



## Zoning Resolution

THE CITY OF NEW YORK

Bill de Blasio, Mayor

CITY PLANNING COMMISSION

Marisa Lago, Chair

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

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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 C4-1 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

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.

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

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.

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

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

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

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 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	10,001 to 15,000 square feet	30  20

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

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.

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

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 \*, 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).

\* 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 \*, 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).

\* 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  
9/9/2004

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 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 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.