600	
C1-4 C2-4 C4-4 C4-5D C8-3 C7 outside the #expanded transit zone#	1 per 2,000		None required			1 per 2,000		
		None required		see Section <a href="#">62-43</a>				None required

C1-5 C1-6					
C1-7 C1-8					
C1-9 C2-5					
C2-6 C2-7					
C2-8 C4-4A					
C4-4L C4-5	None required	None required		None required	None required
C4-5A C4-5X					
C4-6 C4-7 C5					
C6 C8-4					
C7 within the #expanded transit zone#					

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### 36-211 - Special provisions in certain areas

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LAST AMENDED  
6/6/2024

In C1-1, C1-2, C2-1 and C2-2 Districts mapped within R1, R2, R3A, R3X and R3-1 Districts, and C4-1 and C4-2 Districts, in the Borough of Staten Island and Community District 10 in the Borough of the Bronx, the following parking requirements shall apply to certain #uses#:

- (a) the parking requirements for child care services, as listed under the definition of #school# in Section [12-10](#) (DEFINITIONS), in #lower density growth management areas# shall be 1 per 1,000 square feet when located in #community facility buildings# or when located above the first #story# ceiling in #buildings# with both #commercial# and #community facility uses#; and
- (b) the parking requirements for #ambulatory diagnostic or treatment health care facilities# shall be 1 per 400 square feet of #floor area# and #cellar# space, except #cellar# space used for storage, when located in #community facility buildings# or when located above the first #story# ceiling in #buildings# with both #commercial# and #community facility uses#.

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### 36-22 - Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements

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LAST AMENDED  
6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

In all districts indicated, where any #building# or #zoning lot# contains two or more #uses# having different parking requirements as set forth in the following Sections, the parking requirements for each type of #use# shall apply to the extent of that #use#:

Section [36-21](#) (General Provisions)



Section [36-31](#) (General Provisions).

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 Sections [73-431](#) (Reduction of parking spaces for houses of worship) or [73-432](#) (Reduction of parking spaces for places of assembly).

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### **36-23 - Waiver of Requirements for Spaces Below Minimum Number**

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LAST AMENDED  
12/15/1961

C1 C2 C3 C4 C5 C6 C7 C8

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

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### **36-231 - In districts with high, medium or low parking requirements**

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LAST AMENDED  
6/6/2024

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

In the districts indicated, except for the #uses# listed in Section [36-233](#) (Exceptions to application of waiver provisions), and except as otherwise provided in Section [36-27](#) (Waiver for Certain Small Zoning Lots or Establishments), the parking requirements set forth in Sections [36-21](#) (General Provisions) or [36-22](#) (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements) shall not apply to #commercial# #uses# or to #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:

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

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### **36-232 - In districts with very low parking requirements**

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LAST AMENDED  
6/6/2024

C1-4 C1-5 C1-6 C1-7 C1-8 C1-9 C2-4 C2-5 C2-6 C2-7 C2-8 C4-4 C4-5 C4-6 C4-7 C5 C6 C7 C8-3 C8-4

In all districts indicated, except for the #uses# listed in Section [36-233](#) (Exceptions to application of waiver provisions), the

parking requirements set forth in Section [36-21](#) (General Provisions) or Section [36-22](#) (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements) shall not apply to:

- (a) [#commercial# #uses#](#) in parking requirement category A1 or A2, if the total number of [#accessory#](#) off-street parking spaces required for all such [#uses#](#) on the [#zoning lot#](#) is less than 40, or 100 in the case of C6-1A Districts; or
- (b) [#commercial# #uses#](#) in any one of parking requirement categories A3, A4, B1, C or F, or a permitted [#community facility# #use#](#), if the number of [#accessory#](#) off-street parking spaces required for the [#uses#](#) in each such category or for each such [#community facility# #use#](#) is less than 40.

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### **36-233 - Exceptions to application of waiver provisions**

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, the waiver provisions of Section [36-23](#) (Waiver of Requirements for Spaces below Minimum Number) shall not apply to the following types of [#uses#](#):

- (a) [#Uses#](#) within parking requirement category (PRC) D.
- (b) The following [#commercial# #uses#](#) in PRC -F or G:

Camps, overnight or day

[#Motels#](#) or [#tourist cabins](#)

- (c) The following [#community facility# #uses#](#) in PRC-G:

Agricultural [#uses#](#), including greenhouses, nurseries, or truck gardens

Outdoor racket courts.

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### **36-24 - Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden**

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LAST AMENDED

4/14/2010

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, the requirements set forth in Sections [36-21](#) (General Provisions) or [36-22](#) (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements) shall not apply to 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 [36-53](#) (Width of Curb Cuts and 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 the determination on such report.

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### **36-25 - Waiver for Locally Oriented Houses of Worship**

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C1 C2 C3 C4 C8

In the districts indicated, the requirements set forth in Sections [36-21](#) (General Provisions) and [36-22](#) (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 [36-23](#) (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 residence 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.

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## **36-26 - Special Provisions for Zoning Lots Divided by District Boundaries**

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C1 C2 C3 C4 C5 C6 C7 C8

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

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## **36-27 - Waiver for Certain Small Zoning Lots or Establishments**

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, the parking requirements of Section [36-21](#) (General Provisions) for certain #uses# shall be waived in accordance with this Section:

- (a) For #uses# in parking requirement category (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;
- (c) For camps, overnight or day, 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; and
- (d) In C1-1, C1-2, C2-1 and C2-2 Districts mapped within R1, R2, R3A, R3X and R3-1 Districts and in C4-1 and C4-2 Districts, in the Borough of Staten Island and in Community District 10 in the Borough of the Bronx, for #zoning lots# with a #lot area# of 4,000 square feet or less with #buildings# containing either ambulatory diagnostic or treatment health care facilities listed under Use Group III(B) or child care services listed under the definition of #school# in Section [12-10](#) (DEFINITIONS), no #accessory# off-street parking spaces shall be required, provided such #zoning lot# existed both on January 18, 2011, and on the date of application for a building permit.