



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

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

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

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## 36-00 - GENERAL PURPOSES AND DEFINITIONS

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LAST AMENDED  
12/15/1961

### 36-01 - General Purposes

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LAST AMENDED  
4/22/2009

The following regulations on permitted and required accessory off-street parking spaces and accessory bicycle parking spaces are adopted in order to provide parking spaces off the streets sufficient to give necessary access to developing centers of commerce outside the high density central areas, to reduce traffic congestion caused by parking on the streets, to prevent substantial amounts of traffic from circulating in and parking on residential streets surrounding commercial centers, to provide for a higher standard of commercial development within the City and thus to promote and protect public health, safety and general welfare.

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### 36-02 - Applicability of District Regulations

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LAST AMENDED  
4/22/2009

Except as otherwise provided in this Section, the regulations of this Chapter on permitted and required #accessory# off-street parking spaces and #accessory# bicycle parking spaces apply to #residences#, #community facility# #uses# or #commercial# #uses#, as set forth in the provisions of the various Sections. In addition, the regulations of this Chapter, or of specified Sections thereof, also apply in other provisions of this Resolution where they are incorporated by cross reference.

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

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LAST AMENDED  
3/22/2016

In all districts, the regulations of this Chapter applicable to #community facility# #uses# shall not apply to #non-profit hospital staff dwellings#. In lieu thereof, the regulations applicable to #residences# shall apply, as follows:

- (a) the regulations of a C4-1 District shall apply to #non- profit hospital staff dwellings# located in C1 or C2 Districts mapped within R1, R2 and R3 Districts, and to C3 Districts;
  - (b) the regulations of a C4-2 District shall apply to #non- profit hospital staff dwellings# located in C1 or C2 Districts mapped within R4 and R5 Districts, and to C4-1 and C8-1 Districts; and
  - (c) the regulations of a C4-7 District shall apply to #non- profit hospital staff dwellings# located in C1 or C2 Districts mapped within R6 through R10 Districts, and to C1- 6, C1-7, C1-8, C1-9, C2-6, C2-7, C2-8, C4-2, C4-3, C4-4, C4- 5, C4-6, C4-7, C5, C6, C8-2, C8-3 and C8-4 Districts.
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### 36-022 - Applicability of regulations of C6-1A Districts

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LAST AMENDED  
6/29/1994

In C6-1A Districts, the parking requirements of C4-4 Districts as set forth in Section [36-20](#) (REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR COMMERCIAL OR COMMUNITY FACILITY USES) shall apply to #commercial# or #community facility# #uses#. However, for all office #uses# listed in Use Group 6B of Section [32-15](#) (Use Group 6), there shall be one parking space per 4,000 square feet of #floor area#.

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### **36-023 - Applicability of regulations in C4-1 Districts**

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LAST AMENDED  
2/2/2011

In C4-1 Districts, for #zoning lots# having a #lot area# in excess of four acres, all #group parking facilities# that are #accessory# to #commercial developments# or #enlargements# shall be subject to authorization by the City Planning Commission to assure that the layout of such parking spaces is arranged and located in relation to the #use# or #uses# to which such spaces are #accessory#, so as to provide adequate ingress, egress and circulation with respect to abutting #streets# or #uses#.

For such #zoning lots#, the Commission may also authorize a reduction of the parking requirement of Section [36-21](#) (General Provisions) by an amount not to exceed 50 percent, provided that the Commission finds that the applicant has demonstrated that the proposed parking is sufficient for the #use# proposed.

Furthermore, notwithstanding the applicability requirements of Sections [36-58](#) (Parking Lot Maneuverability and Curb Cut Regulations), paragraph (a), and [37-91](#), the Commission shall find that such #group parking facilities# of any size comply with the maneuverability and landscaping provisions of Sections [36-58](#) and [37-90](#) (PARKING LOTS), inclusive. For #group parking facilities accessory# to #enlargements#, the Commission may authorize modifications or waivers of such provisions, provided the Commission finds that:

- (a) maneuverability and curb cut regulations have been complied with to the maximum extent practicable;
- (b) the amount of perimeter landscaped areas have been provided to the maximum extent practicable;
- (c) the amount of interior planting islands and their distribution throughout the parking lot have been provided to the maximum extent practicable; and
- (d) perimeter landscaped areas and interior planting islands have been engineered to absorb storm water runoff to the maximum extent practicable.

The Commission may request reports from licensed engineers and landscape architects in considering such modifications.

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### **36-024 - Applicability of regulations in the Manhattan Core and the Long Island City area**

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LAST AMENDED  
5/8/2013

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

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### **36-026 - Applicability of regulations to Quality Housing**

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LAST AMENDED  
3/22/2016

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

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### **36-027 - Applicability of regulations in R7-3 Districts**

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LAST AMENDED  
4/18/2024

In #Commercial Districts# where #residential uses# are governed by the #bulk# regulations of R7-3 Districts, the #accessory# off-street parking regulations of R7-2 Districts shall apply to #residential uses#.

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### **36-028 - Applicability of regulations in flood zones**

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LAST AMENDED  
10/10/2013

Special regulations applying in the #flood zone# are set forth in Article VI, Chapter 4.

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### **36-029 - Applicability of regulations to public parking garages and public parking lots**

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LAST AMENDED  
12/6/2023

The following provisions of this Chapter shall apply to #public parking garages# and #public parking lots# in addition to #accessory# off-street parking facilities:

Section [36-462](#) (Restrictions on the use of parking spaces in public parking garages and public parking lots)

Section [36-524](#) (Calculating floor area in parking facilities with lift systems, or in automated parking facilities)

Section [36-53](#) (Width of Curb Cuts and Location of Access to the Street)

Section [36-55](#) (Surfacing)

Section [36-56](#) (Screening)

Section [36-58](#) (Parking Lot Maneuverability and Curb Cut Regulations)

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### **36-03 - Definitions**

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LAST AMENDED  
11/19/1987

Words in *italics* are defined in Section [12-10](#) or, if applicable exclusively to this Chapter, in this Section.

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### **36-10 - PERMITTED ACCESSORY OFF-STREET PARKING SPACES**

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## 36-11 - General Provisions

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C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, except as otherwise provided in Section [85-03](#) (Modifications of Use Regulations), #accessory# off-street parking spaces may be provided for all permitted #uses# subject to the applicable provisions set forth in Section [36-12](#) (Maximum Size of Accessory Group Parking Facilities). Such #accessory# off-street parking spaces may be open or enclosed. However, except as otherwise provided in Sections [73-48](#) (Roof Parking) or [74-531](#) (Additional parking spaces or roof parking for accessory group parking facilities), no spaces shall be located on any roof which is immediately above a #story# other than a #basement#.

## 36-12 - Maximum Size of Accessory Group Parking Facilities

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C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, no #accessory# #group parking facility# shall contain more than 150 off-street parking spaces or, in the case of a #Quality Housing building#, more than 200 spaces, except as provided in Section [36-13](#) (Modification of Maximum Size of Accessory Group Parking Facilities).

The provisions of this Section shall not apply to #accessory# off-street parking spaces provided in #public parking garages# in accordance with the provisions of Section [36-57](#) (Accessory Off-street Parking Spaces in Public Garages).

## 36-13 - Modification of Maximum Size of Accessory Group Parking Facilities

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C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, a #group parking facility# may contain additional spaces not to exceed 50 percent of the maximum number otherwise permitted under the provisions of Section [36-12](#) (Maximum Size of Accessory Group Parking Facilities), if the Commissioner of Buildings determines that such facility:

- (a) has separate vehicular entrances and exits thereto, located not less than 25 feet apart;
- (b) if #accessory# to a #commercial# or #community facility# #use#, is located on a #street# not less than 60 feet in width; and
- (c) if #accessory# to a #commercial use#, has adequate reservoir space at the entrance to accommodate a minimum of 10 automobiles.

The Commissioner of Buildings shall establish appropriate additional regulations with respect to the design of such facility to minimize adverse effects on the character of the surrounding area such as requirements for shielding of floodlights.

The provisions of this Section shall not apply to #accessory# off-street parking spaces provided in #public parking garages# in accordance with the provisions of Section [36-57](#) (Accessory Off- street Parking Spaces in Public Garages).

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## **36-14 - Exceptions to Maximum Size of Accessory Group Parking Facilities**

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, the Board of Standards and Appeals may permit #accessory# #group parking facilities# with more than 150 spaces, in accordance with the provisions of Section [73-47](#) (Exceptions to Maximum Size of Accessory Group Parking Facilities).

The provisions of this Section shall not apply to #accessory# off-street parking spaces provided in #public parking garages# in accordance with the provisions of Section [36-57](#) (Accessory Off- street Parking Spaces in Public Garages).

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

<sup>5</sup> 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.

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

<sup>7</sup> 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		1 per 109	1 per 800
C1-2 C2-2 C4-2 C8-1						1 per 159	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
					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 g	None required
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- 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					1 per 800	1 per 200	
C1-2 C2-2 C4-2 C8-1	1 per 800		1 per 10			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	None required	see Section <a href="#">62-43</a>	1 per 2,000 or 1 per 3	1 per 2,000		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	

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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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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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LAST AMENDED

9/9/2004

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.

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

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LAST AMENDED

12/15/1961

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## 36-31 - General Provisions

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LAST AMENDED

3/22/2016

C1 C2 C3 C4 C5 C6

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

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

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

In addition, #rooming units# constructed pursuant to the zoning regulations in effect after July 20, 1950 and prior to March 22, 2016, shall continue to be subject to the applicable zoning district regulations in effect prior to March 22, 2016. For the purposes of applying such provisions to #rooming units#, three #rooming units# shall be considered the equivalent of one #dwelling unit#.

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

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LAST AMENDED

3/22/2016

C1 C2

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

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

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LAST AMENDED

3/22/2016

C3 C4 C5 C6

C3 C4-1 C4-2 C4-3

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

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

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

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### **36-32 - Requirements Where Individual Parking Facilities Are Provided**

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LAST AMENDED  
12/15/1961

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5 C3 C4-1 C4-2 C4-3

In the districts indicated, where #group parking facilities# are not provided, the requirements for #accessory# off-street parking spaces are as set forth in this Section.

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### **36-321 - In C1 or C2 Districts governed by surrounding Residence District bulk regulations**

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LAST AMENDED  
4/14/2010

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

In the districts indicated, where such districts are mapped within R1, R2, R3, R4 or R5 Districts, and where #group parking facilities# are not provided, one #accessory# off-street parking space, open or enclosed, shall be provided for each #dwelling unit#.

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### **36-322 - In C3 or C4 Districts**

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LAST AMENDED  
9/28/2004

C3 C4-1 C4-2 C4-3

In the districts indicated, where #group parking facilities# are not provided, one #accessory# off-street parking space, open or enclosed, shall be provided for each #dwelling unit#, except that in C3A Districts, the provisions applicable to R3 Districts in Sections [25-22](#) (Requirements Where Individual Parking Facilities Are Provided) and [25-60](#) (ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED ACCESSORY OFF-STREET PARKING SPACES) shall apply.

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### **36-33 - Requirements Where Group Parking Facilities Are Provided**

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LAST AMENDED  
2/2/2011

C1 C2 C3 C4 C5 C6 C7 C8

In the districts indicated, for #residences# #developed# under single ownership or control where #group parking facilities# are provided, the number of required #accessory# off-street parking spaces is as set forth in Section [25-23](#) (Requirements Where

Group Parking Facilities Are Provided), for the applicable #Residence District#, as determined in accordance with Section [35-22](#) or [35-23](#). For the purpose of determining the number of required #accessory# off-street parking spaces for such #residences# in C1-6, C2-6, C4-4, C4-5 and C6-1 Districts, the regulations of an R7-2 District shall apply. For C1 or C2 Districts mapped within #lower density growth management areas#, the number of required #accessory# off-street parking spaces for such #residences# shall be 100 percent of the number of new #dwelling units#, and for C1 or C2 Districts mapped within R5A and R5B Districts, the number of required #accessory# off-street parking spaces for such #residences# shall be in accordance with an R5 District without a letter suffix.

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

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LAST AMENDED  
2/9/1994

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

In the districts indicated for small #zoning lots#, the requirements set forth in Section [36-33](#) (Requirements Where Group Parking Facilities Are Provided), shall be modified in accordance with the provisions set forth in this Section.

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

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LAST AMENDED  
3/22/2016

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

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

#### REDUCED REQUIREMENTS FOR SMALL ZONING LOTS

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

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

\*\* In R8B Districts, the parking requirements may not be reduced

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### 36-342 - Reduced requirements in other C1 or C2 Districts or in C4, C5 or C6 Districts

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LAST AMENDED  
3/22/2016

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

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

#### REDUCED REQUIREMENTS FOR SMALL ZONING LOTS

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

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### 36-343 - Waiver of requirements in C1 or C2 Districts governed by surrounding Residence District bulk regulations

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LAST AMENDED  
8/14/1987

C1-4 C1-5 C2-4 C2-5

In the districts indicated, when mapped within an R7-2, R8, R9 or R10 District, the requirements set forth in Section [36-33](#) (Requirements Where Group Parking Facilities Are Provided) shall be waived for #zoning lots# of 10,000 square feet or less, except in R8B Districts.

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### 36-344 - Waiver of requirements in other C1 or C2 Districts or in C4, C5 or C6 Districts

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LAST AMENDED  
12/15/1961

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

In the districts indicated, the requirements set forth in Section [36-33](#) (Requirements Where Group Parking Facilities Are Provided) shall be waived for #zoning lots# of 10,000 square feet or less.

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## **36-345 - Waiver of requirements for small zoning lots in certain districts in the Borough of Staten Island**

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LAST AMENDED  
1/18/2011

C1 C2

In the districts indicated mapped within R4, R5 and R6 Districts in the Borough of Staten Island, for #zoning lots# with a #lot area# of 4,000 square feet or less, 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.

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## **36-35 - Modification of Requirements for Income-Restricted Housing Units or Affordable Independent Residences for Seniors**

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LAST AMENDED  
3/22/2016

C1 C2 C3 C4 C5 C6

In the districts indicated, the number of required #accessory# off-street parking spaces is as set forth in Section [25-25](#) (Modification of Requirements for Income-Restricted Housing Units, Affordable Independent Residences for Seniors or Other Government-Assisted Dwelling Units) for the applicable #Residence District#, as determined in accordance with Sections [35-22](#) or [35-23](#).

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

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LAST AMENDED  
3/22/2016

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

In the districts indicated, the requirements set forth in Section [36-31](#) (General Provisions) shall be subject to the waiver provisions of this Section.

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## **36-361 - In C1 or C2 Districts governed by surrounding Residence District bulk regulations**

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LAST AMENDED  
2/2/2011

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

In the districts indicated, where such districts are mapped within R6, R7, R8, R9 or R10 Districts, the requirements set forth in Section [36-31](#) (General Provisions) shall be waived if the required number of #accessory# off-street parking spaces resulting from the application of such requirements is no greater than the maximum number as set forth in the following table. The maximum number is determined by the #Residence District# within which the #Commercial District# is mapped.

NUMBER OF SPACES FOR WHICH REQUIREMENTS ARE WAIVED

#Residence District# within which C1 or C2 District is Mapped	Maximum Number of Spaces Waived
R5D	1
R6 R7-1 * R7B	5
R7-2 R7A R7D R7X R8 R9 R10	15

\* For #Quality Housing buildings# with #income-restricted housing units# utilizing the parking reductions of Section [25-251](#), or for #Quality Housing buildings# with other government-assisted #dwelling units# utilizing the parking reductions of Section [25-253](#), the maximum number of spaces waived shall be 15.

However, the following provisions shall apply:

- (a) In C1 or C2 Districts mapped within R5D Districts, the provisions of this Section shall apply only to #zoning lots# existing both on June 29, 2006, and on the date of application for a building permit; and
- (b) In C1 or C2 Districts mapped within R6 and R7 Districts in #lower density growth management areas# in Community District 10 in the Borough of the Bronx, the provisions of this Section, inclusive, shall only apply to #zoning lots# existing both on March 25, 2010, and on the date of application for a building permit.

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

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LAST AMENDED  
3/22/2016

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

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

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

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### **36-363 - For conversions in C1 or C2 Districts governed by surrounding Residence District bulk regulations**

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LAST AMENDED  
2/2/2011

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

In the districts indicated<sup>\*</sup>, where such districts are mapped within R6, R7-1, R7A, R7B, R7D or R7X Districts, the requirements set forth in Section [36-311](#) (Application of requirements to conversions in C1 or C2 Districts) shall be waived if the required number of #accessory# off-street parking spaces resulting from the application of such requirements is 20 spaces or less, provided that the Board of Standards and Appeals may waive requirements for a greater number of spaces in accordance with the provisions of Section [73-46](#) (Waiver of Requirements for Conversions).

<sup>\*</sup> No #accessory# off-street parking is required for additional #dwelling units# created by #conversions# in C1 or C2 Districts mapped within R7-2, R8, R9, or R10 Districts. See Section [36-311](#) (Application of requirements to conversions in C1 or C2 Districts)

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### **36-364 - For conversions in C4 Districts**

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LAST AMENDED  
2/2/2011

C4-2 C4-3

In the districts indicated<sup>\*</sup>, the requirements set forth in Section [36-312](#) (Application of requirements to conversions in C3, C4, C5 and C6 Districts) shall be waived, if the required number of #accessory# off-street parking spaces resulting from the application of such requirements is 20 spaces or less, provided that the Board of Standards and Appeals may waive requirements for a greater number of spaces in accordance with the provisions of Section [73-46](#) (Waiver of Requirements for Conversions).

<sup>\*</sup> No #accessory# off-street parking is required for additional #dwelling units# created by #conversions# in the districts not indicated in Section [36-312](#) (Application of requirements to conversions in C3, C4, C5 and C6 Districts).

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### **36-37 - 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

In the 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 Section [73-43](#) (Reduction of Parking Spaces for House of Worship or Places of Assembly).

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### **36-38 - 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

In the districts indicated, the requirements set forth in Section [36-31](#) (General Provisions) 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 report and may base his determination on such report.

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## **36-39 - Special Provisions for Zoning Lots Divided by District Boundaries**

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LAST AMENDED  
8/14/1987

C1 C2 C3 C4 C5 C6

In the districts 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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## **36-40 - RESTRICTIONS ON LOCATION AND USE OF ACCESSORY OFF-STREET PARKING SPACES**

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LAST AMENDED  
12/15/1961

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## **36-41 - General Provisions**

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LAST AMENDED  
9/9/2004

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted or required off- street parking spaces, open or enclosed, #accessory# to #residences# or to #commercial# or #community facility# #uses# shall be provided on the same #zoning lot# as the #building# or #use# to which such spaces are #accessory#, except as provided in the following Sections:

- Section [36-42](#) (Off-site Spaces for Residences)
- Section [36-43](#) (Off-site Spaces for Commercial or Community Facility Uses)
- Section [36-44](#) (Joint and Shared Facilities)
- Section [36-45](#) (Additional Regulations for Required Spaces When Provided Off Site)
- Section [73-45](#) (Modification of Off-site Parking Provisions)

Such exceptions to the requirement that the spaces be provided on the same #zoning lot# as the #building# or #use# to which they are #accessory# shall not apply in the case of spaces provided in a permitted #public parking garage# in accordance with the provisions of Section [36-57](#) (Accessory Off-street Parking Spaces in Public Garages).

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## 36-42 - Off-site Spaces for Residences

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LAST AMENDED

7/6/1972

C1 C2 C3 C4 C5 C6

In the districts indicated, all permitted or required off-street parking spaces #accessory# to #residences# may be provided on a #zoning lot# other than the same #zoning lot# as the #residences# to which such spaces are #accessory#, provided that in such instances all such spaces are:

- (a) located in a district other than a #Residence District#, or provided in a joint facility located in a district other than an R1 or R2 District on the same #zoning lot# as one of the #buildings# to which it is #accessory#, and conforming to the provisions of Section [36-44](#) (Joint and Shared Facilities); and
- (b) not further than the maximum distance from the #zoning lot# specified in this Section.

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## 36-421 - Maximum distance from zoning lot

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LAST AMENDED

3/22/2016

C1 C2 C3 C4 C5 C6

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

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

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## 36-43 - Off-site Spaces for Commercial or Community Facility Uses

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LAST AMENDED

12/15/1961

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted or required off-street parking spaces #accessory# to #commercial# or #community facility# #uses# may be provided on a #zoning lot# other than the same #zoning lot# as such #uses# but within the same district or an adjoining #Commercial District# or #Manufacturing District#. However, all required spaces shall not be further than 600 feet from the nearest boundary of the #zoning lot# on which such #uses# are located.

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## 36-44 - Joint and Shared Facilities

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LAST AMENDED  
9/9/2004

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### 36-441 - Joint facilities

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LAST AMENDED

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, required #accessory# off-street parking spaces may be provided in facilities designed to serve jointly two or more #buildings# or #zoning lots#, provided that:

- (a) the number of spaces in such joint facilities shall be not less than that required in the following Sections for the combined number of #dwelling units# or the combined #floor area#, #lot area#, rated capacity, or other such unit of measurement in such #buildings# or #zoning lots#:
  - Section [36-21](#) (General Provisions)
  - Section [36-22](#) (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements)
  - Section [36-31](#) (General Provisions);
- (b) all such spaces are located in a district where they are permitted under the applicable provisions of Sections [36-42](#) (Off-Site Spaces for Residences), [36-43](#) (Off-Site Spaces for Commercial or Community Facility Uses) or [73-45](#) (Modification of Off-site Parking Provisions); and
- (c) the design and layout of such joint facilities meet standards of adequacy set forth in regulations promulgated by the Commissioner of Buildings.

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### 36-442 - Shared parking facilities for houses of worship

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LAST AMENDED  
9/9/2004

In C1 or C2 Districts mapped within R1, R2, R3, R4 or R5 Districts and in C3, C4-1, C4-2 and C8-1 Districts, required #accessory# off-street parking spaces may be provided for houses of worship in facilities designed to be shared with other permitted non-#residential uses#, in any district, provided that:

- (a) no more than 25 percent of the spaces in such facilities may be used to satisfy the parking requirement for both the house of worship and other permitted non-#residential uses#, except that such percentage may be increased by the Commissioner of Buildings if it can be demonstrated that such additional parking spaces would not be used by the house of worship and other permitted non-#residential uses# at the same times;
- (b) all such spaces are no further than 600 feet from the nearest boundary of the #zoning lot# containing the house of worship; and
- (c) all such spaces conform to all applicable regulations of the district in which they are located.

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## 36-45 - Additional Regulations for Required Spaces When Provided Off Site

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LAST AMENDED

9/9/2004

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, when required #accessory# off- street parking spaces are provided off the site in accordance with the provisions of Sections [36-42](#) (Off-site Spaces for Residences), [36-43](#) (Off-site Spaces for Commercial or Community Facility Uses) or [36-44](#) (Joint and Shared Facilities), the following additional regulations shall apply:

- (a) such spaces shall be in the same ownership (single fee ownership or alternative ownership arrangements of the #zoning lot# definition in Section [12-10](#)) as the #use# to which they are #accessory#, and shall be subject to deed restrictions filed in an office of record, binding the owner and his heirs and assigns to maintain the required number of spaces available throughout the life of such #use#; and
- (b) such spaces shall conform to all applicable regulations of the district in which they are located.

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## 36-46 - Restrictions on Use of Accessory Parking Spaces and Spaces in Public Parking Garages

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LAST AMENDED

12/6/2023

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## 36-461 - Restrictions on the use of accessory off-street parking spaces

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted or required #accessory# off-street parking spaces, open or enclosed, shall be used primarily for the owners, occupants, employees, customers, residents or visitors of the #use# or #uses# to which such spaces are #accessory#, except as set forth in this Section.

- (a) Any off-street parking spaces #accessory# to #residences# which are not needed by the occupants of such #residences#, may be rented to persons who are not occupants of such #residences# for the accommodation of private passenger motor vehicles used by such persons. However, in C3 Districts, such spaces shall not be rented for periods of less than one week or more than one month to persons who are not occupants of such #residences#.
- (b) In C1 or C2 Districts mapped within, or with an equivalent of, R3-2 through R10 Districts, other than R4-1, R4A, R4B and R5A Districts, and in C3 Districts, up to five spaces or 20 percent of all #accessory# off-street parking spaces, whichever is greater, may be allocated to:

- (1) publicly available electric vehicle charging facilities;
  - (2) #car sharing vehicles#; or
  - (3) vehicles stored by automobile rental establishments.
- (c) In C4, C5, C6, C7 and C8 Districts, up to five spaces or 20 percent of all #accessory# off-street parking spaces, whichever is greater, may be allocated to:
- (1) publicly available electric vehicle charging facilities;
  - (2) #car sharing vehicles#;
  - (3) vehicles stored by automobile rental establishments; or
  - (4) commercial or public utility vehicle parking for motor vehicles not exceeding a length of 20 feet.

Any spaces #accessory# to #residences# 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.

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## **36-462 - Restrictions on the use of parking spaces in public parking garages and public parking lots**

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†

LAST AMENDED  
12/6/2023

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, off-street parking spaces in #public parking garages# and #public parking lots# may be made available for electric charging, or allocated to #car sharing vehicles#, vehicles stored by automobile rental establishments, or commercial or public utility vehicle parking, only as follows:

- (a) In all districts, all spaces within a #public parking garage# or #public parking lot# may be allocated to publicly available electric vehicle charging facilities.
- (b) In C1 or C2 Districts mapped within, or with an equivalent of R3-2 through R10 Districts, other than R4-1, R4A, R4B and R5A Districts, and in C3 Districts, up to 50 percent of the parking spaces within a #public parking garage# or #public parking lot# may be allocated to #car sharing vehicles#, or vehicles stored by automobile rental establishments.
- (c) In C4, C5, C6, C7 and C8 Districts, up to 50 percent of the parking spaces within a #public parking garage# or #public parking lot# may be allocated to:
  - (1) #car sharing vehicles#;
  - (2) vehicles stored by automobile rental establishments; or
  - (3) commercial or public utility vehicle parking for motor vehicles not exceeding a length of 20 feet.

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## 36-47 - Restrictions on Automotive Repairs and Sale of Motor Fuel

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LAST AMENDED  
12/6/2023

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, automotive repairs or the sale of motor fuel, motor oil or automotive accessories are not permitted in connection with the operation of #accessory# off-street parking spaces. However, where such parking spaces are provided in a #building or other structure#, unattached to the #building# containing #residences#, minor automotive repairs (not including body work) are permitted. The provisions of this Section are not applicable to #accessory# off-street parking spaces provided in #public parking garages#.

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## 36-48 - Electric Vehicle Charging

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LAST AMENDED  
12/6/2023

Electric vehicle charging facilities shall be permitted at all #accessory# off-street parking spaces. Such charging shall be for the owners, occupants, employees, customers, residents or visitors using such #accessory# parking spaces, except as otherwise permitted by the provisions of Section [36-461](#) (Restrictions on use of accessory off-street parking spaces).

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## 36-50 - ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED ACCESSORY OFF-STREET PARKING SPACES

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LAST AMENDED  
12/15/1961

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## 36-51 - General Provisions

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LAST AMENDED  
9/29/2010

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted or required #accessory# off-street parking spaces shall conform to the provisions of Section [36-50](#), inclusive.

Special regulations applying to #large-scale community facility developments# or #large-scale residential developments# are set forth in Article VII, Chapter 9 or 8, respectively.

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## 36-52 - Size, Location and Identification of Spaces

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LAST AMENDED  
9/29/2010

C1 C2 C3 C4 C5 C6 C7 C8

In the districts indicated, all #accessory# off-street parking spaces shall comply with the size and location provisions of this Section.

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## 36-521 - Size of spaces

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†

LAST AMENDED  
12/6/2023

C1 C2 C3 C4 C5 C6 C7 C8

(a) Minimum maneuvering space

In all districts, as indicated, for all #accessory# off-street parking spaces, open or enclosed, each 300 square feet of unobstructed standing or maneuvering area shall be considered one parking space., except as follows:

(1) Standard attended facilities

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, or where the developer or applicant for a building permit or certificate of occupancy certifies that such spaces will be fully attended.

In any case where a reduction of the required area per parking space is permitted on the basis of the developer's certification that such spaces will be fully attended, it shall be set forth in the certificate of occupancy that paid attendants employed by the owners or operators of such spaces shall be available to handle the parking and moving of automobiles at all times when such spaces are in use.

(2) Attended facilities with parking lift systems

For portions of an attended parking facility with parking lift systems, each individually lifted tray upon which a vehicle is stored shall be considered one parking space. Any other attended space not on a lifted tray shall be subject to the provisions of paragraph (a)(1) of this Section.

(3) #Automated parking facilities#

For #automated parking facilities#, each tray upon which a vehicle is stored shall constitute one street parking space. The term "tray" shall refer to the structural support for vehicle storage in both pallet and non-pallet vehicle storage systems.

However, auxiliary parking trays in #automated parking facilities# 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#.

(b) Driveway access

Driveways used to access required parking spaces must be unobstructed for a width of at least eight feet and a height of eight feet above grade and, if connecting to a #street#, such driveway may only be accessed by a curb cut.

(c) Minimum size for each parking space

In no event shall the dimensions of any parking stall be less than 18 feet long and 8 feet, 6 inches wide.

(d) Special rules for certain areas

In the Borough of Staten Island and in #lower density growth management areas# in Community District 10 in the Borough of the Bronx, for #commercial# or #community facility# #uses#, each required parking space not within a #building# shall be within a parking stall accessed from a travel aisle, where each such stall and aisle complies with the maneuverability standards of paragraph (b) of Section [36-58](#) (Parking Lot Maneuverability and Curb Cut Regulations). The use of an attendant shall be permitted only where necessary to accommodate additional, non-required parking spaces within the travel aisles. For such parking areas with 18 or more spaces, or greater than 6,000 square feet in area, the provisions of Section [37-90](#) (PARKING LOTS) shall also apply.

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### **36-522 - Location of parking spaces in certain districts**

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LAST AMENDED  
10/11/2012

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-4L C4-5A C4-5D C4-5X  
C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-4A C6-4X

In the districts indicated, and in C1 and C2 Districts mapped within R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A and R10X Districts, and for #Quality Housing buildings# in C1, C2, C4, C5 and C6 Districts without a letter suffix, all #accessory# off-street parking spaces shall comply with the provisions of this Section.

(a) #Buildings# other than #mixed buildings#

For any #block# front that is entirely within a #Commercial District#, #accessory# off-street parking spaces shall be located only within a #building# or in any open area on the #zoning lot# that is not between the #street line# and the #street wall# of the #building# or its prolongation. Where a #zoning lot# is bounded by more than one such #street line#, this provision shall apply along only one #street line#.

(b) #Mixed buildings#

For #mixed buildings#, all #accessory# off-street parking spaces shall be located only within a #building# or in any open area on the #zoning lot# that is not between the #street line# and the #street wall# of the #building# or its prolongation.

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### **36-523 - Identification of car sharing vehicles**

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LAST AMENDED  
9/29/2010

C1 C2 C3 C4 C5 C6 C7 C8

Within an off-street parking facility that contains #car sharing vehicles#, an information plaque shall be placed within 20 feet of either the entrance to the parking facility or the attendant's station, at a location accessible to and visible to users of such facility.

The plaque shall be fully opaque, non-reflective and constructed of permanent, highly durable materials and shall contain the following statements in lettering no less than one inch high:

- (a) “Total parking spaces in facility:” which shall specify the total number of parking spaces permitted within such parking facility;
- (b) “Maximum number of car sharing vehicles:” which shall specify the total number of #car sharing vehicles# permitted within such parking facility; and
- (c) where such parking facility contains #accessory# #residential# parking spaces, “Accessory residential parking spaces shall be made available to residents of this building within 30 days after a written request is made to the landlord”.

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### **36-524 - Calculating floor area in parking facilities with lift systems, or in automated parking facilities**

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LAST AMENDED  
12/6/2023

For enclosed #accessory# off-street parking facilities, or #public parking garages#, for the purposes of determining #floor area# in an #automated parking facility#, or an attended parking facility with parking lift systems, each tray upon which a vehicle is stored at a height that exceeds the permitted exemption set forth in the definition of #floor area# in Section [12-10](#), or as otherwise modified in this Resolution, as applicable, shall be considered #floor area# in an amount of 153 square feet, or the size of such lifted tray, whichever is greater.

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### **36-53 - Width of Curb Cuts and Location of Access to the Street**

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LAST AMENDED  
4/14/2010

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, the entrances and exits of all permitted or required #accessory# #group parking facilities# and all permitted #public parking lots# or #public parking garages# with 10 or more spaces, shall be located not less than 50 feet from the intersection of any two #street lines#. However, access located within 50 feet of such intersection may be permitted if the Commissioner of Buildings or, in the case of #public parking lots# or #public parking garages# permitted in accordance with the provisions of Article VII, Chapter 4, the City Planning Commission, certifies that such a location is not hazardous to traffic safety and not likely to create traffic congestion. The Commissioner of Buildings or the City Planning Commission may refer such matter to the Department of Transportation for a report and may base its determination on such report.

The waiver provisions of Sections [36-24](#) or [36-38](#) (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden) shall apply when the Commissioner of Buildings has certified that there is no way to arrange the spaces with access to the #street# to conform to the provisions of this Section.

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### **36-531 - Location of curb cuts in C1 or C2 Districts mapped within R5D Districts**

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LAST AMENDED  
6/29/2006

In C1 or C2 Districts mapped within R5D Districts, a minimum distance of 34 feet of uninterrupted curb space shall be provided between all curb cuts constructed after June 29, 2006.

Furthermore, no curb cuts shall be permitted on the ## frontage of any #zoning lot# existing on June 29, 2006, with access to a #narrow street#.

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### **36-532 - Location and width of curb cuts accessing residential parking spaces in certain districts**

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LAST AMENDED  
2/2/2011

The provisions of this Section shall apply to all curb cuts accessing off-street parking spaces #accessory# to #residences# in C1 and C2 Districts mapped within R1 through R8 Districts, and in all other #Commercial Districts# where, as set forth in the tables in Section [34-112](#) or [35-23](#), as applicable, the applicable #Residential District# is R3, R4, R5, R6, R7 or R8.

- (a) All such curb cuts shall comply with the provisions of Section [25-631](#) (Location and width of curb cuts in certain districts), as set forth for the applicable #building#, #building segment# and #Residence District#. All #buildings# containing #residences# in C1 and C2 Districts mapped within R1, R2, R3-1, R3A, R3X, R4-1, R4A and R5A Districts shall comply with the provisions set forth in Section [25-631](#) for an R3-2 District;
- (b) All such curb cuts shall be prohibited on the #wide street# frontage of any #zoning lot# existing on April 14, 2010, with access to a #narrow street#; and
- (c) Where a #Commercial District# with only #narrow street# frontage is mapped along the short end of a #block#, and a #zoning lot# existing on April 14, 2010, has access to both the short and long ends of such #block#, all such curb cuts shall be prohibited along the #street line# of the short end of such #block#.

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### **36-54 - Restrictions on Use of Required Residential Open Space for Parking**

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LAST AMENDED  
2/2/2011

C1-1 C1-2 C1-3 C1-4 C1-5 C1-6 C1-7 C1-8 C2-1 C2-2 C2-3 C2-4 C2-5 C2-6 C2-7 C3 C4-1 C4-2 C4-3 C4-4 C4-5 C6-1 C6-2 C6-3

In the districts indicated, except for C1 or C2 Districts when mapped within an R10 District, in accordance with the provisions of Sections [34-11](#) or [35-21](#) (General Provisions), not more than 50 percent of the required #open space# on any #zoning lot# with a #building# containing #residences# may be used for driveways, private streets, open #accessory# off-street parking spaces or open #accessory# off-street loading berths.

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### **36-55 - Surfacing**

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LAST AMENDED  
12/6/2023

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all open #accessory# off-street parking spaces or permitted #public parking lots# shall be graded, constructed, surfaced and maintained so as to provide adequate drainage and to prevent the release of dust, in accordance with rules and regulations promulgated by the Commissioner of Buildings.

Any area intended to be used permanently for an open #accessory# #group parking facility# shall be surfaced with permeable paving materials, asphaltic or Portland cement concrete, or other hard-surfaced dustless material.

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## 36-56 - Screening

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LAST AMENDED

11/28/2007

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all open off-street parking areas with 10 spaces or more, which are located on #zoning lots# adjacent to the boundary of a #Residence District#, either at natural grade or on a roof:

- (a) shall be screened from all adjoining #zoning lots# in #Residence Districts#, including such #zoning lots# situated across a #street#, by either:
  - (1) a strip at least four feet wide, densely planted with shrubs or trees at least four feet high at the time of planting, and which are of a type which may be expected to form a year-round dense screen at least six feet high within three years; or
  - (2) a wall or barrier or uniformly painted fence of fire resistant material at least six feet high, but not more than eight feet above finished grade (or above the roof level, if on a roof). Such wall, barrier or fence may be opaque or perforated, provided that not more than 50 percent of the face is open;
- (b) shall be maintained in good condition at all times;
- (c) may be interrupted by normal entrances or exits; and
- (d) shall have no #signs# hung or attached thereto other than those permitted in Sections [32-62](#) (Permitted Signs) or [32-63](#) (Permitted Advertising Signs).

Paragraph (a) of this Section shall not apply at the #street line# of #zoning lots# where the requirements of Section [37-921](#) (Perimeter landscaping) apply.

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## 36-57 - Accessory Off-Street Parking Spaces in Public Garages

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LAST AMENDED

6/6/2024

C1 C2 C4 C5 C6 C7 C8

In the districts indicated, permitted or required #accessory# off-street parking spaces may be provided in a permitted #public parking garage#, but only on the same #zoning lot# as the #building# or #use# to which such spaces are #accessory# and subject to all the other applicable regulations of this Chapter.

Such #accessory# off-street parking spaces shall be included with all other spaces in such #public parking garage# for the purpose of applying any regulations in this Resolution relating to the number of spaces in such #public parking garage#.

The computation of #floor area# for such #public parking garage# shall be in accordance with the definition of #floor area# as set forth in Section [12-10](#) (DEFINITIONS), except as otherwise specifically authorized in accordance with the provisions of Sections [73-67](#) (Additional Floor Space for Public Parking Garages), [74-193](#) (Public parking garages or public parking lots outside high density areas) or [74-194](#) (Public parking garages or public parking lots inside high density areas).

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## 36-58 - Parking Lot Maneuverability and Curb Cut Regulations

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

### (a) Applicability

In all districts, as indicated, the provisions of this Section shall apply to:

- (1) #developments# with #accessory# open parking areas in which 70 percent or more of the #floor area# on the #zoning lot# is occupied by a #commercial# or #community facility# #use#; and
- (2) #enlargements# of a #building# with #accessory# open parking areas or the #enlargement# of an open parking area, that result in an increase in:
  - (i) the total number of parking spaces #accessory# to #commercial# or #community facility# #uses# on the #zoning lot# that is at least 20 percent greater than the number of such spaces existing on November 28, 2007; or
  - (ii) the total amount of #floor area# on the #zoning lot# that is at least 20 percent greater than the amount of #floor area# existing on November 28, 2007, and where at least 70 percent of the #floor area# on the #zoning lot# is occupied by #commercial# or #community facility# #uses#; and
- (3) existing #buildings# with new #accessory# open parking areas in which 70 percent or more of the #floor area# on the #zoning lot# is occupied by a #commercial# or #community facility# #use#.

The provisions of this Section shall not apply to surface parking located on the roof of a #building#, indoor parking garages, #public parking garages#, structured parking facilities, or #developments# or #enlargements# in which at least 70 percent of the #floor area# or #lot area# on a #zoning lot# is used for automobile dealers, automotive repair and maintenance, or #automotive service stations# listed under Use Group VI.

In addition, all #public parking lots# shall comply with the curb cut requirements of paragraph (c) of this Section.

For the purposes of this Section, an “open parking area” shall mean that portion of a #zoning lot# used for the parking or maneuvering of vehicles, including service vehicles, which is not covered by a #building#. Open parking areas shall also include all required landscaped areas within and adjacent to the open parking area.

For all such new or #enlarged# open parking areas, a site plan shall be submitted to the Department of Buildings showing the location of all parking spaces, curb cuts and compliance with the maneuverability standards set forth in this Section.

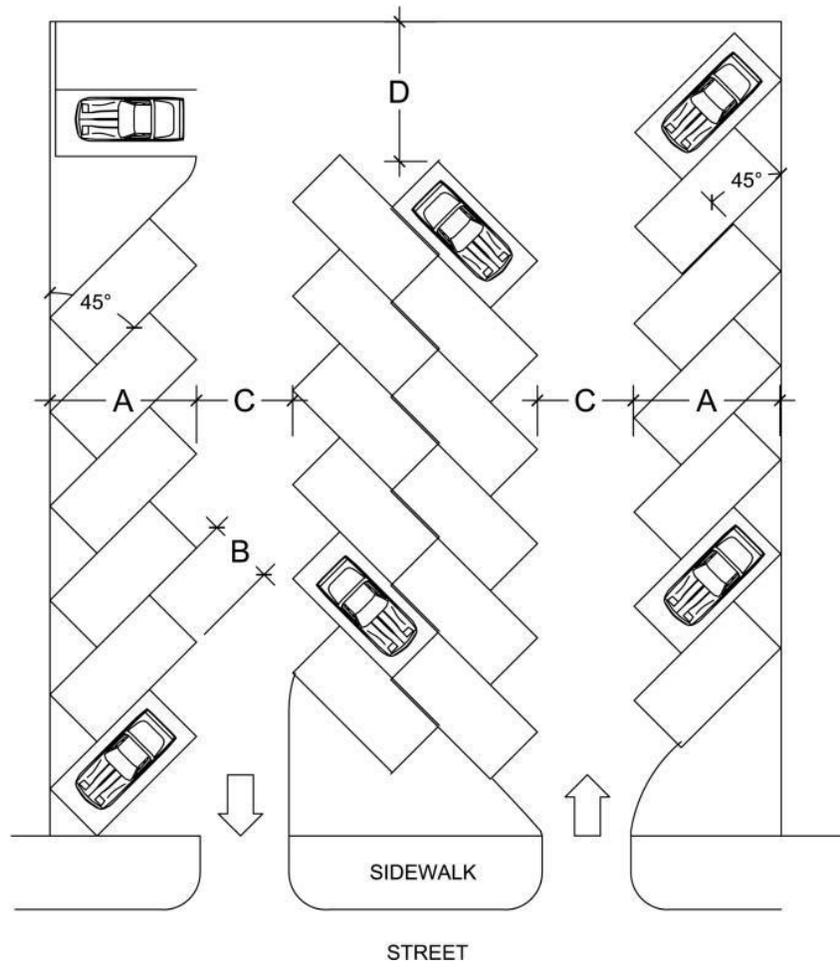
### (b) Parking Lot Maneuverability

All open parking areas shall comply with the maneuverability standards set forth in the following table.

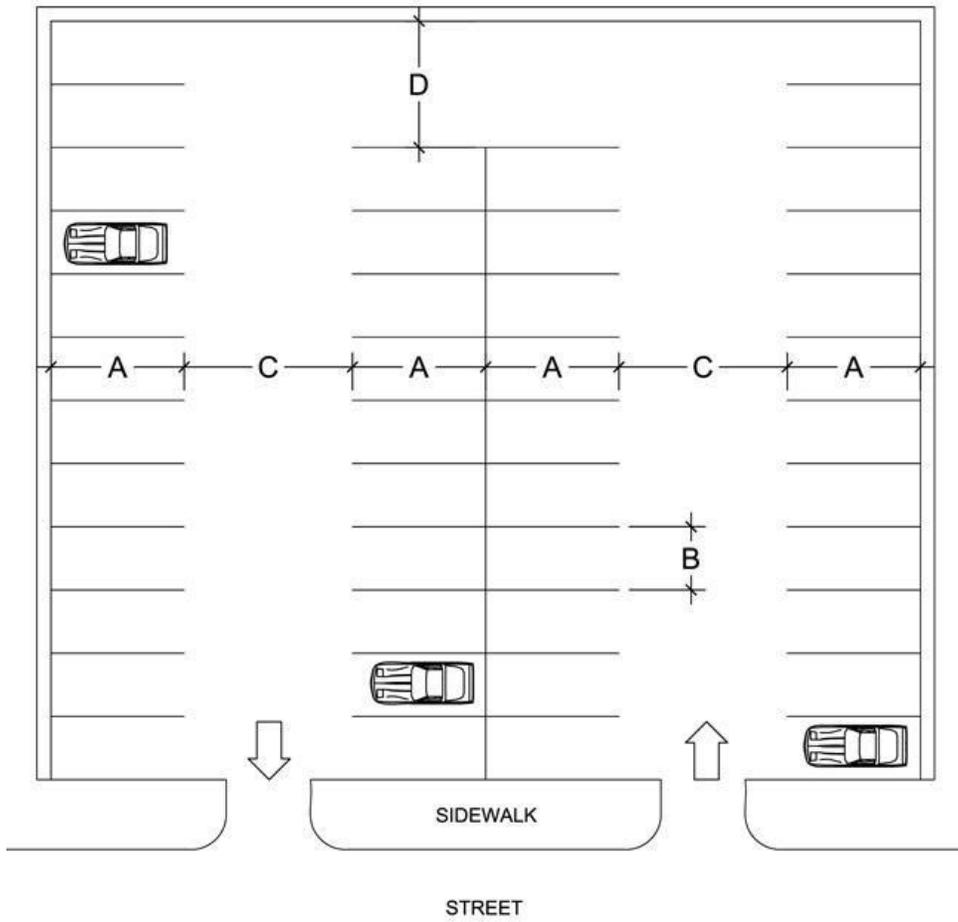
	A	B	C	D
Angle of Park	Minimum length	Minimum Width	Minimum Travel Lane	Minimum Turnaround
0*	8'-6"	20'-0"	13'-2"	N/A
0**	8'-6"	20'-0"	23'-3"	N/A
45	17'-1"	8'-6"	12'-10"	18'-0"
50	17'-8"	8'-6"	13'-2"	17'-6"
55	18'-1"	8'-6"	13'-7"	17'-3"
60	18'-5"	8'-6"	14'-6"	17'-0"
65	18'-7"	8'-6"	15'-4"	17'-3"
70	18'-8"	8'-6"	16'-5"	17'-6"
75	18'-7"	8'-6"	17'-10"	18'-0"
90	18'-0"	8'-6"	22'-0"	22'-0"

\* Figures given are for one-way traffic

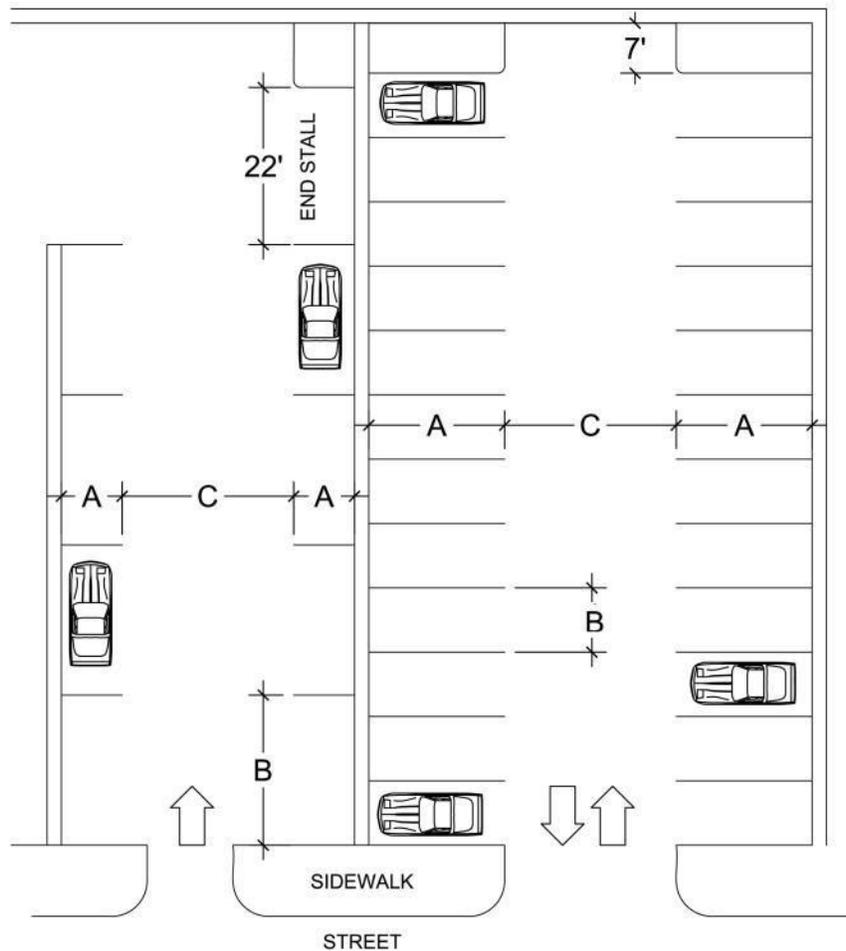
\*\* Figures given are for two-way traffic



45 DEGREE PARKING LAYOUT (36-58b.1)



90 DEGREE PARKING LAYOUT (36-58b.2)



**PARALLEL PARKING/DEAD-END PARKING (36-58b.3)**

**(c) Curb Cuts**

Curb cuts serving one travel lane shall have a maximum width of 12 feet, excluding splays, and curb cuts serving two travel lanes shall have a maximum width of 24 feet, excluding splays. For parking lots with more than 100 parking spaces, curb cuts of up to 30 feet, excluding splays, shall be permitted.

However, where Fire Department regulations set forth in the Administrative Code of the City of New York require curb cuts of greater width, such curb cuts may be increased to the minimum width acceptable to the Fire Department.

For #zoning lots# with 100 feet or less of #street# frontage, only two curb cuts shall be permitted. For every additional 50 feet of #street# frontage, one additional curb cut shall be permitted.

A minimum distance of 18 feet from any other curb cut on the same or adjacent #zoning lots# shall be maintained, except where the Commissioner of Buildings determines that, due to the location of curb cuts constructed, prior to November 28, 2007, on adjacent #zoning lots#, there is no way to locate the curb cut 18 feet from such adjacent existing curb cuts.

**36-581 - Special parking regulations for certain community facility uses in the Borough of Staten Island and Community District 10 in the Borough of the Bronx**

LAST AMENDED  
6/6/2024

C1 C2 C4

- (a) In C1, C2 and C4 Districts in the Borough of Staten Island or in Community District 10 in the Borough of the Bronx, all #zoning lots# containing #buildings# with the following #uses# shall be subject to the provisions of paragraph (b) of this Section:
- (1) ambulatory diagnostic or treatment health care facilities listed under Use Group III(B), except where such #zoning lot# contains #buildings# used for hospitals, as defined in the New York State Hospital Code, or #long-term care facilities#; or
  - (2) child care services as listed under the definition of #school# in Section [12-10](#) (DEFINITIONS), except where such #zoning lot# contains #buildings# used for houses of worship or, for #zoning lots# that do not contain #buildings# used for houses of worship, where the amount of #floor area# used for child care services is equal to 25 percent or less of the amount of #floor area# permitted for #community facility# #use# on the #zoning lot#.
- (b) All #zoning lots# that meet the conditions of paragraph (a) of this Section shall comply with the following provisions:
- (1) Notwithstanding the applicability provisions of paragraph (a) of Section [36-58](#) (Parking Lot Maneuverability and Curb Cut Regulations), the maneuverability provisions of paragraph (b) and the curb cut provisions of paragraph (c) of such Section shall apply to all #group parking facilities#, open or enclosed. No tandem parking or attended parking shall be permitted.
  - (2) In addition to the screening requirements for open parking areas in Section [36-56](#), any parking area covered by a roof shall be screened from adjoining #zoning lots# in #Residence Districts# and from adjacent #streets# in accordance with the following provisions:
    - (i) Screening shall consist of a wall or barrier or uniformly painted fence of fire resistant material at least six feet high above finished grade and may be interrupted by normal entrances or exits;
    - (ii) Such wall, barrier or fence may be opaque or perforated, provided that not more than 50 percent of the surface is open. No chain link fencing shall be permitted. Such screening shall be maintained in good condition at all times;
    - (iii) Where the exterior wall of a parking facility facing a #street# has an opaque area with a width greater than 40 feet and a height greater than six feet, such area shall be treated with a decorative element or material or shall be screened with planting so as to provide visual relief. Such screening or decorative treatment shall be applied to a minimum height of 15 feet above adjoining grade or the height of the wall, whichever is less;
    - (iv) For parking areas covered by a roof, where at least half of the surface area of such roof serves as children's play space for #buildings# containing child care services as listed under the definition of #school# in Section [12-10](#) (DEFINITIONS), such covered parking area shall not be considered an "open parking area" for the purposes of Section [37-90](#) (PARKING LOTS), inclusive, and shall therefore not require perimeter or interior landscaping pursuant to such Section. In lieu thereof, such covered parking area shall be screened in accordance with paragraph (b)(2) of this Section.

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## **36-59 - Cross Access Connections in the Borough of Staten Island**

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LAST AMENDED  
6/10/2009

C4-1 C8

In the Borough of Staten Island, in the districts indicated, existing or new open parking lots adjacent to one another on the same or separate #zoning lots# shall be required to provide vehicular passageways between such open parking lots. Such vehicular passageways are hereinafter referred to as “cross access connections” and shall be provided in accordance with the requirements of this Section, inclusive.

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### **36-591 - Applicability**

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LAST AMENDED

6/10/2009

Cross access connections shall be required for:

- (a) #developments# where at least 70 percent or more of the #floor area# on the #zoning lot# is occupied by a #commercial# or #community facility# #use# with an open parking lot that has 36 or more #accessory# parking spaces or is greater than 12,000 square feet in area;
- (b) #enlargements# on a #zoning lot# with an open parking lot that has 36 or more #accessory# parking spaces or is greater than 12,000 square feet in area; or
- (c) #zoning lots# where the number of parking spaces #accessory# to #commercial# or #community facility# #uses# is increased and such increase results in at least 36 parking spaces or more than 12,000 square feet of open parking lot area.

Such #developments#, #enlargements# or #zoning lots# shall locate cross access connections in accordance with the requirements of Sections [36-593](#) and 36-594.

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### **36-592 - Certification of cross access connections**

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LAST AMENDED

6/10/2009

No excavation, foundation or building permit shall be issued for any #development# or #enlargement# requiring a cross access connection, and no certificate of occupancy shall be amended for any increase in the number of parking spaces requiring a cross access connection until the Chairperson of the City Planning Commission certifies to the Department of Buildings that the requirements of Section [36-59](#), inclusive, have been met.

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### **36-593 - Site planning criteria for cross access connections**

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LAST AMENDED

6/10/2009

Every potential cross access connection meeting the criteria of this Section shall be shown on the site plan required pursuant to Section [36-58](#) (Parking Lot Maneuverability and Curb Cut Regulations).

- (a) The connection shall be a minimum of 22 feet in width as measured along a #lot line# or boundary between separate properties when located on the same #zoning lot#, and at least 23 feet from any #street line#.
- (b) The connection shall be an extension of a travel lane of the subject open parking lot and align to the maximum extent practicable with a travel lane on any adjacent open parking lot.
- (c) The connection shall have a grade not greater than 15 percent.

- (d) The connection shall be placed in an area that is not blocked by an existing #building or other structure# that is within 50 feet of the #lot line# or other boundary of the subject property.
- (e) The connection shall be placed in an area that will not require the removal of significant natural features such as wetlands or trees with a caliper of six inches or more, on the same or adjacent #zoning lots#.

No screening or landscaping along a #lot line# shall be required in the connection area.

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### **36-594 - Establishment of location of required cross access connection**

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LAST AMENDED  
6/10/2009

One cross access connection shall be provided on the subject property at each #zoning lot line# or other boundary on the same #zoning lot#, where the properties divided by such #lot line# or boundary are contiguous by at least 60 feet, and where the adjacent properties are located in C4-1, C8 or Manufacturing Districts. The location of the required cross access connection shall be established as follows:

- (a) where an easement has not been previously recorded against any adjacent property in accordance with Section [36-595](#), an easement shall be recorded against the subject property documenting the locations of all potential cross access connections identified pursuant to Section [36-593](#). The easement shall provide for at least one future cross access connection to each adjacent property, at any of the locations identified; or
- (b) where an easement has been previously recorded against an adjacent property in accordance with Section [36-595](#), an easement providing for at least one cross access connection meeting the criteria set forth in Section [36-593](#) shall be recorded against the subject property. Such cross access connection shall also align with one of the locations identified in the previously recorded easement against an adjacent property. If the previously recorded easement has identified more than one location for a cross access connection along such #lot line# or other boundary, the owner of the subject property shall select one of these locations for the cross access connection.

Each property owner shall construct their portion of the cross access connection in accordance with the requirements of Sections [36-593](#) and [36-595](#).

If such cross access connection has been established in a location that contained parking spaces upon the effective date of the easement, as set forth in Section [36-595](#), such connection shall be counted as four required parking spaces and shall be separated from any adjacent parking spaces by a planting island at least four feet wide and densely planted with shrubs maintained at a maximum height of three feet. Such planting islands shall not be subject to the landscaping provisions of Section [37-922](#) (Interior landscaping).

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### **36-595 - Recordation and notice requirements**

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LAST AMENDED  
6/10/2009

An easement through all required cross access connections for vehicular passage between and among adjacent parking lots, in a form acceptable to the Department of City Planning, shall be recorded in the Office of the Richmond County Clerk. An easement so recorded shall not become effective unless and until a corresponding easement has been recorded against an adjacent property, whether on the same or adjacent #zoning lot#, pursuant to this Section. Nothing herein shall be construed to limit the ability of a property owner or lessee to prohibit parking by non- customers.

If an easement pursuant to this Section has previously been recorded against any adjacent property, the owner of the subject

property shall notify the owner of the adjacent property of the easement location selected by sending such owner a copy of the recorded easement. Proof of notification shall be a condition of certification under this Section. Prior to issuance of a temporary certificate of occupancy or permit sign-off, as applicable, the subject property owner shall further notify the adjacent property owner that the cross access connection must be constructed on the adjacent property within six months of the date of such notice. No temporary certificate of occupancy for any #development#, #enlargement# or increase in the number of parking spaces on the subject property, or permit sign-off, if applicable, shall be issued until the applicant has demonstrated to the Department of Buildings that such owner of the adjacent property has been duly notified. Failure to provide the cross access connection in accordance with the requirements of this Section and to allow for vehicular passage between and among the adjacent parking lots within six months of the date of the notice shall constitute a violation of this Zoning Resolution by the adjacent property owner. Failure to provide the cross access connection in accordance with the requirements of this Section and to allow for vehicular passage between and among the adjacent parking lots at the time of the aforementioned temporary certificate of occupancy or permit sign-off, if applicable, shall constitute a violation of this Zoning Resolution by the owner of the subject property.

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### **36-596 - Certification that no connection is required, relocation of previously certified connections and voluntary connections**

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LAST AMENDED  
6/10/2009

(a) Certification that no connection is required

The Chairperson shall certify to the Department of Buildings that no cross access connection is required along a #lot line#, or other boundary between separate parking lots when located on the same #zoning lot#, due to the presence of the following conditions, and provided that no alternate location along such #lot line# or other boundary between properties exists:

- (1) grade changes greater than 15 percent;
- (2) existing #buildings or other structures# to remain that are located within 50 feet of the subject #zoning lot# or property; or
- (3) wetlands or trees with a caliper of six inches or more.

(b) Relocation of previously certified connection

The Chairperson may relocate a previously-certified cross access connection where such new location is acceptable to the owners of both properties and such connection complies with all requirements of this Section.

(c) Certification for voluntary connection

The Chairperson may certify a non-required cross access connection provided such connection complies with all requirements of Section [36-59](#), inclusive.

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### **36-597 - Authorizations for waivers or modifications of cross access connections**

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LAST AMENDED  
6/10/2009

The City Planning Commission may authorize modifications or waivers of the requirements of Section [36-59](#), inclusive,

provided the Commission finds that:

- (a) due to the irregular shape of the #zoning lot# or the location of connections along other #lot lines# or boundaries between properties on the same #zoning lot#, it is not possible to design a complying parking lot with a complying cross access connection; or
- (b) site planning constraints necessitate the placement of a new or #enlarged building# against a #lot line# or other boundary between properties that precludes a cross access connection along such #lot line# or boundary, and no other site plan is feasible.

The Commission may request reports from licensed engineers or landscape architects in considering such modifications or waivers.

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## **36-60 - OFF-STREET LOADING REGULATIONS**

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LAST AMENDED  
12/15/1961

The following regulations on permitted and required accessory off-street loading berths are adopted in order to provide needed space off public streets for loading and unloading activities, to restrict the use of the streets for such activities, to help relieve traffic congestion in commercial areas within the City, and thus to promote and protect public health, safety and general welfare.

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### **36-61 - Permitted Accessory Off-street Loading Berths**

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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 loading berths, open or enclosed, may be provided for all permitted #uses#, under rules and regulations promulgated by the Commissioner of Buildings, and subject to the provisions of Sections [36-662](#) (Location of access to the street), [36-663](#) (Restrictions on location of berths near Residence Districts), [36-664](#) (Surfacing) and [36-665](#) (Screening).

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### **36-62 - Required Accessory Off-street Loading Berths**

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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 loading berths, open or enclosed, shall be provided in conformity with the requirements set forth in the table in this Section and under rules and regulations promulgated by the Commissioner of Buildings, for all #developments# or #enlargements# after December 15, 1961, for the #uses# listed in the table, as a condition precedent to the #use# of such #development# or #enlargement#.

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#.

Whenever any #use# specified in the table is located on an open lot, the requirements set forth in the table for #floor area# shall

apply to the #lot area# used for such #use#.

For the purposes of applying the loading requirements of this Chapter, #uses# are grouped into the following Loading Requirement Categories (LRC).

Loading Requirement Category	#Use# or Use Group
LRC – A	All #uses# listed under Use Groups IX(A), IX(B) and X
LRC – B	All #uses# listed under Use Group VI, except automotive equipment rental and leasing, automotive repair and maintenance, or gasoline stations; all #uses# listed under Use Group VIII
LRC – C	All #uses# listed under Use Groups V and VII; court houses listed under Use Group IV(A)
LRC – D	Hospitals and related facilities listed under Use Group III(B); prisons listed under Use Group IV(A)
LRC – E	Funeral establishments listed under Use Group VI

**REQUIRED OFF-STREET LOADING BERTHS FOR DEVELOPMENTS OR ENLARGEMENTS**

Loading Requirement Category	Districts	
	<p>C1<sup>2</sup> C2<sup>2</sup> C3</p> <p>C4-1 C4-2 C4-3</p> <p>C8-1 C8-2</p> <p>C7 outside the #expanded transit zone#</p>	<p>C1<sup>3</sup> C1-6 C1-7 C1-8 C1-9 C2<sup>3</sup> C2-6 C2-7 C2-8</p> <p>C4-4 C4-5 C4-6 C4-7 C5 C6</p> <p>C8-3 C8-4</p> <p>C7 within the #expanded transit zone#</p>

<b>LRC-A</b>	First 8,000 sq. ft.: None Next 17,000 sq. ft.: 1 Next 15,000 sq. ft.: 1 Next 20,000 sq. ft.: 1 Next 20,000 sq. ft.: 1 Each additional 80,000 sq. ft.: 1	First 15,000 sq. ft.: None Next 25,000 sq. ft.: 1 Next 40,000 sq. ft.: 1 Each additional 80,000 sq. ft.: 1
<b>LRC-B</b>	First 8,000 sq. ft.: None Next 17,000 sq. ft.: 1 Next 15,000 sq. ft.: 1 Next 20,000 sq. ft.: 1 Next 40,000 sq. ft.: 1 Each additional 150,000 sq. ft.: 1	First 25,000 sq. ft.: None Next 15,000 sq. ft.: 1 Next 60,000 sq. ft.: 1 Each additional 150,000 sq. ft.: 1
<b>LRC-C</b>	First 25,000 sq. ft.: None Next 75,000 sq. ft.: 1 Next 200,000 sq. ft.: 1 Each additional 300,000 sq. ft.: 1	First 100,000 sq. ft.: None Next 200,000 sq. ft.: 1 Each additional 300,000 sq. ft.: 1
<b>LRC-D <sup>1</sup></b>	First 10,000 sq. ft.: None Next 290,000 sq. ft.: 1 Each additional 300,000 sq. ft.: 1	
<b>LRC E</b>	First 10,000 sq. ft.: None Next 20,000 sq. ft.: 1 Any additional amount : 1	

<sup>1</sup> Requirements in this table are in addition to area utilized for ambulance parking.

<sup>2</sup> Mapped within R1, R2, R3, R4, R5, R6.

<sup>3</sup> Mapped within R7, R8, R9, R10.

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### **36-63 - Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden**

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, the requirements set forth in Section [36-62](#) (Required Accessory Off-street Loading Berths) 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 berths with access to the #street# to conform to the provisions of Section [36-662](#) (Location of access to the street).

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

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## **36-64 - Special Provisions for Zoning Lots Divided by District Boundaries**

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

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

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## **36-65 - Joint Loading Berths Serving Two or More Buildings**

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, required loading berths may be provided in facilities designed to serve jointly two or more adjoining #buildings# or #zoning lots# within a single #block#, provided that:

- (a) the number of berths in such joint facilities shall be not less than that required for the total combined #floor area# of such #buildings# or #zoning lots# as set forth in Section [36-62](#) (Required Accessory Off-street Loading Berths);
- (b) direct access is provided from such joint facilities to all such #buildings# or #zoning lots#; and
- (c) the design and layout of such joint facilities meet standards of adequacy set forth in regulations promulgated by the Commissioner of Buildings.

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## **36-66 - Additional Regulations for Permitted or Required Berths**

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted or required #accessory# off-street loading berths shall conform to the provisions set forth in this Section, inclusive.

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## **36-661 - Size of required berths**

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all required #accessory# off-street loading berths, open or enclosed, shall conform to the regulations on minimum dimensions set forth in the following table. The dimensions of off-street berths shall not include driveways or entrances to or exits from such off-street berths. Loading requirement categories (LRC) shall be as set forth in Section [36-62](#)

(Required Accessory Off-street Loading Berths).

MINIMUM DIMENSIONS FOR REQUIRED  
ACCESSORY OFF-STREET LOADING BERTHS (in feet)

		Length	Width	Vertical Clearance
LRC-A	with less than 10,000 sq. ft. of #floor area#	37	12	14
	with 10,000 sq. ft. or more of #floor area#	50	12	14
LRC-B		37	12	14
LRC-C		37	12	12
LRC-D		37	12	12
LRC-E		25	10	8

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### 36-662 - Location of access to the street

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LAST AMENDED  
6/6/2024

In all districts, as indicated, no permitted or required #accessory# off-street loading berth, and no entrance or exit thereto, shall be located less than 50 feet from the intersection of any two #street lines#. However, a location closer to such intersection may be permitted if the Commissioner of Buildings certifies that such a location is not hazardous to traffic safety and not likely to create traffic congestion. The Commissioner of Buildings may refer such matter to the Department of Transportation for a report and may base a determination on such report.

The waiver provisions of Section [36-63](#) (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden) shall apply when the Commissioner of Buildings has certified that there is no way to arrange the berths with access to the #street# to conform to the provisions of this Section.

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### 36-663 - Restrictions on location of berths near Residence Districts

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LAST AMENDED  
6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, where #accessory# off-street loading berths are located within 60 feet of a #Residence District# boundary, such berths shall be enclosed within a #building#, and no entrance to or exit from the berths onto the #street# shall be less than 30 feet from the district boundary.

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### **36-664 - Surfacing**

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted or required open off-street loading berths shall be surfaced with asphaltic or Portland cement concrete, or other hard-surfaced dustless material, at least six inches thick.

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### **36-665 - Screening**

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted or required open off-street loading berths that are located on #zoning lots# adjacent to the boundary of a #Residence District#:

- (a) shall be screened from all adjoining #zoning lots# in #Residence Districts#, including #zoning lots# situated across a #street#, by either:
    - (1) a strip at least four feet wide, densely planted with shrubs or trees that are at least four feet high at the time of planting and that are of a type which may be expected to form a year-round dense screen at least six feet high within three years; or
    - (2) a wall or barrier or uniformly painted fence of fire-resistant material, at least six feet but not more than eight feet above finished grade. Such wall, barrier, or fence may be opaque or perforated provided that not more than 50 percent of the face is open;
  - (b) shall be maintained in good condition at all times;
  - (c) may be interrupted by normal entrances and exits; and
  - (d) shall have no #signs# hung or attached thereto other than those permitted in Sections [32-62](#) (Permitted Signs) or [32-63](#) (Permitted Advertising Signs).
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### **36-70 - BICYCLE PARKING**

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LAST AMENDED

2/2/2011

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, the provisions of this Section, inclusive, relating to bicycle parking spaces shall apply to:

- (a) #developments#;

- (b) #enlargements# that increase the #floor area# within a #building# by 50 percent or more;
- (c) #dwelling units# created by #conversions# of non-#residential# #floor area#;
- (d) new #dwelling units# in #buildings# or #building segments# constructed after April 22, 2009;
- (e) new enclosed #accessory# #group parking facilities# with 35 or more automobile parking spaces; and
- (f) open parking areas #accessory# to #commercial# or #community facility# #uses# that contain 18 or more automobile parking spaces or are greater than 6,000 sq. ft. in area.

In addition, the provisions of Section [36-75](#) (Floor Area Exemption) shall apply to all #buildings# as set forth therein.

Bicycle parking spaces shall be provided in accordance with the requirements set forth in this Section, inclusive, as a condition precedent to the #use# of such #development#, #enlargement#, #conversion#, #group parking facility# or open parking area.

The number of #accessory# bicycle parking spaces provided pursuant to this Section, the total area, in square feet, of bicycle parking spaces and the total area, in square feet, excluded from the calculation of #floor area# for such spaces shall be noted on the certificate of occupancy.

## 36-71 - Required Bicycle Parking Spaces

LAST AMENDED  
4/22/2009

## 36-711 - Enclosed bicycle parking spaces

LAST AMENDED  
6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

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

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

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

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

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

Type of #Use#	Bicycle Parking Spaces Required in Relation to Specified Unit of Measurement
<b>FOR RESIDENTIAL USES</b>	
#Single-family# #detached# #residences# listed under Use Group II	None required
All other types of #residences# listed under Use Group II, except #affordable independent residences for seniors#	1 per 2 #dwelling units#
#Affordable independent residences for seniors# listed under Use Group II	1 per 10,000 square feet of #floor area#
<b>FOR COMMUNITY FACILITY USES<sup>1</sup></b>	
College or #school# student dormitories or fraternity and sorority student houses listed under Use Group III(A)	1 per 2,000 square of #floor area#
Colleges, universities or seminaries listed under Use Group III(B) <sup>2</sup>	
(a) Classrooms, laboratories, student centers or offices	1 per 5,000 square feet of #floor area#
(b) Theaters, auditoriums, gymnasiums or stadiums	1 per 20,000 square feet of #floor area#
Libraries, museums or non-commercial art galleries listed under Use Group III(B)	1 per 20,000 square feet of #floor area#
Monasteries, convents or novitiates listed under Use Group III(A); houses of worship listed under Use Group III(B); rectories or parish houses listed under Use Group III(A) or III(B); all #uses# listed under Use Group I	None required

All other #uses# listed under Use Group III not otherwise listed in this table	1 per 10,000 square feet of #floor area#
<b>FOR COMMERCIAL USES</b>	
All #uses# listed under Use Group VII	1 per 7,500 square feet of #floor area#
All #uses# listed under Use Groups V and VI;  All #uses# listed under Use Group VIII, except #amusement or recreation facilities# or #uses# listed under Entertainment and Sporting Venues	1 per 10,000 square feet of #floor area#
#Amusement or recreation facilities# or #uses# listed under Entertainment Sporting Venues except drive-in theaters	1 per 20,000 square feet of #floor area#
#Public parking garages#	1 per 10 automobile parking spaces
Use Groups not specified above, and all other #commercial# #uses# not otherwise listed	None required

1 #Non-profit hospital staff dwellings# shall be subject to the requirements for Use Group II #residential uses#.

2 Up to half of required spaces may be provided as unenclosed bicycle parking spaces, pursuant to the requirements of Section [36-73](#).

However, the bicycle parking requirements set forth in the table shall be waived for bicycle parking spaces that are accessory to:

- (a) #buildings# containing 10 #dwelling units# or less;
- (b) colleges, universities or seminaries where the number of required enclosed bicycle parking spaces is six or less;
- (c) college or #school# student dormitories or fraternity and sorority student houses where the number of required bicycle parking spaces is five or less; or
- (d) all other #community facility# or #commercial# #uses# not otherwise listed in the table where the number of required bicycle parking spaces is three or less.

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## **36-712 - Unenclosed bicycle parking spaces**

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LAST AMENDED

4/22/2009

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, for open parking areas #accessory# to #commercial# or #community facility# #uses# that contain 18 or more spaces or are greater than 6,000 square feet in area, which meet the applicability standards of Section [37-91](#), unenclosed bicycle parking spaces shall be provided as follows:

- (a) One bicycle parking space shall be provided for every 10 automobile parking spaces, up to 200 automobile parking spaces. Thereafter, one bicycle parking space shall be provided for every 100 automobile parking spaces. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one bicycle space.

Each bicycle rack shall allow for the bicycle frame and at least one wheel to be locked to the rack. If bicycles can be locked to each side of the rack without conflict, each side may be counted toward a required space. Thirty inches of maneuverable space shall be provided between parallel bicycle racks and an eight foot wide aisle shall be provided between bicycle rack areas.

- (b) Bicycle racks shall be provided within 50 feet of a main entrance of a #building# and a minimum of 24 inches from any wall. However, if more than 40 bicycle parking spaces are required, 50 percent of such spaces may be provided at a distance of up to 100 feet from the main entrance of a #building#. Department of Transportation bicycle racks provided on a fronting sidewalk may be counted toward this requirement, provided such racks meet the standards of this paragraph(c).

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## **36-72 - Authorization for Reduction of Spaces**

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LAST AMENDED

4/22/2009

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, the City Planning Commission may authorize a reduction in the number of required bicycle parking spaces set forth in Section [36-711](#) (Enclosed bicycle parking spaces) or a waiver of all such spaces, upon finding there are subsurface conditions, below-ground infrastructure or other site planning constraints that would make accommodating such bicycle parking spaces on or below the first #story# of the #building# infeasible. The Commission may request reports from licensed engineers or registered architects in considering such reduction.

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## **36-73 - Restrictions on Operation, Size and Location of Bicycle Parking Spaces**

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LAST AMENDED

12/6/2023

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all #accessory# bicycle parking spaces shall be provided on the same #zoning lot# as the #building# or #use# to which such spaces are #accessory#, except as provided in Section [36-74](#) (Off-site Bicycle Parking Spaces).

All enclosed #accessory# bicycle parking spaces shall be surrounded on all sides by a solid enclosure, except where a parking garage is open at the sides, and covered by a roof for weather protection. Each bicycle space shall adjoin a rack or similar system for securing the bicycle. Bicycle parking spaces shall be located in an area secured by a lock or similar means, or adjoin a securely anchored rack to which the bicycle frame and at least one wheel can be locked. Fifteen square feet of area shall be provided for each bicycle space. However, the area for each bicycle space may be reduced by up to nine square feet per bicycle if the

Commissioner of Buildings certifies that a layout has been submitted to adequately accommodate the specified number of bicycles.

A plaque shall be placed at the exterior of the entry to the bicycle parking area, outside any locked door, with lettering at least three-quarter inches in height stating “Bicycle Parking.”

All required bicycle parking spaces that are #accessory# to #residences# shall be made available for the storage and independent access of the bicycles used by the occupants of such #residences#.

All required bicycle parking spaces that are #accessory# to a #commercial# or #community facility# #use# shall be made available for the storage and independent access of bicycles used by the employees of such #use#, except that bicycle parking spaces #accessory# to colleges or universities must be accessible to all authorized users of such #building#, and that bicycle parking spaces #accessory# to #community facilities# with sleeping accommodations may be accessible to the occupants of such facility.

Bicycle spaces may be located in a room secured by a lock, or similar means, provided that access is through a commonly accessible area and access is made available to eligible users on an equal basis. Rooms containing required bicycle parking spaces may also contain non-required #accessory# bicycle spaces, as well as non-#accessory# bicycle spaces permitted by the underlying district regulations.

- (a) For colleges, universities or seminaries, one-half of required #accessory# bicycle parking spaces may be provided as open unenclosed spaces, provided that such spaces meet the standards of paragraph (b) of Section [36-712](#) (Unenclosed bicycle parking spaces).
- (b) For #public parking garages#, the required information plaque shall be provided at each point of bicycle entry to the #public parking garage#, mounted with its center between four and six feet above the ground, directly visible and unobstructed from the #street#. The entry plaque shall contain a bicycle symbol which is 12 inches square in dimension with a highly contrasting background, as shown in this paragraph, (b). The symbol shall match exactly the symbol provided in the [Required Signage Symbols](#) file at the Department of City Planning website.



(36-73)

†

LAST AMENDED

12/6/2023

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, #accessory# bicycle parking spaces required pursuant to Section [36-711](#) (Enclosed bicycle parking spaces) may be provided on a #zoning lot# other than the same #zoning lot# as the #use# to which such spaces are #accessory#, provided that such bicycle parking spaces are located on a #zoning lot# not further than 1,000 feet from the nearest boundary of the #zoning lot# occupied by the #use# to which they are #accessory#, or within a subsurface parking and other service facility that serves multiple #zoning lots#, including the #zoning lot# occupied by the #use# to which they are #accessory#.

A plaque shall be placed within 30 feet of an entrance of the #building#, with lettering at least three-quarter inches in height stating "Bicycle Parking" followed by information directing users to the address of the off-site location.

The number of off-site #accessory# bicycle parking spaces provided pursuant to this Section and the area of such bicycle parking spaces, in square feet, shall be noted on the certificate of occupancy for both the #building# in which the off-site bicycle parking spaces are located, and the #building# containing the #use# to which such bicycle parking spaces are #accessory#.

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### **36-75 - Floor Area Exemption**

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

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

- (a) the space excluded from #floor area# does not exceed an amount equal to 15 square feet multiplied by the number of required spaces or, if spaces are waived pursuant to paragraphs (a), (b), (c) or (d) of Section [36-711](#) (Enclosed bicycle parking spaces), the number that would have been required but for the waiver or, if spaces are not required because the #building# was constructed prior to April 22, 2009, the number that would be required if such #building# were newly constructed; and
- (b) the #accessory# bicycle parking spaces provided meet the standards for required bicycle parking of Section [36-73](#) (Restrictions on Operation, Size and Location of Bicycle Parking Spaces).

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

MAXIMUM BICYCLE PARKING SPACES

EXCLUDED FROM FLOOR AREA

Type of #Use#	Maximum Bicycle Parking Spaces Excluded from #Floor Area# in Relation to Specified Unit of Measurement
<b>FOR RESIDENTIAL USES</b>	
#Affordable independent residences for seniors# listed under Use Group II	1 per 2,000 square feet of #floor area#
<b>FOR COMMUNITY FACILITY USES</b>	
Philanthropic or non-profit institutions with sleeping accommodations listed under Use Group III(A)	1 per 2,000 square feet of #floor area#
Proprietary, non-profit or voluntary hospitals and related facilities, except animal hospitals, listed under Use Group III(B)	1 per 5,000 square feet of #floor area#

However, in no event shall this Section apply to #single-# or #two-family residences#; and in no event shall this Section apply to #accessory# bicycle parking spaces provided off-site, pursuant to Section [36-74](#) (Certification for Off-site Bicycle Parking Spaces).

Space provided for #accessory# bicycle parking spaces within an #accessory# #group parking facility# shall not be counted as #floor area# provided that such portion of the #accessory# #group parking facility# does not count as #floor area#.

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### **36-76 - Waiver or Reduction of Spaces for Subsidized Housing**

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LAST AMENDED  
4/22/2009

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, except in the #Special Willets Point District# and the #Special St. George District#, the number of required bicycle parking spaces set forth in Section [36-711](#) (Enclosed bicycle parking spaces) may be reduced or waived by the Commissioner of Buildings, provided that the Commissioner of the Department of Housing Preservation and Development has submitted a letter certifying that:

- (a) at least 50 percent of the #dwelling units# in the #building# or #building segment# will be income-restricted pursuant to the provisions of Section [23-90](#) (INCLUSIONARY HOUSING), inclusive, or pursuant to the terms of a grant, loan or subsidy from any Federal, State or local agency or instrumentality, including, but not limited to, the disposition of real property for less than market value, purchase money financing, construction financing, permanent financing, the utilization of bond proceeds and allocations of low income housing tax credits. An exemption or abatement of real

property taxes shall not qualify as a grant, loan or subsidy for the purposes of this paragraph, (a);

- (b) there is insufficient space within the #building# to accommodate the required number of bicycle parking spaces on or below the first #story# of the #building#, including within an enclosed #accessory# #group parking facility#,
- (c) if permitted automobile parking spaces are provided, the required bicycle parking spaces cannot be accommodated within an enclosed #group parking facility# by reconfiguring automobile parking spaces or removing three or fewer permitted automobile parking spaces;
- (d) additional space cannot reasonably be constructed based on the amount of subsidy available to the project; and
- (e) the number of required bicycle parking spaces is being reduced by the minimum amount necessary to address these limitations.