



# ZONING RESOLUTION Web Version

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## THE CITY OF NEW YORK



THE CITY OF NEW YORK  
Michael R. Bloomberg, Mayor

CITY PLANNING COMMISSION  
Amanda M. Burden, Director

### Article I: General Provisions

Chapter 3 - Comprehensive Off-Street Parking Regulations in  
Community Districts 1, 2, 3, 4, 5, 6, 7 & 8 in the Borough of  
Manhattan and a Portion of Community Districts 1 and 2 in the  
Borough of Queens

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(10/25/95)

### **Chapter 3**

#### **Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens**

(10/25/95)

### **13-00**

#### **GENERAL PURPOSES**

The provisions of this Chapter establish special comprehensive regulations for off-street parking in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 (with the exception of Roosevelt Island) and portions of Queens Community Districts 1 and 2. These regulations are a significant step forward towards bringing the Zoning Resolution into conformity with current environmental programs and safety standards concerning air pollution in the Borough of Manhattan, south of 110th Street. In Long Island City, Borough of Queens, these regulations will allow the city to plan for the parking needs of residents and businesses in a more rational manner and help facilitate a mass transit, pedestrian-oriented Central Business District.

(2/2/11)

### **13-01**

#### **Applicability**

In Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, and the portion of Queens Community Districts 1 and 2 bounded by Queens Plaza North, 21st Street, 41st Avenue, 29th Street, 40th Road, Northern Boulevard, 43rd Street, Skillman Avenue, 39th Street, 48th Avenue, 30th Street, 49th Avenue, Dutch Kills Canal, Newtown Creek, the East River, the westerly prolongation of 50th Avenue, Center Boulevard, 49th Avenue, Fifth Street, Anable Basin, and the East River ("Long Island City subject area"), #accessory# off-street parking spaces, #public parking lots# and #public parking garages# shall be #used#, #developed# or #enlarged# in accordance with the provisions of this Chapter, except as otherwise provided in Section 13-011 (Exceptions).

The provisions of the underlying district shall apply, except

where modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and any other Chapter of this Resolution, the more restrictive provisions shall apply. For the purpose herein, the more restrictive provisions shall be considered those which permit the:

- (a) fewest number of parking spaces;
- (b) most exclusive use of parking spaces; and
- (c) most limited location of curb cuts.

(10/25/95)

### **13-011**

#### **Exceptions**

The provisions of this Chapter shall not apply to Sections 78-41 (Location of Accessory Parking Spaces) and 78-42 (Parking Regulations for Commercial and Community Facility Uses) concerning #large-scale residential developments# and the #Special Battery Park City District#.

(9/29/10)

### **13-012**

#### **Existing off-street parking facilities**

- (a) Existing required or permitted #accessory# off-street parking spaces, #public parking lots# and #public parking garages# established prior to April 29, 1982, in Manhattan, and October 25, 1995, in Queens, shall continue to be subject to the applicable zoning district regulations in effect prior to April 29, 1982, in Manhattan, and October 25, 1995, in Queens. However, #enlargements#, #extensions# or any increase in the number of off-street parking spaces within such off-street parking facilities shall be subject to the provisions of this Chapter.
- (b) Nothing herein contained shall be deemed to permit a reduction or elimination of existing #accessory# off-street parking spaces that were required under the applicable provisions of the zoning district regulations in effect prior to April 29, 1982, in Manhattan, and October 25, 1995, in Queens.

- (c) #Car sharing vehicles# may occupy existing required or permitted #accessory# off-street parking spaces established prior to April 29, 1982, in Manhattan, and October 25, 1995, in Queens; however, the number of spaces so occupied shall not exceed five spaces or 20 percent of all such #accessory# off-street parking spaces, whichever is greater.
- (d) #Accessory residential# off-street parking spaces shall be made available to the occupants of the #residences# to which they are #accessory# within 30 days after written request is made to the landlord.
- (e) #Car sharing vehicles# may occupy parking spaces in #public parking lots# and #public parking garages# established prior to April 29, 1982, in Manhattan, and October 25, 1995, in Queens; however, the number of spaces so occupied shall not exceed 40 percent of all parking spaces in such parking facilities.

(10/25/95)

### **13-013**

#### **Previously approved special permits or authorizations**

Whenever, under the applicable provisions of the Zoning Resolution in effect prior to April 29, 1982 in Manhattan and October 25, 1995 in Queens, the City Planning Commission or the Board of Standards and Appeals has granted any special permit or authorization, the status of such approved special permit or authorization shall not be altered by the provisions of this Chapter. However, the provisions of this Chapter shall apply to the renewal of any special permit or authorization for a #public parking lot#.

(6/29/94)

### **13-014**

#### **Commercial vehicle parking in public parking facilities**

Notwithstanding the definition of #public parking garages# and #public parking lots# in Section 12-10 (DEFINITIONS), commercial and public utility motor vehicle parking shall be permitted within such facilities when located in C5-2, C5-2.5, C5-3, C5-5, C5-P, C6-4, C6-4.4, C6-5, C6-5.5, C6-6, C6-6.5, C6-7, C6-9 and M1-6 Districts, provided that:

- (a) such vehicles do not exceed 20 feet in length; and
- (b) the number of spaces provided for such vehicles is limited to not more than 10 spaces or 10 percent of the total number of spaces permitted within the #public parking garages# or #public parking lots#, whichever is less.

(4/29/82)

### **13-10**

#### **PERMITTED ACCESSORY OFF-STREET PARKING SPACES**

(10/25/95)

### **13-11**

#### **General Provisions**

#Accessory# off-street parking spaces are not permitted in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 or the Long Island City subject area, except as set forth in this Chapter.

(2/2/11)

### **13-12**

#### **Residential Development**

#Accessory# off-street parking spaces are permitted only for #developments# or #enlargements# containing #residential use#, as follows:

- (a) For the area south of 60th Street and its prolongations, the number of #accessory# off-street parking spaces shall not exceed 20 percent of the number of new #dwelling units# contained in the #development# or #enlargement# or 200 spaces, whichever is less.
- (b) For the area north of 60th Street and its prolongations in Community Districts 7 and 8, the number of #accessory# off-street parking spaces shall not exceed 35 percent of the number of new #dwelling units# contained in the #development# or #enlargement# or 200 spaces, whichever is less.

- (c) For the Long Island City subject area, within an area bounded by 23rd Street, 41st Avenue, 29th Street, 40th Road, Northern Boulevard, 41st Avenue, the north railroad property line and Davis Street, the number of #accessory# off-street parking spaces shall not exceed 50 percent of the #dwelling units# contained in the #development# or #enlargement#, or 200 spaces, whichever is less.

Within the remaining portion of the Long Island City subject area, the number of #accessory# off-street parking spaces shall not exceed 100 percent of the #dwelling units# contained in the #development# or #enlargement#.

All such #accessory# off-street parking spaces shall be located within a #completely enclosed building# and shall be used exclusively by the occupants of the #residential development# or #enlargement#.

(4/29/82)

### **13-13**

#### **Non-Residential Development**

(10/25/95)

### **13-131**

#### **Transient hotels**

For #transient hotel developments# or #enlargements#, a maximum of 150 #accessory# off-street parking spaces are permitted if there is only one entrance to the #accessory group parking facility# and 225 #accessory# off-street parking spaces are permitted if there are two or more entrances. In no event may the number of parking spaces exceed 15 percent of the number of #transient hotel# rooms in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 or 50 percent of the number of #transient hotel# rooms in the Long Island City subject area. All such parking spaces shall be located within a #completely enclosed building# and shall be used primarily for the personnel, guests and occupants of the #transient hotel#.

(10/25/95)

### **13-132**

#### **Hospitals**

For hospital #developments# or #enlargements# in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, a maximum of 100 #accessory# off-street parking spaces, open or enclosed, are permitted.

For hospital #developments# or #enlargements# in the Long Island City subject area, within an area bounded by 23rd Street, 41st Avenue, 29th Street, 40th Road, Northern Boulevard, 41st Avenue, the north railroad property line and Davis Street, a maximum of 150 #accessory# off-street parking spaces, open or enclosed, are permitted if there is only one entrance to the #accessory# group parking facility and 225 #accessory# off-street parking spaces, open or enclosed, are permitted if there are two or more entrances.

Within the remaining portion of the Long Island City subject area, #accessory# off-street parking may be provided in accordance with the underlying district regulations. Such parking spaces are to be used exclusively by the hospital staff, patients and visitors.

(2/2/11)

### **13-133**

#### **Community facility, commercial or manufacturing developments**

For #community facility#, #commercial# or #manufacturing developments# or #enlargements#, in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, and the portion of the Long Island City subject area bounded by 23rd Street, 41st Avenue, 29th Street, 40th Road, Northern Boulevard, 41st Avenue, the north railroad property line, and Davis Street, the maximum number of #accessory# off-street parking spaces permitted for each #development# or #enlargement# shall not exceed one space per 4,000 square feet of #floor area# or 100 spaces, whichever is less. All such parking spaces shall be located within a #completely enclosed building# and shall be used exclusively by the tenants or employees of the #development# or #enlargement# and shall not be available to the public.

Within the remaining portion of the Long Island City subject area, the maximum number of #accessory# off-street parking spaces permitted for each #development#, #enlargement#, or alteration

shall not exceed one space per 4,000 square feet of #floor area# or 100 spaces, whichever is less. In the event that the permitted number of #accessory# off-street spaces would be less than 15, an #accessory# parking facility of up to 15 spaces may be provided.

All spaces shall be located within a #completely enclosed building#, except a maximum of 15 spaces which may be open, and shall be used exclusively by the tenants or employees of the #development# or #enlargement# and shall not be available to the public.

(10/25/95)

### **13-134**

#### **Multiple use development**

Where a #development# or #enlargement# contains a combination of #uses# for which #accessory# parking space regulations are set forth in Sections 13-12 (Residential Developments), 13-131 (Transient hotels), 13-132 (Hospitals) and 13-133 (Community facility, commercial or manufacturing developments), the number of #accessory# off-street parking spaces shall not exceed the number of spaces permitted for each #use# in accordance with the provisions of such Sections; however, in no event may the maximum number of #accessory# off-street parking spaces exceed 225 spaces. All #accessory# off-street parking spaces shall be located within a #completely enclosed building#. The exclusive or primary #use# provisions of Sections 13-12, 13-131, 13-132, and 13-133 shall be applicable to the number of spaces provided for each #use#.

(4/29/82)

### **13-14**

#### **Additional Regulations for Permitted Accessory Off-Street Parking Spaces**

(10/25/95)

### **13-141**

#### **Location of accessory off-street parking spaces**

No #accessory# off-street parking spaces shall be located on a #zoning lot# other than the same #zoning lot# as the #use# to which they are #accessory#.

(10/25/95)

**13-142**

**Location of access to the street**

- (a) The entrances and exits to all permitted #accessory# off-street parking spaces shall not be located within 50 feet of the intersection of any two #street lines#. However, curb cuts located within 50 feet of the intersection of two #street lines# may be permitted if the Commissioner of Buildings certifies that such location is not hazardous to traffic safety, not likely to create traffic congestion and will not unduly inhibit surface traffic or pedestrian flow. The Commissioner may refer such matter to the Department of Transportation, or its successor, for a report and may base the determination on such report.
- (b) In Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, the entrances and exits to all permitted #accessory# off-street parking spaces shall not be located on a #wide street# except by authorization of the City Planning Commission pursuant to Sections 13-53 (Departmental Reports) and 13-553 (Curb cuts).

In the Long Island City subject area, the entrances and exits to all permitted #accessory# off-street parking spaces shall not be located on the following #wide streets# except by authorization of the City Planning Commission pursuant to Sections 13-53 and 13-553:

- (1) Queens Boulevard;
- (2) Queens Plaza;
- (3) 21st Street;
- (4) Skillman Avenue;
- (5) 44th Drive;
- (6) Thomson Avenue; and
- (7) Jackson Avenue.

(10/25/95)

**13-143****Maximum size of permitted accessory group parking facilities**

The gross unobstructed surface area, in square feet, of a permitted #accessory group parking facility# including stalls, aisles, driveways and maneuvering areas shall not exceed 200 times the number of #accessory# off-street parking spaces provided. This size limitation shall not be applicable to off-street parking spaces permitted under the provisions of Section 13-133 (Community facility, commercial or manufacturing developments) where such spaces are exclusively #accessory#, no-charge, self-parking spaces in enclosed facilities with a capacity limited to 100 automobiles. In such facilities, the gross unobstructed surface area, in square feet, shall not exceed 300 times the number of #accessory# off-street parking spaces provided.

(9/29/10)

**13-144****Car sharing vehicles**

Notwithstanding the provisions of Sections 13-12 and 13-13, inclusive, #car sharing vehicles# may occupy parking spaces in #accessory# off-street parking facilities; however, the number of spaces so occupied shall not exceed five spaces or 20 percent of all parking spaces in such facilities, whichever is greater. #Accessory residential# off-street parking spaces shall be made available to the occupants of the #residences# to which they are #accessory# within 30 days after written request is made to the landlord.

(4/29/82)

**13-20****PERMITTED PUBLIC PARKING LOTS**

(4/29/82)

**13-21****General Provisions**

Except in the areas listed in Section 13-22, #public parking lots# with a maximum capacity of 150 spaces are permitted in C2, C4, C6, C8, M2 and M3 Districts subject to the regulations set forth in Section 13-23 (Additional Regulations for Permitted Public Parking Lots).

(4/29/82)

### **13-22**

#### **Areas Where Public Parking Lots Are Not Permitted**

(10/25/95)

### **13-221**

#### **Midtown Manhattan core**

No #public parking lots# are permitted in the area bounded by 60th Street and its prolongations, First Avenue, 32nd Street and Eighth Avenue, except as provided in Section 13-552 (Public parking lots).

(10/25/95)

### **13-222**

#### **Downtown Manhattan core**

No #public parking lots# are permitted within the area bounded by Worth Street, Centre Street, Frankfort Street, South Street, Whitehall Street, State Street, Battery Place, West Street, Morris Street, Greenwich Street, Liberty Street, Church Street, Vesey Street, West Broadway, Park Place and Church Street, except as provided in Section 13-552 (Public parking lots).

(4/29/82)

### **13-223**

#### **Special Clinton District**

No #public parking lots# are permitted in the area bounded by 42nd Street, Tenth Avenue, 59th Street and Eighth Avenue, except as provided in Section 96-111 (Off-street parking regulations).

(1/19/05)

**13-224**

**Manufacturing Districts**

#Public parking lots# are not permitted in M1-5 and M1-6 Districts, except as provided in Section 13-552 (Public parking lots). However, within these districts, #public parking lots# are permitted on the frontage of the Avenue of the Americas, from 23rd Street to 32nd Street, to a depth of 100 feet; the M1-5 and M1-6 Districts north of 42nd Street and west of Tenth Avenue; the M1-5 District east of First Avenue between 34th Street and 41st Street; the M1-5 District west of Ninth Avenue between 17th Street and 30th Street, and the M1-5 District south of Canal Street.

(1/19/05)

**13-225**

**Long Island City subject area**

No #public parking lots# are permitted within the area bounded by Queens Plaza North, 21st Street, 41st Avenue, 29th Street, 40th Road, Northern Boulevard, 43rd Street, Skillman Avenue, 39th Street, 48th Avenue, 30th Street, 49th Avenue, Dutch Kills Canal, Newtown Creek, Second Street, 50th Avenue, Center Boulevard, 49th Avenue, Fifth Street, Anable Basin and the East River, except as provided in Section 13-552 (Public parking lots).

(4/29/82)

**13-23**

**Additional Regulations for Permitted Public Parking Lots**

(10/25/95)

**13-231**

**Location of access to the street**

- (a) The entrances and exits to all permitted #public parking lots# shall not be located within 50 feet of the intersection of any two #street lines#. However, curb cuts

located within 50 feet of the intersection of two #street lines# may be permitted if the Commissioner of Buildings certifies that such location is not hazardous to traffic safety, not likely to create traffic congestion and will not unduly inhibit surface traffic or pedestrian flow. The Commissioner may refer such matter to the Department of Transportation or its successor for a report and may base the determination on such report.

- (b) The entrances and exits to a permitted #public parking lot# shall not be located on the following #wide streets# except by authorization of the City Planning Commission pursuant to Section 13-53 (Departmental Reports) and 13-553 (Curb cuts).
- (1) Fifth Avenue;
  - (2) Avenue of the Americas, from 23rd Street to 32nd Street;
  - (3) Seventh Avenue, from 23rd Street to 32nd Street;
  - (4) 14th Street, from Seventh Avenue to Fourth Avenue;
  - (5) Delancey Street, from Clinton Street to the west side of Orchard Street;
  - (6) Church Street, from Park Place to Worth Street;
  - (7) Worth Street, from Centre Street to Church Street; and
  - (8) Canal Street, from the Bowery to West Broadway.

(4/29/82)

### **13-232**

#### **Surfacing and screening**

The applicable regulations set forth in Section 36-55 or Section 44-44 (Surfacing) and Section 36-56 or 44-45 (Screening) shall be met.

(10/25/95)

### **13-30**

#### **PERMITTED PUBLIC PARKING GARAGES WITHIN THE LONG ISLAND CITY SUBJECT AREA**

(2/2/11)

### **13-31**

#### **General Provisions**

Except within an area bounded by 21st Street, 41st Avenue, 29th Street, 40th Road, Northern Boulevard, 41st Avenue, the north railroad property line, Crane Street and Jackson Avenue, notwithstanding any underlying district regulations, #public parking garages# with a maximum capacity of 150 spaces are permitted as-of-right within any zoning district within the Long Island City subject area subject to the regulations set forth in Section 13-32 (Additional Regulations for Permitted Public Parking Garages).

(10/25/95)

### **13-32**

#### **Additional Regulations for Permitted Public Parking Garages**

(10/25/95)

### **13-321**

#### **Location of access to the street**

- (a) The entrances and exits to all permitted #public parking garages# shall not be located within 50 feet of the intersection of any two #street lines#. However, curb cuts located within 50 feet of the intersection of two #street lines# may be permitted if the Commissioner of Buildings certifies that such location is not hazardous to traffic safety, not likely to create traffic congestion and will not unduly inhibit surface traffic or pedestrian flow. The Commissioner may refer such matter to the Department of Transportation, or its successor, for a report and may base a determination on such report.
- (b) The entrances and exits to a permitted #public parking garage# shall not be located on the following #wide streets# except by authorization of the City Planning Commission pursuant to Section 13-553 (Curb cuts):
  - (1) Vernon Boulevard;

- (2) 44th Drive;
- (3) Jackson Avenue;
- (4) 21st Street;
- (5) Queens Plaza; and
- (6) Queens Boulevard.

(10/25/95)

### **13-40**

#### **REQUIRED ACCESSORY OFF-STREET PARKING SPACES**

(2/2/11)

### **13-41**

#### **General Provisions**

Except as otherwise set forth in this Section or by the provisions of Section 13-012 (Existing off-street parking facilities), no #accessory# off-street parking spaces are required for any #development# or #enlargement# in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 or the Long Island City subject area.

(2/2/11)

### **13-42**

#### **Residential Development**

#Accessory# off-street parking spaces are only required for public or publicly-assisted housing #developments# or #enlargements# in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, only as set forth below:

- (a) For public or publicly-assisted housing, as such categories are defined in Section 25-25 (Modification of Requirements for Public or Publicly Assisted Housing or Non-Profit Housing for the Elderly), the minimum number of #accessory# off-street parking spaces required for new #dwelling units# provided in the #development# or #enlargement# as a

percentage of such new #dwelling units# are as follows:

	South of 60th Street and its Prolongations (in percent)	North of 60th Street and its Prolongations (in percent)
Publicly-assisted housing as defined in Section 25-25(a)	15.0	20.0
Public housing developments or dwelling units for low- income tenants as defined in Section 25- 25(b)	12.0	12.0
Federal rent subsidy program as defined in Section 25-25(c)	13.5	17.5

- (b) The requirements of this Section shall not apply to #developments# or #enlargements# on #zoning lots# having a #lot area# of 10,000 square feet or less.
- (c) Required parking shall be waived for #developments# or #enlargements# if the required number of #accessory# off-street parking spaces resulting from the application of the table in paragraph (a) results in 15 spaces or less.
- (d) All required #accessory# off-street parking spaces may be located either on the same #zoning lot# as the #development# or #enlargement# or on another #zoning lot# in accordance with the applicable zoning district regulations and shall be subject to the restrictions on location and #use# of #accessory# off-street parking spaces in Sections 25-51 through 25-55, inclusive, and the additional regulations for permitted or required #accessory# off-street parking spaces set forth in Sections 25-61 through 25-66, inclusive, or Sections 36-51 through 36-57, inclusive. The waiver provisions of Sections 25-27 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden) or 36-24 (Waiver of Requirements) shall also be applicable.
- (e) If a public or publicly-assisted housing #development# or #enlargement#, as such categories are defined in Section 25-25 (Modification of Requirements for Public, Publicly-Assisted and Government-Assisted Housing or for Non-profit

Residences for the Elderly), provides additional #accessory# off-street parking spaces within the #group parking facility# that satisfies the minimum number of spaces required by this Section, then the permitted #accessory# spaces are not subject to the regulations set forth in paragraph (c) of Section 13-12 (Residential Development), 13-141 (Location of accessory off-street parking spaces) and 13-143 (Maximum size of permitted accessory group parking facilities).

- (f) All such parking spaces shall be used exclusively by the occupants of the #residential development# or #enlargement# and occupants of nearby public or publicly-assisted housing projects, except that #car sharing vehicles# may occupy #accessory# off-street parking spaces; however, the number of spaces so occupied shall not exceed five spaces or 20 percent of all such parking spaces, whichever is greater. #Accessory residential# off-street parking spaces shall be made available to the occupants of the #residences# to which they are #accessory# within 30 days after written request is made to the landlord.
- (g) Parking is not required for #non-profit residences for the elderly# or #dwelling units# for the elderly as defined in paragraph (c) of Section 25-25 (Modification of Requirements for Public, Publicly-Assisted and Government-Assisted Housing or for Non-profit Residences for the Elderly).

(10/25/95)

### **13-50**

#### **SPECIAL PERMITS AND AUTHORIZATIONS**

(10/25/95)

### **13-51**

#### **General Provisions**

The City Planning Commission may grant special permits and authorizations as listed in this Section.

All such special permits and authorizations, in addition to meeting the requirements, conditions and safeguards prescribed by the Commission in the special permit or authorization as set forth in this Section, shall conform to and comply with all of the applicable zoning district regulations of the Zoning

Resolution, except as otherwise specified herein.

(10/25/95)

### **13-52**

#### **Requirements for Applications**

An application to the City Planning Commission for the grant of a special permit or authorization under the provisions of this Section shall include a site plan showing the location of all #buildings or other structures# on the site, the location of all vehicular entrances and exits and off-street parking spaces, and such other information as may be required by the Commission.

(10/25/95)

### **13-53**

#### **Departmental Reports**

In Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, all applications for the grant of a special permit or authorization pursuant to this Section shall be referred to the Department of Transportation, or its successor, for its report with respect to the anticipated traffic impact resulting from such #use# at the proposed location and to the Department of Environmental Protection or its successor for its report on air quality at the proposed location. If such agencies shall report thereon within one month from the date of referral, the City Planning Commission shall, in its determination, give due consideration to such report and, further, shall have the power to substantiate the appropriate findings solely on the basis of the reports by such agencies with respect to the issues referred. If such agencies do not report within one month, the Commission may make a final determination without reference thereto. In no case shall a special permit or authorization be granted if the proposed #use# would cause a violation of ambient air quality standards or exacerbate an existing violation of such standards.

(10/25/95)

### **13-54**

#### **Relationship to Public Improvement Projects**

In all cases, the City Planning Commission shall deny a special

permit application or authorization whenever the #use# will interfere with a public improvement project (including housing, highways, public #buildings# or facilities, redevelopment or renewal projects, or rights-of-way for sewers, transit, or other public facilities) which is approved by or pending before the City Council or the Commission as determined from the Calendar of each agency issued prior to the date of the public meeting on the application for a special permit or authorization.

(10/25/95)

**13-55**  
**Authorizations**

(9/29/10)

**13-551**  
**Accessory off-street parking spaces**

The City Planning Commission may, by authorization, subject to the otherwise applicable zoning district regulations, allow on-site enclosed #accessory# off-street parking facilities with a maximum capacity of 15 spaces in existing #buildings#, provided that the Commission finds that:

- (a) the #building# does not have #accessory# off-street parking spaces;
- (b) such parking spaces are needed for and will be used exclusively by the occupants of the #use# to which they are #accessory#, except that #car sharing vehicles# may occupy #accessory# off-street parking spaces; however, the number of spaces so occupied shall not exceed five spaces or 20 percent of all such parking spaces, whichever is greater. For the purposes of this paragraph, (b), such need shall exist where there are special circumstances and there are no reasonably viable alternatives to on-site enclosed parking spaces;
- (c) the parking spaces will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic;
- (d) the parking spaces will not adversely affect pedestrian movement;

- (e) the parking spaces will not be incompatible with, or adversely affect, adjacent #uses# including #uses# within the #building#; and
- (f) the curb cut accessing such parking spaces will not be inconsistent with the character of the existing streetscape.

(10/25/95)

### **13-552**

#### **Public parking lots**

The City Planning Commission may authorize #public parking lots# with a capacity of not more than 150 spaces in C2, C4, C6, C8 and M1 Districts or in the Long Island City subject area, provided that the otherwise applicable regulations set forth in Sections 36-55 or 44-44 (Surfacing), and Sections 36-56 or 44-45 (Screening) are met.

As a condition for authorizing any such #public parking lots#, 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 vehicular and pedestrian movement;
- (c) that such #use# is so located as to draw a minimum of vehicular traffic to and through local #residential streets#; and
- (d) that the #streets# providing access to such #use# will be adequate to handle the traffic generated thereby.

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 and for locations of entrances and exits.

(4/14/10)

### **13-553**

#### **Curb cuts**

The City Planning Commission may authorize, subject to the applicable zoning district regulations, curb cuts located on a #wide street# provided the Commission finds that a curb cut at such a location:

- (a) is not hazardous to traffic safety;
- (b) will not create or contribute to serious traffic congestion, or unduly inhibit vehicular movement;
- (c) will not adversely affect pedestrian movement;
- (d) will not interfere with the efficient functioning of bus lanes, specially designated #streets# and public transit facilities; and
- (e) will not be inconsistent with the character of the existing streetscape.

(10/25/95)

### **13-56**

#### **Special Permits**

(9/29/10)

### **13-561**

#### **Accessory off-street parking spaces**

The City Planning Commission may, by special permit, subject to the otherwise applicable zoning district regulations, allow on-site or off-site, open or enclosed, #accessory# off-street parking facilities with any capacity not otherwise allowed under Section 13-10 (PERMITTED ACCESSORY OFF-STREET PARKING SPACES) provided the Commission finds that:

- (a) such parking spaces are needed for, and will be used by, the occupants, visitors, customers or employees of the #use# to which they are #accessory#, except that #car sharing vehicles# may occupy #accessory# off-street parking spaces; however, the number of spaces so occupied shall not exceed five spaces or 20 percent of all such parking spaces, whichever is greater;

- (b) within the vicinity of the site, there are insufficient parking spaces available;
- (c) the facility will not create or contribute to serious traffic congestion nor will unduly inhibit vehicular and pedestrian movement;
- (d) the facility is so located as to draw a minimum of vehicular traffic to and through local #residential streets#; and
- (e) adequate reservoir space is provided at the vehicular entrance to accommodate vehicles equivalent in number to 20 percent of the total number of parking spaces, up to 50 parking spaces, and five percent of any spaces in excess of 200 parking spaces, but in no event shall such reservoir spaces be required for more than 50 vehicles. However, in the case of a facility with a capacity of 10 vehicles or less, the Commission may waive this finding.

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

(10/25/95)

### **13-562**

#### **Public parking garages and public parking lots**

The City Planning Commission may, by special permit, allow #public parking garages# and #public parking lots# not otherwise permitted pursuant to the applicable provisions of Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas).