



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **Chapter 4 - Accessory Off-Street Parking and Loading Regulations**

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# Chapter 4 - Accessory Off-Street Parking and Loading Regulations

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## 44-00 - GENERAL PURPOSES AND DEFINITIONS

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LAST AMENDED  
12/15/1961

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### 44-01 - General Purposes

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LAST AMENDED  
12/15/1961

The following regulations on permitted and required accessory off-street parking spaces are adopted in order to provide parking spaces off the streets for the increasing number of people driving to work in areas outside the high density central areas, to relieve congestion on streets in industrial districts, to help prevent all-day parking in residential and commercial areas adjacent to manufacturing areas, and to provide for better and more efficient access to and from industrial establishments within the City, and thus to promote and protect public health, safety, and general welfare.

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### 44-02 - Applicability

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LAST AMENDED  
12/6/2023

Except as otherwise provided in this Section, the regulations of this Chapter on permitted or required #accessory# off-street parking spaces apply to #manufacturing#, #commercial# or #community facility# #uses#, as set forth in the provisions of the various Sections. In limited instances certain regulations also apply to #public parking garages# and #public parking lots#.

Special regulations applying in the #waterfront area# are set forth in Article VI, Chapter 2.

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

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### 44-021 - Applicability of regulations in the Manhattan Core and the Long Island City area

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LAST AMENDED  
12/5/2024

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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### 44-022 - Applicability of regulations in M1-1D through M1-5D Districts

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LAST AMENDED  
12/5/2024

In M1-1D, M1-2D, M1-3D, M1-4D and M1-5D Districts, the parking regulations governing M1 Districts shall apply to #manufacturing#, #commercial# or #community facility# #uses#, and the parking regulations applicable to R5 Districts, as set forth in Article II, Chapter 5, shall apply to #residences#.

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## 44-023 - Applicability of regulations in M1-6D Districts

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LAST AMENDED  
12/5/2024

In M1-6D Districts, the parking regulations governing M1 Districts shall apply to *#commercial#* and *#manufacturing#* *#uses#*. For *#residential#* and *#community facility#* *#uses#*, the parking regulations applicable in C6-4 Districts, as set forth in Article III, Chapter 6, shall apply.

In addition, parking regulations shall be modified by Article I, Chapter 3 (Comprehensive Off-street Parking and Loading Regulations in the Manhattan Core), as applicable.

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## 44-024 - Applicability of regulations in an M1-1 District in Community District 12 in the Borough of Queens

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LAST AMENDED  
12/5/2024

In the M1-1 District bounded by 95th Avenue, 148th Street, 97th Avenue and 147th Place in Community District 12 in the Borough of Queens, the *#accessory#* off-street parking regulations of an M1 District shall apply, except that the *#accessory#* off-street parking regulations for an R5 District set forth in Article II, Chapter 5, shall apply to *#residential uses#*.

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## 44-025 - Applicability of regulations to public parking garages and public parking lots

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LAST AMENDED  
12/5/2024

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 [44-352](#) (Restrictions on the use of parking spaces in public parking garages and public parking lots)

Section [44-423](#) (Calculating floor area in parking facilities with lift systems, or in automated parking facilities)

Section [44-43](#) (Location of Access to the Street)

Section [44-44](#) (Surfacing)

Section [44-45](#) (Screening)

Section [44-47](#) (Parking Lot Maneuverability and Curb Cut Regulations)

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## 44-03 - Definitions

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LAST AMENDED  
11/19/1987

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

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## 44-10 - PERMITTED ACCESSORY OFF-STREET PARKING SPACES

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LAST AMENDED  
12/15/1961

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### 44-11 - General Provisions

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LAST AMENDED  
6/23/1966

M1 M2 M3

In all districts, as indicated, #accessory# off-street parking spaces may be provided for all permitted #uses# subject to the applicable provisions set forth in Section [44-12](#) (Maximum Size of Accessory Group Parking Facilities).

Such #accessory# off-street parking spaces may be open or enclosed. However, except as otherwise provided in Section [73-47](#) (Roof Parking), no spaces shall be located on any roof which is immediately above a #story# other than a #basement#.

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### 44-12 - Maximum Size of Accessory Group Parking Facilities

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LAST AMENDED  
6/23/1966

M1 M2 M3

In all districts, as indicated, no #accessory# #group parking facility# shall contain more than 150 off-street parking spaces, except as provided in Section [44-13](#) (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 [44-46](#) (Accessory Off-street Parking Spaces in Public Parking Garages).

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### 44-13 - Modification of Maximum Size of Accessory Group Parking Facilities

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LAST AMENDED  
6/23/1966

M1 M2 M3

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 [44-12](#) (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) is located on a street not less than 60 feet in width; and
- (c) if #accessory# to a #commercial# or #manufacturing# #use#, has adequate reservoir space at the entrances 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 [44-46](#) (Accessory Off-street Parking Spaces in Public Parking Garages).

## 44-14 - Exceptions to Maximum Size of Accessory Group Parking Facilities

LAST AMENDED  
6/23/1966

M1 M2 M3

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 [73-46](#) (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 [44-46](#) (Accessory Off-street Parking Spaces in Public Parking Garages).

## 44-20 - REQUIRED ACCESSORY OFF-STREET PARKING SPACES

LAST AMENDED  
12/5/2024

## 44-21 - General Provisions

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LAST AMENDED  
12/5/2024

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M1 M2 M3

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 #development# after December 15, 1961, for the #manufacturing#, #commercial# or #community facility# #uses# listed in the table. In addition, all other applicable requirements of this Chapter shall apply as a condition precedent to the #use# of such #development#.

After December 15, 1961, if an #enlargement# results in a net increase in the #floor area# or other applicable unit of measurement specified in the table in this Section, the same requirements set forth in the table shall apply to such net increase in the #floor area# or other specified unit of measurement.

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 which may be accommodated by such #uses#.

The requirements of this Section shall be waived in the following situations:

- (a) when, as the result of the application of such requirements, a smaller number of spaces would be required than is specified by the provisions of Section [44-232](#) (Waiver of Requirements for Spaces Below Minimum Number) or, for certain #uses#, below the #lot area# or establishment size thresholds set forth in Section [44-233](#) (Waiver of requirements for certain small zoning lots or establishments);
- (b) when the Commissioner of Buildings has certified, in accordance with the provisions of Section [44-24](#) (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 [44-43](#) (Location of Access to the Street).

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 MANUFACTURING, COMMERCIAL OR COMMUNITY FACILITY USES

Parking Requirement Category	PRC - A				PRC - B			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# 3,4

M1-1 M1-2 M1-3 M2-1 M2-2 M3-1 Districts without an A suffix  M1, M2 M3 Districts with an A suffix outside the #Greater Transit Zone#	1 per 200	1 per 300	1 per 300 2	1 per 600	1 per 8	1 per 8	1 per 10	1 per 500
M1-4 M1-5 M1-6 M2-3 M2-4 M3-2 Districts without an A suffix  M1, M2 M3 Districts with an A suffix within the #Greater 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 in 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 the case of golf driving ranges, the requirements in this table apply only to that portion of the range used for tees.
- 4 In the case of outdoor skateboard parks, in M3-1 Districts, the requirements of this table apply only to that portion used as skating runs and #accessory# #buildings#. The #floor area# of #accessory# #buildings# shall be considered #lot area# for the purpose of these requirements.

Parking Requirement Category	PRC - D		PRC - E			PRC - F	
	D1	D2	E1	E2	E3	F1	F2

Unit of Measurement	per square feet of #floor area# or per employees <sup>5</sup>		per bed			per guest room or suites	
M1-1 M1-2 M1-3 M2-1 M2-2 M3-1 Districts without an A suffix  M1, M2 M3 Districts with an A suffix outside the #Greater Transit Zone#	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 lesser number of spaces	1 per 5 <sup>6</sup>				1 per 8
M1-4 M1-5 M1-6 M2-3 M2-4 M3-2 Districts without an A suffix  M1, M2 M3 Districts with an A suffix within the #Greater Transit Zone#	None required	None required	1 per 10 <sup>6</sup>	n/a	n/a	1 per 1	None required

<sup>5</sup> For predominantly open storage of miscellaneous #uses# or predominantly open #manufacturing# #uses#, 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.

Parking Requirement Category	PRC - G					
	Agricultural #uses#	Outdoor racket courts	Outdoor skating rinks	Seminaries	#Schools#	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 square feet of #floor area#		
M1-1 M1-2 M1-3 M2-1 M2-2 M3-1 Districts without an A suffix  M1, M2 M3 Districts with an A suffix outside the #Greater Transit Zone#	1 per 1,000	1 per 2	1 per 800	1 per 1,000	None required	None required		
M1-4 M1-5 M1-6 M2-3 M2-4 M3-2 Districts without an A suffix  M1, M2 M3 Districts with an A suffix within the #Greater Transit Zone#	None required	None required	None required	None required				
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#
M1-1 M1-2 M1-3 M2-1 M2-2 M3-1 Districts without an A suffix M1, M2 M3 Districts with an A suffix outside the #Greater Transit Zone#	1 per 600		1 per 10			1 per 1,200	1 per 400	
M1-4 M1-5 M1-6 M2-3 M2-4 M3-2 Districts without an A suffix M1, M2 M3 Districts with an A suffix within the #Greater Transit Zone#	None required	None required	None required	see Section <a href="#">62-43</a>	1 per 2,000 or 1 per 3	None required	None required	None required

## 44-22 - Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements

LAST AMENDED  
12/5/2024

M1 M2 M3

In all districts, as indicated, where any #building# or #zoning lot# contains two or more #uses# having different parking requirements as set forth in Section [44-21](#) (General Provisions), the parking requirements for each type of #use# shall apply to the extent of that #use#.

44-23 - Waiver of Requirements for Spaces Below Minimum Number or Certain Small Zoning Lots, Developments or Enlargements

LAST AMENDED  
6/6/2024

M1 M2 M3

In all districts, as indicated, the requirements for accessory off-street parking spaces shall be subject to the waiver provisions of this Section.

44-231 - Exceptions to application of waiver provisions

LAST AMENDED  
12/5/2024

M1 M2 M3

In all districts, as indicated, the waiver provisions of Section [44-232](#) (Waiver of requirements for spaces below minimum number) shall not apply to the following types of #uses#:

- (a) #Uses# within parking requirement category D;
- (b) The following #commercial# #uses# in parking requirement categories F or G:

Camps, overnight or day

#Motels# or #tourist cabins#

44-232 - Waiver of requirements for spaces below minimum number



LAST AMENDED  
6/6/2024

M1 M2 M3

In all districts, as indicated, subject to the provisions of Section [44-231](#) (Exceptions to application of waiver provisions), the parking requirements set forth in Sections [44-21](#) (General Provisions) or [44-22](#) (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements) shall not apply to #commercial# #uses#, or #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:

District	Number of Spaces

M1-1 M1-2 M1-3 M2-1 M2-2 M3-1  M1, M2, M3 Districts with an A suffix outside the #Greater Transit Zone#	15
M1-4 M1-5 M1-6 M2-3 M2-4 M3-2  M1, M2, M3 Districts with an A suffix within the #Greater Transit Zone#	40

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**44-233 - Waiver of requirements for certain small zoning lots or establishments**

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LAST AMENDED  
6/6/2024

M1 M2 M3

In all districts, as indicated, the parking requirements of Section [44-21](#) (General Provisions) for certain #uses# shall be waived in accordance with this Section:

- (a) For #uses# in 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; and
- (c) For camps, overnight or day, parking requirements, 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.

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**44-24 - Waiver of Requirements for All Zoning Lots Where Access Would be Forbidden**

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LAST AMENDED  
12/15/1961

M1 M2 M3

In all districts, as indicated, the requirements set forth in Sections [44-21](#) (General Provisions) or [44-22](#) (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 [44-43](#) (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 a determination on such report.

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## **44-25 - Special Provisions for Zoning Lots Divided by District Boundaries**

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LAST AMENDED

12/5/2024

M1 M2 M3

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

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## **44-26 - Special Provisions for Expansion of Existing Manufacturing Buildings**

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LAST AMENDED

12/5/2024

M1 M2 M3

In all districts, as indicated, whenever an existing #manufacturing# #building# is expanded pursuant to the provisions of Section [43-121](#) (Expansion of existing manufacturing buildings), the City Planning Commission may reduce, up to a maximum of 40 spaces, the parking requirements of Sections [44-21](#) (General Provisions) or [44-22](#) (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Regulations), provided the Commission certifies:

- (a) that because of site limitations such a reduction is necessary for the proper design and operation of the #manufacturing# #building#; and
- (b) that off-site parking and mass transit facilities are adequate to satisfy the additional parking demand generated by the expansion.

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## **44-27 - Parking Regulations for Zoning Lots Containing Self-Service Storage Facilities in Designated Areas**

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LAST AMENDED

12/5/2024

M1-1 M1-2 M1-3 M2-1 M2-2 M3-1

In the Districts indicated, in designated areas within #Manufacturing Districts# in Subarea 1, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, the provisions of Section [44-21](#) (General Provisions) are modified as set forth in this Section for all #uses# within the #industrial floor space#.

For any #zoning lot# containing a #self-service storage facility# that meets the requirements of paragraphs (d)(1) or (d)(2)(i) of Section [42-193](#) (Use Group IX – use subject to additional conditions), #accessory# off-street parking spaces, open or enclosed, shall not be required for #uses# within #industrial floor space#, where all such #uses# occupy less than 10,000 square feet of

#floor area# or have fewer than 15 employees. For #industrial floor space# on such #zoning lots# where such #uses#, in total, occupy at least 10,000 square feet of #floor area# or have 15 or more employees, #accessory# off-street parking spaces, open or enclosed, shall be required for all #uses# within the #industrial floor space# at the rate of one space per 2,000 square feet of #floor area#, or one space per three employees, whichever will require fewer spaces.

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## 44-30 - RESTRICTIONS ON LOCATION AND USE OF ACCESSORY OFF-STREET PARKING SPACES

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LAST AMENDED  
12/15/1961

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### 44-31 - General Provisions

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LAST AMENDED  
9/9/2004

M1 M2 M3

In all districts, as indicated, all permitted or required off-street parking spaces, open or enclosed, #accessory# to any permitted #use# 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 [44-32](#) (Off-site Spaces for All Permitted Uses)

Section [44-33](#) (Joint and Shared Facilities)

Section [44-34](#) (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 [44-46](#) (Accessory Off-street Parking Spaces in Public Parking Garages).

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### 44-32 - Off-site Spaces for All Permitted Uses

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LAST AMENDED  
12/15/1961

M1 M2 M3

In all districts, as indicated, all permitted or required off-street parking spaces #accessory# to any permitted #use# may be provided on a #zoning lot# other than the same #zoning lot# as such #use# but within the same district or an adjoining C8 or #Manufacturing District#. However, all required spaces shall be not more than 600 feet from the nearest boundary of the #zoning lot# on which such #use# is located.

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### 44-33 - Joint and Shared Facilities

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LAST AMENDED  
9/9/2004

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## 44-331 - Joint facilities

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LAST AMENDED

9/9/2004

M1 M2 M3

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 #floor area#, #lot area#, rated capacity, or other such unit of measurement in such #buildings# or #zoning lots#:

Section [44-21](#) (General Provisions)

Section [44-22](#) (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements).

- (b) all such spaces conform to the provisions of Section [44-32](#) (Off-site Spaces for All Permitted Uses); 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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## 44-34 - Additional Regulations for Required Spaces When Provided Off-Site

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LAST AMENDED

9/9/2004

M1 M2 M3

In all districts, as indicated, when required #accessory# off-street parking spaces are provided off the site in accordance with the provisions of Sections [44-32](#) (Off-site Spaces for All Permitted Uses) or [44-33](#) (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#.
- (b) Such spaces shall conform to all applicable regulations of the district in which they are located.

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## 44-35 - Restrictions on Use of Accessory Parking Spaces and Spaces in Public Parking Garages and Public Parking Lots

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LAST AMENDED

12/6/2023

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## 44-351 - Restrictions on use of accessory off-street parking spaces

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LAST AMENDED

12/5/2024

M1 M2 M3

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

In all districts, up to five spaces or 20 percent of all #accessory# off-street parking spaces, whichever is greater, may be allocated to:

- (a) publicly available electric vehicle charging facilities not otherwise permitted pursuant to Section [44-37](#) (Electric Vehicle Charging), including #accessory# equipment and electric vehicle parking spaces. #Accessory# off-street parking spaces shall be restored when such charging facilities are removed;
- (b) #car sharing vehicles#;
- (c) vehicles stored by automobile rental establishments; or
- (d) commercial or public utility vehicle parking for motor vehicles not exceeding a length of 20 feet.

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## **44-352 - Restrictions on use of parking spaces in public parking garages and public parking lots**

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LAST AMENDED  
12/5/2024

M1 M2 M3

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, including #accessory# equipment and electric vehicle parking spaces. #Accessory# off-street parking spaces shall be restored when such charging facilities are removed.
- (b) In all 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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## **44-36 - Restrictions on Automotive Repairs and Sale of Motor Fuel**

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LAST AMENDED  
12/6/2023

M1 M2 M3



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#, minor automotive repairs (not including body work) are permitted.

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## **44-37 - Electric Vehicle Charging**

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LAST AMENDED

12/5/2024

In all districts, as indicated, 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.

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## **44-40 - ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED OFF-STREET PARKING SPACES**

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LAST AMENDED

12/15/1961

## **44-41 - General Provisions**

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LAST AMENDED

12/15/1961

M1 M2 M3

In all districts, as indicated, all permitted or required off-street parking spaces shall conform to the provisions of Section [44-40](#), inclusive.

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

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## **44-42 - Size and Identification of Spaces**

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LAST AMENDED

12/6/2023

## **44-421 - Size of spaces**

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LAST AMENDED

12/6/2023

M1 M2 M3

### **(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 the Department of Buildings, or where the 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 applicant'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 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 an #automated parking facility# 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.

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## 44-422 - Identification of car sharing vehicles

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LAST AMENDED

12/6/2023

Within an off-street parking facility that contains #car sharing vehicles#, an information plaque shall be placed 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; and
- (b) "Maximum number of car sharing vehicles:" which shall specify the total number of #car sharing vehicles# permitted within such parking facility.

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## 44-423 - 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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## 44-43 - Location of Access to the Street

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LAST AMENDED  
6/21/1973

M1 M2 M3

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 Section [44-24](#) (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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## 44-44 - Surfacing

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LAST AMENDED  
12/6/2023

M1 M2 M3

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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## 44-45 - Screening

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LAST AMENDED  
6/6/2024

M1 M2 M3

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 Section [42-62](#) (Permitted Signs).

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

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## 44-46 - Accessory Off-street Parking Spaces in Public Parking Garages

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LAST AMENDED

6/6/2024

M1 M2 M3

In all districts, as 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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## 44-47 - Parking Lot Maneuverability and Curb Cut Regulations

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LAST AMENDED

6/6/2024

M1 M2 M3

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

- (a) #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#;
- (b) #enlargements# of a #building# with #accessory# open parking areas or the #enlargement# of an open parking area that result in:
  - (1) an increase in the total number of parking spaces #accessory# to #commercial# or #community facility# #use# on the #zoning lot# that is at least 20 percent greater than the number of such spaces existing on November 28, 2007; or
  - (2) an increase in 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
- (c) 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.

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 paragraphs (b) and (c) of Section [36-57](#).

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## **44-48 - Parking Lot Landscaping**

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LAST AMENDED

2/2/2011

M1 M2 M3

In all districts, as indicated, all #developments# and #enlargements# containing #commercial# or #community facility# #uses# and new open parking areas #accessory# to #commercial# or #community facility# #uses# shall comply with the provisions of Section [37-90](#) (PARKING LOTS), inclusive.

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## **44-49 - Cross Access Connections in Manufacturing Districts in the Borough of Staten Island**

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LAST AMENDED

6/10/2009

M1 M2 M3

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 in accordance with

the provisions of Section [36-58](#) (Cross Access Connections in the Borough of Staten Island), inclusive.

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## 44-50 - 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 manufacturing and industrial areas within the City, and thus to promote and protect public health, safety, and general welfare.

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### 44-51 - Permitted Accessory Off-street Loading Berths

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LAST AMENDED  
6/6/2024

M1 M2 M3

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 [44-562](#) (Location of access to the street), [44-563](#) (Restrictions on location of berths near Residence Districts), [44-564](#) (Surfacing) and [44-565](#) (Screening).

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### 44-52 - Required Accessory Off-street Loading Berths

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LAST AMENDED  
12/5/2024

M1 M2 M3

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 [#development#](#) or [#enlargements#](#) after December 15, 1961, for the [#community facility#](#), [#commercial#](#) or [#manufacturing#](#) [#uses#](#) listed in the table, as a condition precedent to the [#use#](#) of such [#development#](#) or [#enlargements#](#).

For the purposes of applying the requirements set forth in the table to [#enlargements#](#), such provisions shall apply to the [#floor area#](#) of the [#enlarged#](#) portion of such [#building#](#) or, for open [#uses#](#), to the [#lot area#](#) allocated to such [#enlarged#](#) [#use#](#).

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).

<b>Loading Requirement Category</b>	<b>#Use# or Use Group</b>
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

<b>Loading Requirement Category</b>	<b>Districts</b>	
	<b>M1-1 M1-2 M1-4 M2-1 M2-3 M3-1 M3-2 Districts without an A suffix</b>  <b>M1, M2 M3 Districts with an A suffix outside the #Greater Transit Zone#</b>	<b>M1-3 M1-5 M1-6 M2-2 M2-4 Districts without an A suffix</b>  <b>M1, M2 M3 Districts with an A suffix within the #Greater Transit Zone#</b>
<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 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	

1 Requirements in this table are in addition to area utilized for ambulance parking.

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## 44-53 - Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden

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LAST AMENDED  
6/6/2024

M1 M2 M3

In all districts, as indicated, the requirements set forth in Section [44-52](#) (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 [44-562](#) (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 a determination on such report.

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## 44-54 - Special Provisions for Zoning Lots Divided by District Boundaries

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LAST AMENDED  
6/6/2024

M1 M2 M3

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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## 44-55 - Joint Loading Berths Serving Two or More Buildings

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M1 M2 M3

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 [44-52](#) (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.

**44-56 - Additional Regulations for Permitted or Required Berths**

M1 M2 M3

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.

**44-561 - Size of required loading berths**

M1 M2 M3

In all districts, as indicated, all required 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 [44-52](#) (Required Accessory Off-street Loading Berths).

		Length	Width	Vertical Clearance
LRC-A	with less than 10,000 sq. ft. of #floor area#	37	12	14
LRC-A	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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## 44-562 - Location of access to the street

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LAST AMENDED

6/6/2024

M1 M2 M3

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 report and may base a determination on such report.

The waiver provisions of Section [44-53](#) (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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## 44-563 - Restrictions on location of berths near Residence Districts

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LAST AMENDED

6/6/2024

M1 M2 M3

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 on to the #street# shall be less than 30 feet from the district boundary.

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## 44-564 - Surfacing

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LAST AMENDED

6/6/2024

M1 M2 M3

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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## 44-565 - Screening

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LAST AMENDED

6/6/2024

M1 M2 M3

In all districts, as indicated, all permitted or required open off-street loading berths which are located on #zoning lots# adjacent to the boundary of a #Residence District# shall be screened from all adjoining #zoning lots# in #Residence Districts#, including #zoning lots# situated across a #street#, by either:

- (a) a strip at least four feet wide, densely planted with shrubs or trees which are 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

- (b) 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.

In addition, such screening:

- (1) shall be maintained in good condition at all times;
- (2) may be interrupted by normal entrances or exits; and
- (3) shall have no #signs# hung or attached thereto other than those permitted in Section [42-62](#) (Permitted Signs).

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## 44-566 - Regulations for permitted or required loading berths for zoning lots containing self-service storage facilities in designated areas

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LAST AMENDED

6/6/2024

M1-1 M1-2 M1-4 M2-1 M2-2 M3-1 M3-2

In the Districts indicated, in designated areas within #Manufacturing Districts# in Subarea 1, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, the provisions of Sections [44-52](#) (Required Accessory Off-street Loading Berths) and [44-581](#) (Size of required loading berths) are modified as set forth in this Section.

For any #zoning lot# containing a #self-service storage facility# that meets the requirements of paragraphs (d)(1) or (d)(2)(i) of Section [42-193](#) (Use Group IX – use subject to additional conditions), all required #accessory# off-street loading berths for a #self-service storage facility# shall have a minimum length of 37 feet. The dimensions of off-street loading berths shall not include driveways, or entrances to or exits from such off-street loading berths.

The number of #accessory# off-street loading berths required for #uses# occupying #industrial floor space# shall be as set forth in the following table:

#Floor Area# (in square feet)	Required Loading Berths
First 15,000	None
Next 25,000	1
Next 40,000	1
Each additional 80,000 or fraction thereof	1

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## 44-60 - BICYCLE PARKING

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M1 M2 M3

In all districts, as indicated, the provisions of Section [36-70](#) (BICYCLE PARKING), inclusive, shall apply to all permitted ~~#commercial#~~ and ~~#residential uses#~~. In addition, for ~~#manufacturing#~~ ~~#uses#~~, ~~#accessory#~~ bicycle parking spaces shall be excluded from the definition of ~~#floor area#~~, provided that:

- (a) the space excluded from ~~#floor area#~~ does not exceed an amount equal to 15 square feet multiplied by one bicycle parking space per 10,000 square feet of ~~#floor area#~~; and
- (b) the ~~#accessory#~~ bicycle parking spaces provided meet the standards for ~~#accessory#~~ bicycle parking of Section [36-73](#) (Restrictions on Operation, Size and Location of Bicycle Parking Spaces);

However, in no event shall ~~#accessory#~~ bicycle parking spaces be excluded from the calculation of ~~#floor area#~~ in the case of ~~#single-#~~ or ~~#two-family residences#~~ or in the case of ~~#accessory#~~ bicycle parking spaces provided off-site pursuant to Section [36-74](#) (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#~~.

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.