



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

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

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

LAST AMENDED
12/15/1961

36-21 - General Provisions

LAST AMENDED
3/22/2016

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);

- (d) for ambulatory diagnostic or treatment health care facilities, as listed in Section [22-14](#) (Use Group 4), or child care services, as listed under the definition of #school# in Section [12-10](#) (DEFINITIONS), pursuant to Section [36-27](#) (Waiver for Certain Small Zoning Lots) in the Borough of Staten Island and Community District 10 in the Borough of the Bronx.

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

Type of #Use#	Parking Spaces Required in Relation to Specified Unit of Measurement	Districts
FOR COMMERCIAL USES		
Court houses	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
	1 per 500 sq. ft. of #floor area#	C1-1 C2-1 C3 C4-1
	1 per 800 sq. ft. of #floor area#	C1-2 C2-2 C4-2 C8-1
	1 per 1,000 sq. ft. of #floor area#	C1-3 C2-3 C4-2A C4-3 C8-2
	1 per 2,000 sq. ft. of #floor area#	C1-4 C2-4 C4-4 C4-5D C8-3
Food stores with 2,000 or more square feet of #floor area# per establishment. #Uses# in PRC-A in Use Group 6	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

	1 per 100 sq. ft. of #floor area#	C1-1 C2-1 C4-1
	1 per 200 sq. ft. of #floor area#	C1-2 C2-2 C4-2 C8-1
	1 per 300 sq. ft. of #floor area#	C1-3 C2-3 C4-2A C4-3 C7 C8-2
	1 per 1,000 sq. ft. of #floor area#	C1-4 C2-4 C4-4 C4-5D C8-3
General retail or service #uses#. Food stores with less than 2,000 square feet of #floor area#. #Uses# in PRC-B in Use Group 6, 8, 9, 10 or 12 or when permitted by special permit; or #uses# in PRC-B1 in Use Group 6, 7, 8, 9, 10, 11, 13, 14 or 16	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
	1 per 150 sq. ft. of #floor area# ¹	C1-1 C2-1 C3 C4-1
	1 per 300 sq. ft. of #floor area# ¹	C1-2 C2-2 C4-2 C8-1
	1 per 400 sq. ft. of #floor area# ¹	C1-3 C2-3 C4-2A C4-3 C7 C8-2
	1 per 1,000 sq. ft. of #floor area#	C1-4 C2-4 C4-4 C4-5D C8-3
Light manufacturing or semi-industrial #uses#. #Uses# in PRC-F in Use Group 11 or 16, and with a minimum of either 7,500 square feet of #floor area# or 15 employees	None required	C5 C6 C8-4
	1 per 1,000 sq. ft. of #floor area#, or 1 per 3 employees, whichever will require a larger number of spaces	C8-1 C8-2 C8-3

Low traffic-generating #uses#. #Uses# in PRC-C in Use Group 6, 7, 9, 12, 13, 14 or 16 or when permitted by special permit	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
	1 per 400 sq. ft. of #floor area#	C1-1 C2-1 C3 C4-1
	1 per 600 sq. ft. of #floor area#	C1-2 C2-2 C4-2 C8-1
	1 per 800 sq. ft. of #floor area#	C1-3 C2-3 C4-2A C4-3 C7 C8-2
	1 per 1,000 sq. ft. of #floor area#	C1-4 C2-4 C4-4 C4-5D C8-3
Places of assembly. #Uses# in PRC-D in Use Group 6, 8, 9, 10, 12, 13 or 14 or when permitted by special permit	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
	1 per 4 persons rated capacity	C1-1 C2-1 C3 C4-1
	1 per 8 persons rated capacity	C1-2 C2-2 C4-2 C8-1
	1 per 12 persons rated capacity	C1-3 C2-3 C4-2A C4-3 C7 C8-2
	1 per 25 persons rated capacity	C1-4 C2-4 C4-4 C4-5D C8-3
Open commercial amusements. #Uses# in PRC-E in Use Group 13 or 15, or when permitted by special permit	None required	C8-3 C8-4
	1 per 500 sq. ft. of #lot area# ²	C3 C8-1

	1 per 2,000 sq. ft. of #lot area# ²	C7 C8-2
Storage or miscellaneous #uses#. #Uses# in PRC-G in Use Group 10 or 16, or when permitted by special permit, and with a minimum of 10,000 square feet of #floor area# or 15 employees	None required	C4-4A C4-4L C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4
	1 per 2,000 sq. ft. of #floor area# ³ , or 1 per 3 employees, whichever will require a lesser number of spaces	C4-1 C4-2 C4-3 C4-4 C4-5D C8-1 C8-2 C8-3
Other #commercial# #uses#. #Uses# in PRC-H in Use Group 5, 6, 7, 8, 9, 10, 13 or 14, or when permitted by special permit:		
#Boatels#	1 per 2 guest rooms or suites	C2 C3 C6 C8
Camps, overnight or day, with a minimum of either 10,000 square feet of #lot area# or 10 employees	1 per 2,000 sq. ft. of #lot area#, or 1 per 3 employees; whichever will require a lesser number of spaces	C1 C2 C3 C7 C8
Docks for non-commercial pleasure boats; rental boats; ferries; sightseeing, excursion or sport fishing vessels; or passenger ocean vessels	(see Section 62-43 for parking requirement)	
Funeral establishments	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 C6 C8-4
	1 per 200 sq. ft. of #floor area#	C1-1 C2-1 C4-1

	1 per 400 sq. ft. of #floor area#	C1-2 C2-2 C4-2 C8-1
	1 per 600 sq. ft. of #floor area#	C1-3 C4-3 C1-4 C4-4 C2-3 C2-4 C4-2A C4-5D C8-2 C8-3
Hotels (a) For that #floor area# used for sleeping accommodations	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
	1 per 4 guest rooms or suites	C2-1 C4-1
	1 per 8 guest rooms or suites	C2-2 C4-2 C8-1
	1 per 12 guest rooms or suites	C2-3 C2-4 C4-2A C4-3 C4-4 C4-5D C8-2 C8-3
(b) For that #floor area# used for meeting halls, auditoriums, eating or drinking places, wedding chapels or banquet halls, or radio or television studios	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
	1 per 4 persons-rated capacity	C2-1 C4-1
	1 per 8 persons-rated capacity	C2-2 C4-2 C8-1
	1 per 12 persons-rated capacity	C2-3 C4-2A C4-3 C8-2
	1 per 25 persons-rated capacity	C2-4 C4-4 C4-5D C8-3
#Motels# or #tourist cabins#	1 per guest room or suite	C2 C6 C8

Post offices	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
	1 per 800 sq. ft. of #floor area#	C1-1 C2-1 C3 C4-1
	1 per 1,200 sq. ft. of #floor area#	C1-2 C2-2 C4-2 C8-1
	1 per 1,500 sq. ft. of #floor area#	C1-3 C2-3 C4-2A C4-3 C8-2
	1 per 2,000 sq. ft. of #floor area#	C1-4 C2-4 C4-4 C4-5D C8-3
Prisons	None required	C4-4 C4-5 C4-6 C4-7 C6 C8-3 C8-4
	1 per 10 beds-rated capacity	C4-1 C4-2 C8-1
	1 per 20 beds-rated capacity	C4-2A C4-3 C8-2
Refreshment stands, drive-ins	1 per 50 sq. ft. of #floor area#	C2-1 C2-2 C2-3 C7 C8-1 C8-2
	1 per 100 sq. ft. of #floor area#	C2-4 C2-5 C2-6 C2-7 C2-8 C6 C8-3 C8-4
FOR COMMUNITY FACILITY USES		
Agricultural #uses#, including greenhouses, nurseries or truck gardens	None required	C1-4 C1-5 C1-6 C1-7 C1-8 C1-9 C2-4 C2-5 C2-6 C2-7 C2-8 C4-4 C4-5 C4-6 C4-7 C5 C6 C8-3 C8-4

	1 per 1,000 sq. ft. of #lot area# used for selling purposes	C1-1 C1-2 C2-1 C2-2 C3 C4-1 C4-2 C8-1
	1 per 2,500 sq. ft. of #lot area# used for selling purposes	C1-3 C2-3 C4-2A C4-3 C8-2
Ambulatory diagnostic or treatment health care facilities listed in Use Group 4	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
	1 per 150 ¹ sq. ft. of #floor area# and #cellar# space, except #cellar# space used for storage	C1-1 C2-1 C3 C4-1
	1 per 300 ¹ sq. ft. of #floor area# and #cellar# space, except #cellar# space used for storage	C1-2 C2-2 C4-2 C8-1
	1 per 400 ¹ sq. ft. of #floor area# and #cellar# space, except #cellar# space used for storage	C1-3 C2-3 C4-2A C4-3 C7 C8-2
	1 per 1,000 sq. ft. of #floor area# and #cellar# space, except #cellar# space used for storage	C1-4 C2-4 C4-4 C4-5D C8-3
	1 per 400 sq. ft. of #floor area# when located above the first #story# ceiling	C1-1, C1-2, C2-1 and C2-2 Districts mapped within R3-2 Districts

	1 per 400 sq. ft. 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#	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
Child care services, as listed under the definition of #school# in Section 12-10 (DEFINITIONS), in #lower density growth management areas#	1 per 1000 sq. ft. when located in #community facility buildings# or when located above the first #story# ceiling in #buildings# with both #commercial# and #community facility# #uses#	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
Clubs, community centers or settlement houses; philanthropic or non-profit institutions without sleeping accommodations excluding ambulatory diagnostic or treatment health care facilities listed in Use Group 4; golf course club houses; non-commercial recreation centers; or welfare centers	None required	C1-4 C1-5 C1-6 C1-7 C1-8 C1-9 C2-4 C2-5 C2-6 C2-7 C2-8 C4-4 C4-5 C4-6 C4-7 C5 C6 C8-3 C8-4
	1 per 10 persons-rated capacity	C1-1 C1-2 C2-1 C2-2 C3 C4-1 C4-2 C8-1
	1 per 20 persons-rated capacity	C1-3 C2-3 C4-2A C4-3 C7 C8-2
College student dormitories and fraternity or sorority student houses	None required	C1-4 C1-5 C1-6 C1-7 C1-8 C1-9 C2-4 C2-5 C2-6 C2-7 C2-8 C4-4 C4-5 C4-6 C4-7 C5 C6
	1 per 6 beds	C1-1 C1-2 C2-1 C2-2 C3 C4-1 C4-2
	1 per 12 beds	C1-3 C2-3 C4-2A C4-3

Colleges, universities, or seminaries (a) For that #floor area# used for classrooms, laboratories, student centers or offices	None required	C1-4 C1-5 C1-6 C1-7 C1-8 C1-9 C2-4 C2-5 C2-6 C2-7 C2-8 C4-4 C4-5 C4-6 C4-7 C5 C6 C8-3 C8-4
	1 per 1,000 sq. ft. of #floor area#	C1-1 C1-2 C2-1 C2-2 C3 C4-1 C4-2 C8-1
	1 per 2,000 sq. ft. of #floor area#	C1-3 C2-3 C4-2A C4-3 C8-2
(b) For that #floor area# used for theaters, auditoriums, gymnasiums or stadiums	None required	C1-4 C1-5 C1-6 C1-7 C1-8 C1-9 C2-4 C2-5 C2-6 C2-7 C2-8 C4-4 C4-5 C4-6 C4-7 C5 C6 C8-3 C8-4
	1 per 8 persons-rated capacity	C1-1 C1-2 C2-1 C2-2 C3 C4-1 C4-2 C8-1
	1 per 16 persons-rated capacity	C1-3 C2-3 C4-2A C4-3 C7 C8-2
Hospitals and related facilities ⁴	1 per 5 beds	C1-1 C1-2 C2-1 C2-2 C3 C4-1 C4-2 C8-1
	1 per 8 beds	C1-3 C1-4 C2-3 C2-4 C4-2A C4-3 C4-4 C4-5D C8-2 C8-3
	1 per 10 beds	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

Houses of worship, applicable only to the facility's largest room of assembly; however, rooms separated by movable partitions shall be considered a single room	None required	C1 and C2 Districts mapped within R6, R7, R8, R9 or R10 Districts, C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C4-2A C4-3 C4-4 C4-5 C4-6 C4-7 C5 C6 C8-2 C8-3 C8-4
	1 per 10 persons-rated capacity	C1 and C2 Districts mapped within R1, R2 or R3 Districts, C3 C4-1
	1 per 15 persons-rated capacity	C1 and C2 Districts mapped within R4 and R5 Districts, C4-2 C8-1
Libraries, museums or non-commercial art galleries ⁵	None required	C1-4 C1-5 C1-6 C1-7 C1-8 C1-9 C2-4 C2-5 C2-6 C2-7 C2-8 C4-4 C4-5 C4-6 C4-7 C5 C6
	1 per 1,000 sq. ft. of #floor area#	C1-1 C1-2 C2-1 C2-2 C3 C4-1 C4-2
	1 per 2,000 sq. ft. of #floor area#	C1-3 C2-3 C4-2A C4-3
Outdoor skating rinks	None required	C1-4 C1-5 C1-6 C1-7 C1-8 C1-9 C2-4 C2-5 C2-6 C2-7 C2-8 C4-4 C4-5 C4-6 C4-7 C5 C6 C8-3 C8-4
	1 per 800 sq. ft. of #lot area#	C1-1 C1-2 C2-1 C2-2 C3 C4-1 C4-2 C8-1
	1 per 2,000 sq. ft. of #lot area#	C1-3 C2-3 C4-2A C4-3 C7 C8-2

Outdoor tennis courts	None required	C1-4 C1-5 C1-6 C1-7 C1-8 C1-9 C2-4 C2-5 C2-6 C2-7 C2-8 C4-4 C4-5 C4-6 C4-7 C5 C6 C8-3 C8-4
	1 per 2 courts	C1-1 C1-2 C2-1 C2-2 C3 C4-1 C4-2 C8-1
	1 per 5 courts	C1-3 C2-3 C4-2A C4-3 C7 C8-2
Philanthropic or non-profit institutions with sleeping accommodations; #long-term care facilities#, except that 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	None required	C1-4 C1-5 C1-6 C1-7 C1-8 C1-9 C2-4 C2-5 C2-6 C2-7 C2-8 C4-4 C4-5 C4-6 C4-7 C5 C6
	1 per 10 beds	C1-1 C1-2 C2-1 C2-2 C3 C4-1 C4-2
	1 per 20 beds	C1-3 C2-3 C4-2A C4-3

NOTE: PRC = Parking Requirement Category

- ¹ The parking requirements for ambulatory diagnostic or treatment facilities listed in Use Group 4 and #uses# in PRC-B1 may be reduced by permit of the Board of Standards and Appeals in accordance with the provisions of Section [73-44](#) (Reduction of Parking Spaces for Ambulatory Diagnostic or Treatment Facilities Listed in Use Group 4 and Uses in Parking Requirement Category B1)
- ² In the case of golf driving ranges, the requirements in this table apply only to that portion of the range used for tees
- ³ For predominantly open storage of miscellaneous #uses#, the #lot area# used for such #uses# shall be considered as #floor area# for the purposes of these requirements

4 Requirements are in addition to area utilized for ambulance parking

5 Requirements apply only to the #floor area# not used for storage

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

LAST AMENDED
9/9/2004

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 D (Places of Assembly) 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).

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

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.

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

LAST AMENDED
3/22/2016

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

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

zoning lot# is less than the number of spaces set forth in the following table:

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

36-232 - In districts with very low parking requirements

LAST AMENDED
6/21/1973

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 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 A or B, 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 B1, C, D, E or H, 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.

36-233 - Exceptions to application of waiver provisions

LAST AMENDED
12/15/1961

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) #Manufacturing# or semi-industrial #uses# in parking requirement category F in Use Group 11 or 16.
- (b) Storage or miscellaneous #uses# in parking requirement category G in Use Group 16, or when permitted by special permit.
- (c) The following other #commercial# #uses# in parking requirement category H in Use Group 7 or 13, or when permitted by special permit:

#Boatels#

Camps, overnight or day

#Motels# or #tourist cabins# Refreshment stands, drive-in.

(d) The following #community facility# #uses#:

Agricultural #uses#, including greenhouses, nurseries, or truck gardens

Outdoor tennis courts.

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

LAST AMENDED

4/14/2010

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, the requirements set forth in Sections [36-21](#) (General Provisions) or [36-22](#) (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements) shall not apply to any #building# or #zoning lot# as to which the Commissioner of Buildings has certified that there is no way to arrange the required spaces with access to the #street# to conform to the provisions of Section [36-53](#) (Width of Curb Cuts and Location of Access to the Street). The Commissioner of Buildings may refer such matter to the Department of Transportation for a report and may base the determination on such report.

36-25 - Waiver for Locally Oriented Houses of Worship

LAST AMENDED

9/9/2004

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.

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

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.

36-27 - Waiver for Certain Small Zoning Lots

LAST AMENDED

1/18/2011

C1-1 C1-2 C2-1 C2-2 C4-1 C4-2

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, as listed in Section [22-14](#) (Use Group 4), or child care services, as 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.