Zoning Resolution

THE CITY OF NEW YORK
Bill de Blasio, Mayor

CITY PLANNING COMMISSION
Marisa Lago, Chair

74-50 - OFF-STREET PARKING ESTABLISHMENTS

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74-50 - OFF-STREET PARKING ESTABLISHMENTS

LAST AMENDED
12/15/1961

74-51 - Public Parking Garages or Public Parking Lots Outside High Density Central Areas

LAST AMENDED
1/11/1962

74-511 - In C1 Districts

LAST AMENDED
2/2/2011

In C1-1, C1-2, C1-3 or C1-4 Districts, the City Planning Commission may permit #public parking garages# or #public parking lots# with a capacity of not more than 100 spaces, provided that the regulations set forth in Sections 36-53 (Width of Curb Cuts and Location of Access to the Street), 36-55 (Surfacing) and 36-56 (Screening) are met. The Commission may permit some of such spaces to be located on the roof of such #public parking garage#, or may permit floor space on one or more #stories# and up to a height of 23 feet above #curb level#, to be exempted from the definition of #floor area# as set forth in Section 12-10 (DEFINITIONS). As a condition of permitting such #use#, the Commission shall make the following findings:

(a) that such #use# is so located as to draw a minimum of vehicular traffic to and through local #streets# in nearby residential areas;

(b) that such #use# has adequate reservoir space at the vehicular entrance to accommodate a minimum of 10 automobiles or 20 percent of the spaces so provided, whichever amount is less;

(c) that, where roof parking is permitted, such roof parking is so located as not to impair the essential character or future use or development of adjacent areas; and

(d) that, where any floor space is exempted from the definition of #floor area#, such additional floor space is needed in order to prevent excessive on-street parking demand and relieve traffic congestion.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on #signs# or requirements for the shielding of floodlights or for setback of any roof parking area from #lot lines#.

74-512 - In other Districts
In C2-1, C2-2, C2-3, C2-4, C4-1, C4-2, C4-3, C4-4, C4-5D, C7, C8-1, C8-2, C8-3, M1-1, M1-2, M1-3, M2-1, M2-2 or M3-1 Districts, the City Planning Commission may permit public parking garages or public parking lots with more than 150 spaces, provided that the applicable regulations set forth in Sections 36-53 (Width of Curb Cuts and Location of Access to the Street) or 44-43 (Location of Access to the Street), Sections 36-55 or 44-44 (Surfacing) and Sections 36-56 or 44-45 (Screening) are met. The Commission may permit some of such spaces to be located on the roof of such public parking garage, or may permit floor space on one or more stories and up to a height of 23 feet above curb level to be exempted from the definition of floor area as set forth in Section 12-10 (DEFINITIONS). As a condition of permitting such use, the Commission shall make the following findings:

(a) that the principal vehicular access for such use is located on an arterial highway, a major street or a secondary street within one-quarter mile of an arterial highway or major street, except that in C5 or C6 Districts such access may be located on a local street;

(b) that such use is so located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas;

(c) that such use has adequate reservoir space at the vehicular entrances to accommodate either 10 automobiles or five percent of the total parking spaces provided by the use, whichever amount is greater, but in no event shall such reservoir space be required for more than 50 automobiles;

(d) that the streets providing access to such use will be adequate to handle the traffic generated thereby;

(e) that, where roof parking is permitted, such roof parking is so located as not to impair the essential character or future use or development of adjacent areas; and

(f) that, where any floor space is exempted from the definition of floor area, such additional floor space is needed in order to prevent excessive on-street parking demand and relieve traffic congestion.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on signs or requirements for shielding of floodlights, for locations of entrances and exits, or for setback of any roof parking areas from lot lines.

This Section shall not apply to the Manhattan Core where the regulations set forth in Article I, Chapter 3, shall apply, except as provided in Section 13-06 (Previously Filed or Approved Special Permits or Authorizations).

For existing public parking garages located within a C4-4 District in Community District 4 in the
Borough of Queens where such garage facility existed before October 17, 2019, and was previously granted a special permit pursuant to this Section, the finding set forth in paragraph (c) of this Section shall not apply. In lieu thereof, the number of reservoir spaces required shall be consistent with a finding that the permitted parking facility will not create or contribute to serious traffic congestion and will not unduly inhibit vehicular traffic and pedestrian flow in the surrounding area.

74-513 - In C7 Districts

LAST AMENDED
2/2/2011

In C7 Districts, the City Planning Commission may permit #public parking garages# or #public parking lots# of any capacity, provided that the applicable regulations set forth in Sections 36-53 (Width of Curb Cuts and Location of Access to the Street), 36-55 (Surfacing) and 36-56 (Screening) are met. The Commission may permit some of such spaces to be located on the roof of such #public parking garage#, or may permit floor space on one or more #stories# and up to a height of 23 feet above #curb level#, to be exempted from the definition of #floor area# as set forth in Section 12-10 (DEFINITIONS). As a condition of permitting such #use#, the Commission shall make the following findings:

(a) that the principal vehicular access for such #use# is located on an arterial highway, or major #street#, or a secondary #street# within one-quarter mile of an arterial highway or major #street#;

(b) that such #use# is so located as to draw a minimum of vehicular traffic to and through local #streets# in nearby residential areas;

(c) that such #use# has adequate reservoir space at the vehicular entrances to accommodate either 10 automobiles or five percent of the total parking spaces provided by the #use#, whichever amount is greater, but in no event shall such reservoir space be required for more than 50 automobiles;

(d) that the #streets# providing access to such #use# will be adequate to handle the traffic generated thereby;

(e) that, where roof parking is permitted, such roof parking is so located as not to impair the essential character or future use or development of adjacent areas; and

(f) that, where any floor space is exempted from the definition of #floor area#, such additional floor space is needed in order to prevent excessive on-street parking demand and relieve traffic congestion.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on #signs# or requirements for shielding of floodlights, for locations of entrances and exits, or for setback of any roof parking areas from #lot lines#. 
In C1-5, C1-6, C1-7, C1-8 or C1-9 Districts, the City Planning Commission may permit public parking garages or public parking lots with a capacity of not more than 100 spaces, and in C2-5, C2-6, C2-7, C2-8, C4-5, C4-5A, C4-5X, C4-6, C4-7, C6, C8-4, M1-4, M1-5, M1-6, M2-3, M2-4 or M3-2 Districts, the Commission may permit public parking garages with any capacity or public parking lots with more than 150 spaces, and in C5 and C6-1A Districts, the Commission may permit public parking garages or public parking lots with any capacity, provided that the applicable regulations set forth in Sections 36-53 (Width of Curb Cuts and Location of Access to the Street) or 44-43 (Location of Access to the Street), Sections 36-55 or 44-44 (Surfacing) and Sections 36-56 or 44-45 (Screening) are met.

The Commission may permit some of such spaces to be located on the roof of such public parking garage, or may permit floor space on one or more stories and up to a height of 23 feet above curb level, to be exempted from the definition of floor area as set forth in Section 12-10 (DEFINITIONS). As a condition of permitting such use, the Commission shall make the following findings:

(a) that such use will not be incompatible with, or adversely affect the growth and development of, uses comprising vital and essential functions in the general area within which such use is to be located;

(b) that such use will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow;

(c) that such use is so located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas;

(d) that such use has adequate reservoir space at the vehicular entrances to accommodate automobiles equivalent in number to 20 percent of the total number of spaces up to 50 and five percent of any spaces in excess of 200, but in no event shall such reservoir space be required for more than 50 automobiles;

(e) that the streets providing access to such use will be adequate to handle the traffic generated thereby;

(f) that, where roof parking is permitted, such roof parking is so located as not to impair the essential character or future use or development of adjacent areas; and

(g) that, where any floor space is exempted from the definition of floor area, such additional floor space is needed in order to prevent excessive on-street parking demand and relieve traffic congestion.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects
on the character of the surrounding area including limitations on #signs#, or requirements for
shielding of floodlights, for locations of entrances and exits, or for setback of any roof parking areas
from #lot lines#.

This Section shall not apply to the #Manhattan Core# where the regulations set forth in Article I,
Chapter 3, shall apply, except as provided in Section 13-06 (Previously Filed or Approved Special
Permits or Authorizations).

74-53 - Accessory Group Parking Facilities for Uses in Large-Scale Residential
Developments or Large-Scale Community Facility Developments or Large-Scale
General Developments

LAST AMENDED
5/8/2013

74-531 - Additional parking spaces or roof parking for accessory group parking
facilities

LAST AMENDED 3/22/2016

The City Planning Commission may permit #group parking facilities accessory# to #uses# in #large-
scale residential developments# or #large-scale community facility developments# or #large-scale
general developments# with more than the prescribed maximum number of parking spaces set forth
in Sections 25-12, 36-12 and 44-12 (Maximum Size of Accessory Group Parking Facilities) or may
permit modifications of the applicable provisions of Sections 25-11, 36-11 and 44-11 (General
Provisions) so as to permit off-street parking spaces #accessory# to such #uses# to be located on
the roof of a #building#.

As a condition of permitting such exceptions or modifications, the Commission shall make the
following findings:

(a) that such #use# is so located as to draw a minimum of vehicular traffic to and through local
#streets# in residential areas;

(b) that such #use# has adequate reservoir space at the vehicular entrance to accommodate
either 10 automobiles or five percent of the total parking spaces provided by the #use#,
whichever amount is greater, but in no event shall such reservoir space be required for more
than 50 automobiles;

(c) that the #streets# providing access to such #use# will be adequate to handle the traffic
generated thereby; and

(d) that where roof parking is permitted, such roof parking is so located as not to impair the
essential character or future use or development.
The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area including requirements for shielding of floodlights, for locations of entrances and exits, or for setback of any roof parking areas from lot lines.

This Section shall not apply to the Manhattan Core where the regulations set forth in Article I, Chapter 3, shall apply, or to the Long Island City area, as defined in Section 16-02 (Definitions), where the regulations set forth in Article I, Chapter 6, shall apply.

74-532 - Reduction or waiver of parking requirements for accessory group parking facilities

LAST AMENDED 3/22/2016

The City Planning Commission may, in conjunction with an application for a large-scale residential development or large-scale general development in the Transit Zone seeking a bulk modification, reduce or waive the number of required accessory residential off-street parking spaces, including any spaces previously required for an existing building on the zoning lot, provided the Commission finds that:

(a) where the applicant is seeking a reduction of parking spaces required by Section 25-23 (Requirements Where Group Parking Facilities Are Provided), such reduction will facilitate the creation or preservation of income-restricted housing units in such large-scale residential development or large-scale general development. Such finding shall be made upon consultation with the Department of Housing Preservation and Development;

(b) the anticipated rates of automobile ownership for residents of such large-scale residential development or large-scale general development are minimal and that such reduction or waiver is warranted;

(c) such reduction of parking spaces will not have undue adverse impacts on the residents, businesses or community facilities in the surrounding area, including the availability of parking spaces for such uses; and

(d) such reduction of parking spaces will result in a better site plan.

In determining the amount of parking spaces to reduce or waive, the Commission may take into account current automobile ownership patterns for an existing building containing residences on the zoning lot, as applicable.

The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the surrounding area.

74-533 - Reduction of parking spaces to facilitate affordable housing

LAST AMENDED 3/22/2016
In all districts in the #Transit Zone#, the City Planning Commission may permit a waiver of, or a reduction in, the number of required #accessory# off-street parking spaces for #dwelling units# in a #development# or #enlargement# that includes at least 20 percent of all #dwelling units# as #income-restricted housing units# as defined in Section 12-10 (DEFINITIONS), provided the Commission finds that such waiver or reduction:

(a) will facilitate such #development# or #enlargement#. Such finding shall be made upon consultation with the Department of Housing Preservation and Development;

(b) will not cause traffic congestion; and

(c) will not have undue adverse effects on residents, businesses or #community facilities# in the surrounding area, as applicable, including the availability of parking spaces for such #uses#.

The Commission may impose appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

**74-54 - Rear Yard Modifications**

LAST AMENDED
10/9/1969

In C4, C6, C7, C8, M1, M2 or M3 Districts, for #public parking garages# with more than 150 spaces, the City Planning Commission may permit modifications of the applicable regulations in Sections 33-26 to 33-30, inclusive, and Sections 43-26 to 43-31, inclusive, relative to #rear yard# regulations, provided the following findings are made:

(a) that the #public parking garage# will alleviate excessive on-street parking demand and thereby relieve traffic congestion in the area; and

(b) that because of site limitations such modification is necessary for the proper design and operation of the #public parking garage#.

The Commission shall consider the characteristics of surrounding development and may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of adjacent areas.

**74-55 - Off-street Parking Requirement for Youth-oriented or Senior Citizen-oriented Community Centers and Non-profit Neighborhood Settlement Houses**

LAST AMENDED
2/2/2011

In C1-2 and C2-2 Districts, for youth-oriented or senior citizen-oriented community centers and non-profit neighborhood settlement houses, the City Planning Commission may permit modifications of
the parking requirement of Section 36-21, provided the following findings are made:

(a) that, because of site limitations, such a reduction is necessary for the proper design and operation of such community centers and non-profit neighborhood settlement houses; and

(b) that available off-site parking and mass transit facilities are adequate to satisfy the additional parking demand generated by such #community facility#.

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74-56 - Open Automobile Rental Establishments

LAST AMENDED
2/2/2011

In C2 Districts within a one-half mile radius of the main entrance of La Guardia Airport, located at the intersection of Grand Central Parkway and the 94th Street Bridge, the City Planning Commission may permit open automobile rental establishments on #zoning lots# having a frontage of at least 200 feet on Ditmars Boulevard, provided that the following findings are made:

(a) that such open #use# will not be incompatible with, or adversely affect the growth and development of, appropriate #uses# in the general area within which such open #use# is to be located;

(b) that such open #use# will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow;

(c) that such open #use# is so located as to draw a minimum of vehicular traffic to and through local #streets# in nearby residential areas;

(d) that such open #use# has adequate reservoir space at the vehicular entrances to accommodate either 10 automobiles or five percent of the total parking spaces provided by the open #use#, whichever amount is greater, but in no event shall such reservoir space be required for more than 50 automobiles;

(e) that the #streets# providing access to such open #use# will be adequate to handle the traffic generated thereby;

(f) that acoustic barriers be installed around the parking areas to minimize noise impacts on surrounding properties;

(g) that visual barriers be installed and properly maintained to screen the parking area from surrounding properties; and

(h) that #accessory# automotive repairs, maintenance and car washing are within an enclosed #building#.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area including limitations on #signs#, requirements for shielding
of floodlights and for locations of entrances and exits.