



## Zoning Resolution

THE CITY OF NEW YORK

Bill de Blasio, Mayor

CITY PLANNING COMMISSION

Anita Laremont, Chair

# **101-536 - Special permit for public parking garages**

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## 101-536 - Special permit for public parking garages

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LAST AMENDED 3/22/2016

Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas) shall not apply to public parking garages. In lieu thereof, the City Planning Commission may permit:

- (a) a public parking garage that does not comply with the provisions of Section 101-531 (Public parking garages), provided that such garage complies with all other applicable regulations set forth in Section 101-50 (OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS); and
- (b) floor space on one or more stories, 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.

In order to grant a special permit for such use or floor area exemption, the Commission shall find that:

- (1) such use will be compatible with the surrounding area, and will not 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;
- (2) the proposed materials and articulation of the street wall of the parking facility are compatible with buildings in the surrounding area;
- (3) the ground floor level of such parking facilities that front upon streets with a width of 60 feet or more, or that front upon public access areas, is occupied by commercial, community facility or residential uses that generate activity on all such adjoining streets or public areas, except at the entrances and exits to the parking facility. Where site planning constraints make such uses infeasible, the parking facility shall be screened from such adjoining streets or public access areas with a strip at least five feet deep, 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. Where such screening is not desirable, a total of at least 50 percent of the exterior building wall with adjacent parking spaces shall consist of opaque materials that include graphic or sculptural art, or living plant material;
- (4) any floor space above the ground floor level utilized for parking is located, to the greatest extent feasible, behind commercial, community facility or residential floor area, so as to minimize the visibility of the parking facility from adjoining streets with a width of 60 feet or more, or public access areas. Any exterior wall of the parking facility visible from an adjoining street or public access area shall be articulated in a manner that is compatible with buildings in the surrounding area;
- (5) such use will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow and that the streets providing access to such use will be adequate to handle the traffic generated thereby;
- (6) such use and its vehicular entrances and exits are so located as to draw a minimum of vehicular traffic to and through residential streets in nearby areas; and
- (7) if any floor space is exempted from the definition of floor area, such additional floor space is necessary to prevent excessive on-street parking demand and relieve traffic congestion.

The City Planning 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, or locations of entrances and exits.