

ENVIRONMENTAL ASSESSMENT STATEMENT

MANHATTAN CORE PARKING TEXT AMENDMENT

CEQR No. 13DCP041M

ULURP No. N 130105 ZRM

Lead Agency: NYC Planning Commission

Applicant:

New York City Department of City Planning

Prepared by:

New York City Department of City Planning

October 2012

**Environmental Assessment Statement
for
Manhattan Core Parking Text Amendment**

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**City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT FULL FORM**
Please fill out, print and submit to the appropriate agency (see instructions)

PART I: GENERAL INFORMATION

PROJECT NAME Manhattan Core Parking Text Amendment

1. Reference Numbers

| | |
|--|--|
| CEQR REFERENCE NUMBER (To Be Assigned by Lead Agency) 13DCP041M | BSA REFERENCE NUMBER (If Applicable) |
| ULURP REFERENCE NUMBER (If Applicable) N 130105 ZRM | OTHER REFERENCE NUMBER(S) (If Applicable) (e.g. Legislative Intro, CAPA, etc) |

2a. Lead Agency Information

NAME OF LEAD AGENCY
NYC Department of City Planning

NAME OF LEAD AGENCY CONTACT PERSON
Robert Dobruskin, AICP, Director, EARD

ADDRESS 22 Reade Street, 4th Floor

CITY New York STATE NY ZIP 10007

TELEPHONE 212.720.3423 FAX 212.720.3495

EMAIL ADDRESS rdobrus@planning.nyc.gov

2b. Applicant Information

NAME OF APPLICANT
NYC Department of City Planning

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON
Adam Wolff, Deputy Director, Manhattan Office

ADDRESS 22 Reade Street, 6th Floor

CITY New York STATE NY ZIP 10007

TELEPHONE 212.720.3583 FAX 212.720.3488

EMAIL ADDRESS awolff@planning.nyc.gov

3. Action Classification and Type

SEQRA Classification

UNLISTED TYPE I; SPECIFY CATEGORY (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): §617.4(b)(9)

Action Type (refer to Chapter 2, "Establishing the Analysis Framework" for guidance)

LOCALIZED ACTION, SITE SPECIFIC LOCALIZED ACTION, SMALL AREA GENERIC ACTION

4. Project Description:

The Department of City Planning proposes a zoning text amendment to modify the off-street parking regulations in the Manhattan Core for the purpose of promoting a more rational and efficient allocation of off-street parking in the Manhattan Core through a series of amendments to the as-of-right and discretionary parking regulations in the NYC Zoning Resolution. See Attachment A, "Project Description," for further details.

4a. Project Location: Single Site (for a project at a single site, complete all the information below)

| | | |
|---|-------------------|--------------------------|
| ADDRESS | NEIGHBORHOOD NAME | |
| TAX BLOCK AND LOT | BOROUGH | COMMUNITY DISTRICT |
| DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS | | |
| EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION IF ANY: | | ZONING SECTIONAL MAP NO: |

4b. Project Location: Multiple Sites (Provide a description of the size of the project area in both City Blocks and Lots. If the project would apply to the entire city or to areas that are so extensive that a site-specific description is not appropriate or practicable, describe the area of the project, including bounding streets, etc.)

The area to which the proposed regulations would apply includes the entirety of Manhattan Community Districts 1-8, excepting Governor's Island in Community District 1, the Special Hudson Yards District in Community District 4, and Roosevelt Island in Community District 8. See Attachment A, "Project Description," for further details.

5. REQUIRED ACTIONS OR APPROVALS (check all that apply)

City Planning Commission: YES NO

CITY MAP AMENDMENT ZONING CERTIFICATION

ZONING MAP AMENDMENT ZONING AUTHORIZATION

ZONING TEXT AMENDMENT HOUSING PLAN & PROJECT

UNIFORM LAND USE REVIEW PROCEDURE (ULURP) SITE SELECTION — PUBLIC FACILITY

CONCESSION FRANCHISE

UDAAP DISPOSITION — REAL PROPERTY

REVOCABLE CONSENT

Board of Standards and Appeals: YES NO

SPECIAL PERMIT

EXPIRATION DATE MONTH DAY YEAR

VARIANCE (USE)

VARIANCE (BULK)

ZONING SPECIAL PERMIT, SPECIFY TYPE:

MODIFICATION OF

RENEWAL OF

OTHER

SPECIFY AFFECTED SECTION(S) OF THE ZONING RESOLUTION

Department of Environmental Protection: YES NO

Other City Approvals: YES NO

| | |
|---|--|
| <input type="checkbox"/> LEGISLATION | <input type="checkbox"/> RULEMAKING |
| <input type="checkbox"/> FUNDING OF CONSTRUCTION; SPECIFY | <input type="checkbox"/> CONSTRUCTION OF PUBLIC FACILITIES |
| <input type="checkbox"/> POLICY OR PLAN; SPECIFY | <input type="checkbox"/> FUNDING OF PROGRAMS; SPECIFY |
| <input type="checkbox"/> LANDMARKS PRESERVATION COMMISSION APPROVAL (not subject to CEQR) | <input type="checkbox"/> PERMITS, SPECIFY: |
| <input type="checkbox"/> 384(b)(4) APPROVAL | <input type="checkbox"/> OTHER, EXPLAIN |
| <input type="checkbox"/> PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC) (not subject to CEQR) | |

6. State or Federal Actions/Approvals/Funding: YES NO IF "YES," IDENTIFY

7. Site Description: Except where otherwise indicated, provide the following information with regard to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory controls.

GRAPHICS The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11x17 inches in size and must be folded to 8.5 x 11 inches for submission.

Site location map Zoning map Photographs of the project site taken within 6 months of EAS submission and keyed to the site location map

Sanborn or other land use map Tax map For large areas or multiple sites, a GIS shape file that defines the project sites

PHYSICAL SETTING (both developed and undeveloped areas)

| | | |
|--|---|---|
| Total directly affected area (sq. ft.): approximately 5,625 acres | Type of waterbody and surface area (sq. ft.): | Roads, building and other paved surfaces (sq. ft.): |
|--|---|---|

Other, describe (sq. ft.):

8. Physical Dimensions and Scale of Project (if the project affects multiple sites, provide the total development below facilitated by the action)

Size of project to be developed: **n/a** (gross sq. ft.)

Does the proposed project involve changes in zoning on one or more sites? YES NO

If "Yes," identify the total square feet owned or controlled by the applicant: _____ Total square feet of non-applicant owned development: _____

Does the proposed project involve in-ground excavation or subsurface disturbance, including but not limited to foundation work, pilings, utility lines, or grading? YES NO

If "Yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):

| Area: | sq. ft. (width x length) | Volume: | cubic feet (width x length x depth) |
|--|--------------------------|---------|-------------------------------------|
| Does the proposed project increase the population of residents and/or on-site workers? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> Number of additional residents? _____ Number of additional workers? _____ | | | |
| Provide a brief explanation of how these numbers were determined: | | | |

Does the project create new open space? YES NO If Yes: _____ (sq. ft.)

Using Table 14-1, estimate the project's projected operational solid waste generation, if applicable: _____ (pounds per week)

Using energy modeling or Table 15-1, estimate the project's projected energy use: _____ (annual BTUs)

9. Analysis Year *CEQR Technical Manual Chapter 2*

| | | | |
|---|-------------|---|-----|
| ANTICIPATED BUILD YEAR (DATE THE PROJECT WOULD BE COMPLETED AND OPERATIONAL): | 2013 / 2022 | ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: | N/A |
|---|-------------|---|-----|

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? YES NO IF MULTIPLE PHASES, HOW MANY PHASES: _____

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

10. What is the Predominant Land Use in Vicinity of Project? (Check all that apply)

RESIDENTIAL MANUFACTURING COMMERCIAL PARK/FOREST/OPEN SPACE OTHER, Describe: Transportation, Institutional

Proposed text amendment would, if approved, become effective in 2013; analysis for environmental review is 2022. See Attachment B, "Framework for Analysis" for further details.

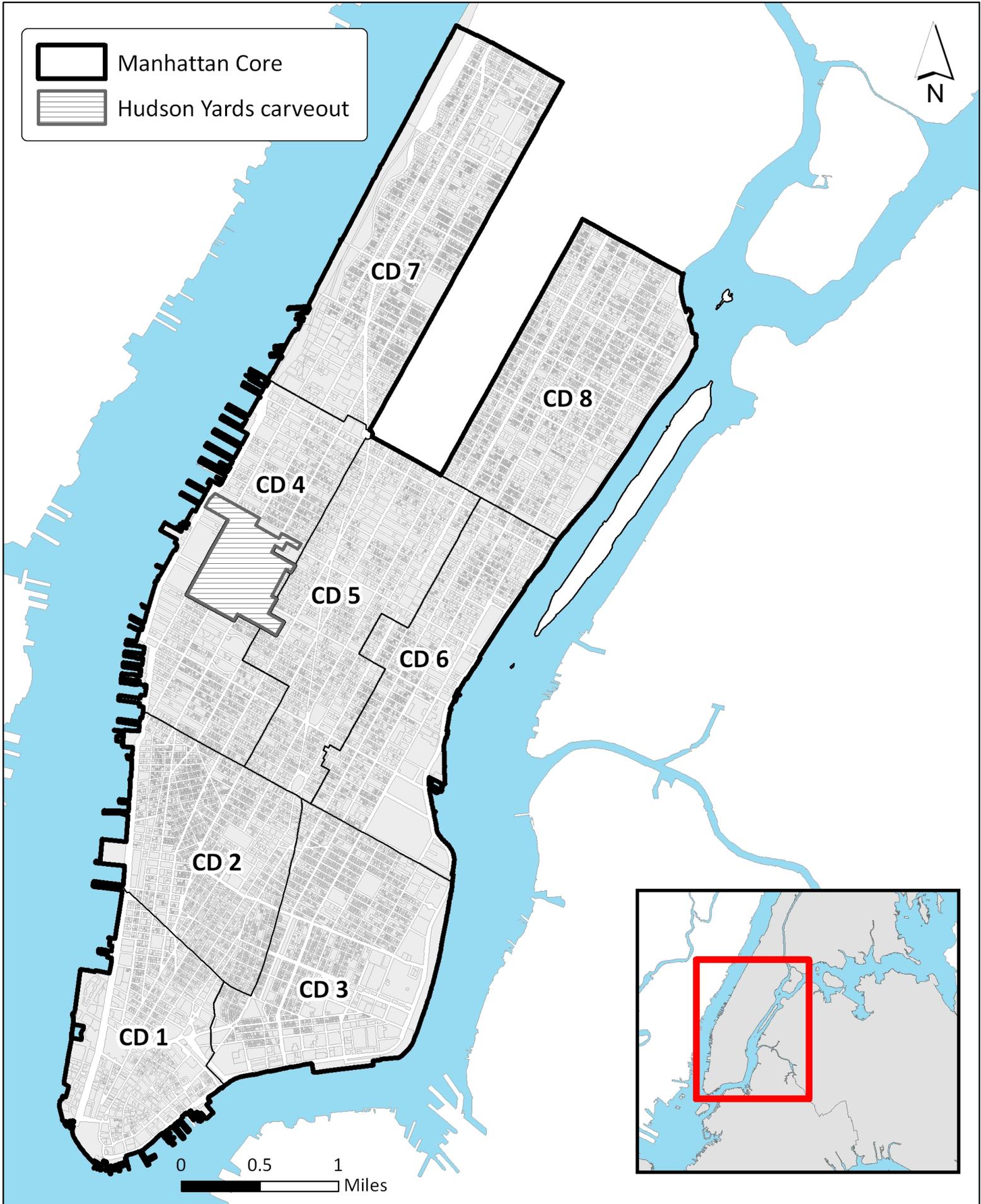
DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

| | EXISTING CONDITION | NO-ACTION CONDITION | WITH-ACTION CONDITION | INCREMENT |
|--|--|--|---|------------------|
| Land Use | | | | |
| Residential | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | |
| If yes, specify the following | | | | |
| No. of dwelling units | | | See Attachment B, | |
| No. of low- to moderate income units | | | "Framework for Analysis" | |
| No. of stories | | | | |
| Gross Floor Area (sq.ft.) | | | | |
| Describe Type of Residential Structures | | | | |
| Commercial | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | |
| If yes, specify the following: | | | | |
| Describe type (retail, office, other) | | | See Attachment B, | |
| No. of bldgs | | | "Framework for Analysis" | |
| GFA of each bldg (sq.ft.) | | | | |
| Manufacturing/Industrial | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | |
| If yes, specify the following: | | | | |
| Type of use | | | | |
| No. of bldgs | | | | |
| GFA of each bldg (sq.ft.) | | | | |
| No. of stories of each bldg | | | | |
| Height of each bldg | | | | |
| Open storage area (sq.ft.) | | | | |
| If any unenclosed activities, specify | | | | |
| Community Facility | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | |
| If yes, specify the following: | | | | |
| Type | | | | |
| No. of bldgs | | | | |
| GFA of each bldg (sq.ft.) | | | | |
| No. of stories of each bldg | | | | |
| Height of each bldg | | | | |
| Vacant Land | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | |
| If yes, describe: | | | | |
| Publicly Accessible Open Space | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | |
| If yes, specify type (mapped City, State, or Federal Parkland, wetland—mapped or otherwise known, other) | | | | |
| Other Land Use | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | |
| If yes, describe | | | | |
| Parking | | | | |
| Garages | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | |
| If yes, specify the following: | | | | |
| No. of public spaces | | | See Attachment B, | |
| No. of accessory spaces | | | "Framework for Analysis" | |
| Operating hours | | | | |
| Attended or non-attended | | | | |

Manhattan Core Site Location Map

produced by NYC DCP, October 2012



| | EXISTING CONDITION | NO-ACTION CONDITION | WITH-ACTION CONDITION | INCREMENT |
|--|--|--|---|-----------|
| Parking (continued) | | | | |
| Lots | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | |
| If yes, specify the following: | | | | |
| No. of public spaces | | | | |
| No. of accessory spaces | | | | |
| Operating hours | | | | |
| Other (includes street parking) | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | |
| If yes, describe | | | | |
| Storage Tanks | | | | |
| Storage Tanks | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | |
| If yes, specify the following: | | | | |
| Gas/Service stations | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | |
| Oil storage facility | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | |
| Other, identify: | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | |
| If yes to any of the above, describe: | | | | |
| Number of tanks | | | | |
| Size of tanks | | | | |
| Location of tanks | | | | |
| Depth of tanks | | | | |
| Most recent FDNY inspection date | | | | |
| Population | | | | |
| Residents | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | |
| If any, specify number | | | | |
| Briefly explain how the number of residents was calculated: | | | | |
| Businesses | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | |
| If any, specify the following: | | | | |
| No. and type | | | | |
| No. and type of workers by business | | | | |
| No. and type of non-residents who are not workers | | | | |
| Briefly explain how the number of businesses was calculated: | | | | |
| Zoning* | | | | |
| Zoning classification | MN Core zoning districts | no change | no change | no change |
| Maximum amount of floor area that can be developed (in terms of bulk) | | | | |
| Predominant land use and zoning classifications within a 0.25 mile radius of proposed project | | | | |
| Attach any additional information as may be needed to describe the project. | | | | |
| If your project involves changes in regulatory controls that affect one or more sites not associated with a specific development, it is generally appropriate to include the total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site. | | | | |

*This section should be completed for all projects, except for such projects that would apply to the entire city or to areas that are so extensive that site-specific zoning information is not appropriate or practicable.

PART II: TECHNICAL ANALYSES

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the 'NO' box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the 'YES' box.
- For each 'Yes' response, answer the subsequent questions for that technical area and consult the relevant chapter of the CEQR Technical Manual for guidance on providing additional analyses (and attach supporting information, if needed) to determine whether the potential for significant impacts exists. Please note that a 'Yes' answer does not mean that an EIS must be prepared—it often only means that more information is required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to either provide additional information to support the Full EAS Form. For example, if a question is answered 'No,' an agency may request a short explanation for this response.

See Attachment C, "Impact Analysis of Proposed Action" and Attachment D, "Conceptual Analysis Of Special Permits And Authorization."

| | YES | NO |
|---|-----|----|
| 1. LAND USE, ZONING AND PUBLIC POLICY: <i>CEQR Technical Manual Chapter 4</i> | | |
| (a) Would the proposed project result in a change in land use or zoning that is different from surrounding land uses and/or zoning? Is there the potential to affect an applicable public policy? If "Yes", complete a preliminary assessment and attach. | ✓ | |
| (b) Is the project a large, publicly sponsored project? If "Yes", complete a PlaNYC assessment and attach. | | ✓ |
| (c) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries? If "Yes", complete the <i>Consistency Assessment Form</i> . | | ✓ |
| 2. SOCIOECONOMIC CONDITIONS: <i>CEQR Technical Manual Chapter 5</i> | | |
| (a) Would the proposed project: | | |
| • Generate a net increase of 200 or more residential units? | ✓ | |
| • Generate a net increase of 200,000 or more square feet of commercial space? | ✓ | |
| • Directly displace more than 500 residents? | | ✓ |
| • Directly displace more than 100 employees? | | ✓ |
| • Affect conditions in a specific industry? | | ✓ |
| (b) If 'Yes' to any of the above, attach supporting information to answer the following questions, as appropriate. If 'No' was checked for each category above, the remaining questions in this technical area do not need to be answered. | | |
| (1) Direct Residential Displacement | | |
| • If more than 500 residents would be displaced, would these displaced residents represent more than 5% of the primary study area population? | | ✓ |
| • If 'Yes,' is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population? | | |
| (2) Indirect Residential Displacement | | |
| • Would the expected average incomes of the new population exceed the average incomes of the study area populations? | | ✓ |
| • If 'Yes,' would the population increase represent more than 5% of the primary study area population or otherwise potentially affect real estate market conditions? | | |
| • If 'Yes,' would the study area have a significant number of unprotected rental units? | | |
| Would more than 10 percent of all the housing units be renter-occupied and unprotected? | | |
| Or, would more than 5 percent of all the housing units be renter-occupied and unprotected where no readily observable trend toward increasing rents and new market rate development exists within the study area? | | |

| | YES | NO |
|--|-----|----|
| (3) Direct Business Displacement | | |
| • Do any of the displaced businesses provide goods or services that otherwise could not be found within the trade area, either under existing conditions or in the future with the proposed project? | | ✓ |
| • Do any of the displaced businesses provide goods or services that otherwise could not be found within the trade area, either under existing conditions or in the future with the proposed project? | | ✓ |
| • Or, is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it? | | ✓ |
| (4) Indirect Business Displacement | | |
| • Would the project potentially introduce trends that make it difficult for businesses to remain in the area? | | ✓ |
| • Would the project capture the retail sales in a particular category of goods to the extent that the market for such goods would become saturated as a result, potentially resulting in vacancies and disinvestment on neighborhood commercial streets? | | ✓ |
| (5) Affects on Industry | | |
| • Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area? | | ✓ |
| • Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses? | | ✓ |
| 3. COMMUNITY FACILITIES: CEQR Technical Manual Chapter 6 | | |
| (a) Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations? | | ✓ |
| (b) Would the project exceed any of the thresholds outlined in Table 6-1 in Chapter 6? | | ✓ |
| (c) If 'No' was checked above, the remaining questions in this technical area do not need to be answered. If 'Yes' was checked, attach supporting information to answer the following, if applicable. | | |
| (1) Child Care Centers | | |
| • Would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent? | | |
| • If Yes, would the project increase the collective utilization rate by 5 percent from the No-Action scenario? | | |
| (2) Libraries | | |
| • Would the project increase the study area population by 5 percent from the No-Action levels? | | |
| • If Yes, would the additional population impair the delivery of library services in the study area? | | |
| (3) Public Schools | | |
| • Would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 105 percent? | | |
| • If Yes, would the project increase this collective utilization rate by 5 percent from the No-Action scenario? | | |
| (4) Health Care Facilities | | |
| • Would the project affect the operation of health care facilities in the area? | | |
| (5) Fire and Police Protection | | |
| • Would the project affect the operation of fire or police protection in the area? | | |
| 4. OPEN SPACE: CEQR Technical Manual Chapter 7 | | |
| (a) Would the project change or eliminate existing open space? | | ✓ |
| (b) Is the project located within an underserved area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island? | ✓ | |
| (c) If 'Yes,' would the proposed project generate more than 50 additional residents or 125 additional employees? | | |
| (d) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island? | ✓ | |
| (e) If 'Yes,' would the project generate more than 350 additional residents or 750 additional employees? | | |
| (f) If the project is not located within an underserved or well-served area, would it generate more than 200 additional residents or 500 additional employees? | ✓ | |
| (g) If 'Yes' to any of the above questions, attach supporting information to answer the following: | | |
| • Does the project result in a decrease in the open space ratio of more than 5%? | | |
| • If the project is within an underserved area, is the decrease in open space between 1% and 5%? | | |
| • If 'Yes,' are there qualitative considerations, such as the quality of open space, that need to be considered? | | |

| | YES | NO |
|--|-----|----|
| 5. SHADOWS: <i>CEQR Technical Manual Chapter 8</i> | | |
| (a) Would the proposed project result in a net height increase of any structure of 50 feet or more? | ✓ | |
| (b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource? | ✓ | |
| (c) If "Yes" to either of the above questions, attach supporting information explaining whether the project's shadow reach any sunlight-sensitive resource at any time of the year. | | |
| 6. HISTORIC AND CULTURAL RESOURCES: <i>CEQR Technical Manual Chapter 9</i> | | |
| (a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for, or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; is listed or eligible for listing on the New York State or National Register of Historic Places; or is within a designated or eligible New York City, New York State, or National Register Historic District? If "Yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources. | ✓ | |
| 7. URBAN DESIGN AND VISUAL RESOURCES: <i>CEQR Technical Manual Chapter 10</i> | | |
| (a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning? | ✓ | |
| (b) Would the proposed project result in obstruction of publicly accessible views to visual resources that is not currently allowed by existing zoning? | | ✓ |
| (c) If "Yes" to either of the above, please provide the information requested in Chapter 10. | | |
| 8. NATURAL RESOURCES: <i>CEQR Technical Manual Chapter 11</i> | | |
| (a) Is any part of the directly affected area within the Jamaica Bay Watershed? If "Yes", complete the Jamaica Bay Watershed Form. | | ✓ |
| (b) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11? If "Yes," list the resources. Attach supporting information on whether the proposed project would affect any of these resources. | ✓ | |
| 9. HAZARDOUS MATERIALS: <i>CEQR Technical Manual Chapter 12</i> | | |
| (a) Would the proposed project allow commercial or residential use in an area that is currently, or was historically, a manufacturing area that involved hazardous materials? | ✓ | |
| (b) Does the proposed project site have existing institutional controls (e.g. (E) designations or a Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts? | ✓ | |
| (c) Does the project require soil disturbance in a manufacturing zone or any development on or near a manufacturing zone or existing/historic facilities listed in Appendix 1 (including nonconforming uses)? | | |
| (d) Does the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin? | | |
| (e) Does the project result in development where underground and/or aboveground storage tanks (e.g. gas stations) are or were on or near the site? | | |
| (f) Does the project result in renovation of interior existing space on a site with potential compromised air quality, vapor intrusion from on-site or off-site sources, asbestos, PCBs or lead-based paint? | | |
| (g) Does the project result in development on or near a government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, municipal incinerators, coal gasification or gas storage sites, or railroad tracks and rights-of-way? | | |
| (h) Has a Phase I Environmental Site Assessment been performed for the site? If "Yes," were RECs identified? Briefly identify: | | ✓ |
| (i) Based on a Phase I Assessment, is a Phase II Assessment needed? | | ✓ |
| 10. WATER AND SEWER INFRASTRUCTURE: <i>CEQR Technical Manual Chapter 13</i> | | |
| (a) Would the project result in water demand of more than one million gallons per day? | | ✓ |
| (b) Is the proposed project located in a combined sewer area and result in at least 1,000 residential units or 250,000 SF or more of commercial space in Manhattan or at least 400 residential units or 150,000 SF or more of commercial space in the Bronx, Brooklyn, Staten Island or Queens? | ✓ | |
| (c) Is the proposed project located in a <u>separately sewered area</u> and result in the same or greater development than that listed in Table 13-1 in Chapter 13? | | ✓ |
| (d) Does the proposed project involve development on a site five acres or larger where the amount of impervious surface would increase? | | ✓ |
| (e) Would the proposed project involve development on a site one acre or larger where the amount of impervious surface would increase and is located within the <u>Jamaica Bay Watershed</u> or in certain <u>specific drainage areas</u> including: Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek? | | ✓ |
| (f) Would the proposed project be located in an area that is partially sewered or currently unsewered? | | ✓ |
| (g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a WWTP and/or generate contaminated stormwater in a separate storm sewer system? | | ✓ |
| (h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits? | | ✓ |
| (i) If "Yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation. | | |
| 11. SOLID WASTE AND SANITATION SERVICES: <i>CEQR Technical Manual Chapter 14</i> | | |
| (a) Would the proposed project have the potential to generate 1000,000 pounds (50 tons) or more of solid waste per week? | ✓ | |
| (b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City? | | ✓ |

| | YES | NO |
|---|-----|----|
| 12. ENERGY: <i>CEQR Technical Manual Chapter 15</i> | | |
| (a) Would the proposed project affect the transmission or generation of energy? | | ✓ |
| 13. TRANSPORTATION: <i>CEQR Technical Manual Chapter 16</i> | | |
| (a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16? | ✓ | |
| (b) If "Yes," conduct the screening analyses, attach appropriate back up data as needed for each stage, and answer the following questions: | | |
| (1) Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour? If "Yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? <i>**It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peakhour. See Subsection 313 in Chapter 16 for more information.</i> | | |
| (2) Would the proposed project result in more than 200 subway/trail or bus trips per project peak hour? If "Yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line? | | |
| (3) Would the proposed project result in more than 200 pedestrian trips per project peak hour? If "Yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop? | | |
| 14. AIR QUALITY: <i>CEQR Technical Manual Chapter 17</i> | | |
| (a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 in Chapter 17? | ✓ | |
| (b) <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in Section 220 in Chapter 17? If "Yes," would the proposed project exceed the thresholds in the Figure 17-3. <i>Stationary Source Screen Graph?</i> (attach graph as needed) | ✓ | |
| (c) Does the proposed project involve multiple buildings on the project site? | | |
| (d) Does the proposed project require Federal approvals, support, licensing, or permits subject to conformity requirements? | | |
| (e) Does the proposed project site have existing institutional controls (e.g. E) designations or a Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts? | ✓ | |
| (f) If "Yes," conduct the appropriate analyses and attach any supporting documentation. | | |
| 15. GREENHOUSE GAS EMISSIONS: <i>CEQR Technical Manual Chapter 18</i> | | |
| (a) Is the proposed project a city capital project, a power plant, or would fundamentally change the City's solid waste management system? | | ✓ |
| (b) If "Yes," would the proposed project require a GHG emissions assessment based on the guidance in Chapter 18? | | |
| (c) If "Yes," attach supporting documentation to answer the following: Would the project be consistent with the City's GHG reduction goal? | | |
| 16. NOISE: <i>CEQR Technical Manual Chapter 19</i> | | |
| (a) Would the proposed project generate or reroute vehicular traffic? | | ✓ |
| (b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line? | ✓ | |
| (c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise? | | ✓ |
| (d) Does the proposed project site have existing institutional controls (e.g. E-designations or a Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts? | ✓ | |
| (e) If "Yes," conduct the appropriate analyses and attach any supporting documentation. | | |
| 17. PUBLIC HEALTH: <i>CEQR Technical Manual Chapter 20</i> | | |
| (a) Would the proposed project warrant a public health assessment based upon the guidance in Chapter 20? | | ✓ |
| 18. NEIGHBORHOOD CHARACTER: <i>CEQR Technical Manual Chapter 21</i> | | |
| (a) Based upon the analyses conducted for the following technical areas, check Yes if any of the following technical areas required a detailed analysis: Land Use, Zoning, and Public Policy, Socioeconomic Conditions, Open Space, Historic and Cultural Resources, Urban Design and Visual Resources, Shadows, Transportation, Noise. | ✓ | |
| (b) If "Yes," explain here why or why not an assessment of neighborhood character is warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. | | |
| See Attachment C, "Impact Analysis of Proposed Action" and Attachment D, "Conceptual Analysis Of Special Permits And Authorization." | | |

| | | YES | NO |
|-----|--|-----|----|
| 19. | CONSTRUCTION IMPACTS: <i>CEQR Technical Manual Chapter 22</i> Would the project's construction activities involve (check all that apply): | ✓ | |
| | • Construction activities lasting longer than two years; | ✓ | |
| | • Construction activities within a Central Business District or along an arterial or major thoroughfare; | ✓ | |
| | • Require closing, narrowing, or otherwise impeding traffic, transit or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc); | ✓ | |
| | • Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out; | | |
| | • The operation of several pieces of diesel equipment in a single location at peak construction; | ✓ | |
| | • Closure of community facilities or disruption in its service; | | |
| | • Activities within 400 feet of a historic or cultural resource; or | ✓ | |
| | • Disturbance of a site containing natural resources. | | |

If any boxes are checked, explain why or why not a preliminary construction assessment is warranted based on the guidance of in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.

See Attachment C, "Impact Analysis of Proposed Action" and Attachment D, "Conceptual Analysis Of Special Permits And Authorization."

20. APPLICANT'S CERTIFICATION

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the

Adam Wolff of NYC Department of City Planning
APPLICANT/SPONSOR NAME THE ENTITY OR OWNER

the entity which seeks the permits, approvals, funding or other governmental action described in this EAS.

Check if prepared by: APPLICANT/REPRESENTATIVE OR LEAD AGENCY REPRESENTATIVE (FOR CITY-SPONSORED PROJECTS)

Robert Dobruskin, AICP, Director, EARD
APPLICANT/SPONSOR NAME: LEAD AGENCY REPRESENTATIVE NAME:

Robert Dobruskin October 26, 2012
SIGNATURE: DATE:

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

PART III: DETERMINATION OF SIGNIFICANCE (To Be Completed By Lead Agency)

INSTRUCTIONS:

In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY §6-06 (Executive Order 91 of 1977, as amended) which contain the State and City criteria for determining significance.

| 1. For each of the impact categories listed below, consider whether the project may have a significant effect on the environment. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. | Potential Significant Adverse Impact | |
|--|--------------------------------------|----|
| | YES | NO |
| IMPACT CATEGORY | | |
| Land Use, Zoning, and Public Policy | | ✓ |
| Socioeconomic Conditions | | ✓ |
| Community Facilities and Services | | ✓ |
| Open Space | | ✓ |
| Shadows | | ✓ |
| Historic and Cultural Resources | | ✓ |
| Urban Design/Visual Resources | | ✓ |
| Natural Resources | | ✓ |
| Hazardous Materials | | ✓ |
| Water and Sewer Infrastructure | | ✓ |
| Solid Waste and Sanitation Services | | ✓ |
| Energy | | ✓ |
| Transportation | | ✓ |
| Air Quality | | ✓ |
| Greenhouse Gas Emissions | | ✓ |
| Noise | | ✓ |
| Public Health | | ✓ |
| Neighborhood Character | | ✓ |
| Construction Impacts | | ✓ |

2. Are there any aspects of the project relevant to the determination whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? If there are such impacts, explain them and state where, as a result of them, the project may have a significant impact on the environment. See Attachment D, "Conceptual Analysis Of Special Permits And Authorization."

✓

3. LEAD AGENCY'S CERTIFICATION

Director, Environmental Assessment & Review Division

 TITLE
 Robert Dobruskin, AICP

 NAME

New York City Department of City Planning

 LEAD AGENCY


 SIGNATURE

ATTACHMENT A – Project Description

Manhattan Core Parking Text Amendment Environmental Assessment Statement CEQR No. 13DCP041M

I. PROJECT DESCRIPTION

INTRODUCTION

The Department of City Planning proposes a zoning text amendment (see Appendix 1) to modify the off-street parking regulations in the Manhattan Core. The area to which the proposed regulations would apply includes the entirety of Manhattan Community Districts 1-8, excepting Governor's Island in Community District 1, and Roosevelt Island in Community District 8. In the area subject to the special Hudson Yards parking regulations (portions of the Special Hudson Yards District, the Special Garment Center District and the Special Clinton District, in Community Districts 4 and 5) certain provisions of the proposal would apply.

The proposed text amendment would promote a more rational and efficient allocation of off-street parking in the Manhattan Core through a series of amendments to the as-of-right and discretionary parking regulations in the Zoning Resolution. A detailed study on off-street parking in the Manhattan Core was completed in 2011 which helped the Department's understanding of recent trends in off-street parking utilization and supply, and informed the development of this zoning proposal.

The key findings derived from this study include:

1. **The Manhattan Core parking regulations have proved to be compatible with population and job growth and a thriving Central Business District.** In almost three decades since the Manhattan Core regulations were enacted, the Manhattan Core has added population and jobs and has strengthened its position as the vital heart of a world city. Travel into the CBD has shifted toward transit and away from private vehicles. While off-street parking is less critical than it was in this respect, it still plays an important role in supporting economic activity and provides a necessary amenity for residential neighborhoods in the Core.
2. **The supply of off-street parking in the Manhattan CBD has declined** by about one-fifth since the Manhattan Core parking regulations were enacted. With the redevelopment of surface lots and garages, as well as the effects of the regulations in limiting the provision of parking, the number of off-street public (DCA-licensed) parking spaces below 60th Street has decreased from around 127,000 in 1978 to approximately 102,000 in 2010.
3. **Levels of car ownership and auto commuting in the Manhattan Core are relatively low.** Approximately 23 percent of Manhattan Core households own a car (compared with 46 percent Citywide), and only about one-fifth of those households commute to work by car. However, since 1982, car ownership has increased at a faster rate in the Manhattan Core than in Manhattan outside the Core.
4. **Public parking facilities serve a large number of Manhattan residents and fill neighborhood needs for residential parking.** In contrast with 1982, when most public parking was utilized by commuters and other business parkers, a large portion of spaces in public parking facilities were found to be utilized by Manhattan residents on a monthly basis. This follows changes in supply and demand,

with 25,000 fewer off-street public parking spaces in Manhattan Community Districts 1 through 6 (the only geography for which a comparison with 1980 off-street parking counts is available) and 11,000 additional households with cars within this same area, according to 1980 Census and 2006-2010 ACS data. In public parking facilities located in residential and mixed-use buildings, approximately 60 percent of spaces were occupied by residential monthly parkers, most of whom do not live in the building but come from the surrounding neighborhood. In more residential neighborhoods such as the Upper East Side, over 70 percent of spaces in public parking facilities in residential and mixed-use buildings were used by neighborhood residents. To a much greater extent than in 1982, the supply of public parking is serving neighborhood needs for long-term residential parking.

5. **Most new as of right parking facilities in the Manhattan Core operate as public facilities**, despite zoning regulations that require parking permitted on an as of right basis to be reserved for accessory use only. These facilities are available to neighborhood residents who do not live in the building and function as a neighborhood parking resource. While the 1982 regulations assumed that distinguishing between accessory and public parking was necessary to avoid use by commuters and ensure that there is parking sufficient to meet residential demand, use of these facilities by commuters is much less prevalent and neighborhood residents enjoy a variety of parking options.
6. **Limited amounts of new parking are still needed.** Many travelers into the Manhattan Core who park in public parking facilities make all or most of their trips into the Core by car. New investments in transit infrastructure and land use policies that encourage transit-oriented development are expected to further the positive trend of the last 30 years, where people traveling into the Manhattan CBD have come by transit in ever greater numbers. For the foreseeable future, however, parking will still be needed to accommodate some share of trips into the Manhattan Core, even if that share continues to fall. As the survey results showed, people choose to drive for a variety of reasons ranging from the needs of their job, because they are transporting goods or other people, or the inadequacy of transit where they live. A population of car-owning households in the Manhattan Core will remain, in part because residents of new housing in the Core tend to own cars at higher rates than the residents of existing housing. Some new parking will be necessary to support economic activity and accommodate residential demand.

The proposal recognizes current trends in parking development since 1982 and seeks to update the regulations to reflect current patterns in the following ways:

1. Permit all new as-of-right accessory parking to operate as public. Existing DCA-licensed accessory parking facilities could amend their certificates of occupancy to recognize that public use is permitted as-of-right.
2. Create five new Special Permits:
 - a. Replace existing applicable Special Permits that lack sufficient findings to permit the City Planning Commission to evaluate relevant land use issues, with four new Special Permit processes in which applicants may demonstrate the need for parking above the permitted as-of-right ratios based on the following factors, as applicable:
 - i. Special Permit for additional parking spaces for residential growth based on the supply of parking relative to the growth in neighborhood residents

- ii. Special permit for additional parking for health care, arts or public assembly uses based on a demonstration that the parking is essential to the operation of the uses
 - iii. Special Permit for additional parking for spaces for economic development uses based on a demonstration that the parking is essential to the operation of the uses
 - iv. Special Permit for additional parking for large-scale developments based on a parking deficit associated with the development, insufficient capacity to accommodate potential parking users, or the inability to provide parking pursuant to as-of-right ratios based on existing parking caps.
 - b. Create a Special Permit for limited increase of parking spaces in existing buildings or parking facilities.
3. The existing floor area exemption for accessory parking spaces not more than 23 feet above curb level in new developments would be retained only for buildings wrapped to a certain depth with non-parking uses.
 4. Cap as-of-right retail parking allowance to 10 spaces.
 5. Allow, by CPC authorization, the elimination of parking spaces required prior to the date of enactment. This would include required accessory parking for residences under zoning regulations in effect between 1950 and 1982, as well as accessory parking for publicly-assisted housing required under post-1982 regulations.
 6. Exempt vehicular access ramps, pedestrian access ways and mechanical space from the calculation that limits the size of a parking facility to 200 square feet per parking space.
 7. Define guidelines for automated parking facilities. In automated parking facilities, a floor area exemption would be permitted up to 40' provided the façade is consistent with the primary uses in the building.
 8. Establish design guidelines for off-street parking facilities to ensure pedestrian and vehicular safety.
 9. Rationalize reservoir space requirements in public parking facilities and further apply them to accessory parking facilities and to rental car parking, which currently have no such requirements.
 10. Increase the number or spaces allowed for storage of rental cars in dedicated facilities and public parking garages.
 11. Revise loading dock requirements to increase loading dock depths from 33' x 12' to 37' x 12', amend the floor area exemption for loading areas accordingly, and expand the conditions under which a loading dock requirement can be waived. Exempt up to 300 square feet of floor area adjacent to the loading berth, allocated for permanent space for dumpster storage with a minimum dimension of 12' x 25'.
 12. Increase commercial vehicle parking allowances in public parking facilities.
 13. Revise regulations for Special Districts in the Manhattan Core in conjunction with overall Manhattan Core off-street parking regulation revisions.

PURPOSE AND NEED OF THE PROPOSED ACTIONS

In 1982, in the context of the Clean Air Act and national and local concerns about deteriorating air quality, the City of New York adopted pioneering rules to manage the supply of off-street parking in Manhattan's Central Business District. The 1982 Manhattan Core parking zoning amendments sought, in the words of the City Planning Commission's report, "to institute land use controls over off-street parking which are consistent with environmental policies and sensitive to the concerns of business and development interests in the City." While the 1982 amendments recognized the continuing need for limited amounts of parking for vehicles associated with services, business, culture, and entertainment as well as residents, strict limits were applied to public parking. It was anticipated that these limits, together with the redevelopment of sites with parking lots and garages, would, over time, reduce the overall number of public parking spaces and that with fewer parking spaces available, fewer motor vehicles would enter Manhattan's most traffic-congested areas. These regulations continue to be in effect today in Community Districts 1 through 8, comprising Manhattan below 96th Street on the East Side and 110th Street on the West Side. This area is referred to as the "Manhattan Core" in the New York City Zoning Resolution and includes some of the City's most populous neighborhoods, major institutions, parks and transit hubs, and the City's primary Central Business District (CBD), defined as Manhattan below 60th Street.

The most significant change in the 1982 parking regulations was a shift from minimum parking requirements for new residential development to maximum parking allowances for parking spaces that are limited to residents of the development, known as accessory spaces. Before 1982, off-street parking was required for residential developments in the Manhattan Core; since 1982, accessory parking is optional and subject to strict limits on the amount of parking spaces that can be provided – an amount of spaces equal, in residential buildings or residential portions of mixed buildings, to no more than 20 percent of the number of residential units for developments in Community Districts 1 through 6 and an amount of spaces equal to no more than 35 percent of residential units for developments in Community Districts 7 and 8. The zoning further limited use of these spaces to building residents, in contrast to pre-1982 regulations that permitted use by nonresidents. Accessory parking for other uses is also subject to maximums, and the total number of spaces provided in a development is capped at no more than 225 spaces for any mix of uses. Under the 1982 regulations, only new developments and enlargements may incorporate parking as-of-right, whereas prior to 1982 the creation of new parking in existing buildings was also allowed as-of-right. In addition, the 1982 regulations require authorizations or special permits for accessory parking exceeding the maximums as well as for new parking in existing buildings and for all public parking garages. New surface public parking lots are not permitted in prime commuter areas such as Lower Manhattan and Midtown except by special permit.

While automobile rental establishments were limited to certain zoning districts prior to 1982, the 1982 zoning regulations further limited the capacity of such establishments in the Manhattan Core to 100 spaces in C2, C4 and C6 districts. There is no discretionary provision to permit larger capacity. The 1982 City Planning Commission report did not explain the reason for this limitation.

Looking back after almost 30 years, these regulations have proven to be compatible with a growing, successful Manhattan Core. The regulations allow limited amounts of off-street parking to be provided with new development and allow some developments to provide additional parking by special permit. In doing so, the 1982 regulations attempt to strike a balance, seeking to discouraging auto commuting in a highly traffic-congested part of the city where transit access and walkability are excellent while recognizing that a need for limited additional off-street parking continues to exist.

Since 1982, physical and demographic changes in the Manhattan Core and trends in CBD-bound travel have altered the overall supply of off-street parking and its utilization. While parking facilities have been built as part of new developments since 1982, more spaces have been eliminated – typically as public parking lots and garages have been redeveloped for other uses. The total off-street parking supply in the Manhattan CBD (CD’s 1-6) has decreased from approximately 127,000 public parking spaces in 1978 to 102,000 spaces in 2010.

At the same time, there has been an increase in higher-income residents and families with children, characteristics highly correlated with car ownership. There are approximately 20,000 more cars owned by Manhattan Core households today than in 1980. The pressure this trend places on the off-street parking supply has been exacerbated by changing land uses in formerly peripheral neighborhoods, such as Tribeca and the Far West Side, that have seen the rise of a significant amount of residential redevelopment. As a result, public parking facilities in the Manhattan Core are increasingly used by residents rather than Manhattan-bound commuters and other visitors, who are now more likely to choose public transit over cars than in 1982. The Manhattan Core has thrived during this time, and its distinction as the commercial, cultural, and residential center of the region is even stronger than it was.

With the regulations now 30 years old, the Department of City Planning decided to investigate how off-street parking in the Manhattan Core is currently used and to employ that information, along with three decades of experience, to reexamine and update the Manhattan Core parking regulations while retaining their basic framework.

As a result of this research, DCP believes that fine-tuning the existing regulations can add more clarity and predictability, provide mobility improvements, continue to promote the shift away from commuter parking and better ensure that the City provides the right amount of parking spaces to support businesses, residents and visitors. The following are the areas where DCP believes that adjustments to current regulations are needed:

The Special Permit Process for Public Parking Garages

Based on its experience with review of land use applications, DCP believes that the special permit application process does not give the City Planning Commission, City Council or communities a sufficient basis for determining the appropriate number of spaces for a given site over and above the as-of-right maximums. Public comments often concern whether the amount of parking proposed in a project is actually needed. However, the special permit findings currently offer no opportunity to consider this question for public parking. For accessory parking over the as-of-right limits, there is a requirement to find the spaces are “needed,” but no guidance as to how to evaluate this.

More specifically, the special permit process does not give the CPC the ability to consider such factors as how many off-street parking facilities are already in the neighborhood, population trends, whether there has been significant recent development in the area, and whether that development has provided parking. Nor does the special permit process give the CPC guidelines to consider the appropriate amount of parking for special generators – uses that inherently generate higher demand for parking – or parking for large sites that may have unique opportunities or challenges to providing parking. In practice, nearly all applicants meet the current findings, which focus primarily on the traffic effects of the proposed parking facility.

The existing 74-52 Special Permit allows for parking garages or public parking lots in high density central areas. This special permit may also exempt floor area used for such parking up to a height of 23’ from

curb level. The findings for 74-522 consist of: (a) that such #use# will not be incompatible with, or adversely affect the growth and development of, #uses# comprising vital and essential functions in the general area within which such #use# is to be located; (b) that such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow; (c) that such #use# is so located as to draw a minimum of vehicular traffic to and through local #streets# in nearby residential areas; (d) that such #use# has adequate reservoir space at the vehicular entrances to accommodate automobiles equivalent in number to 20 percent of the total number of spaces up to 50 and five percent of any spaces in excess of 200, but in no event shall such reservoir space be required for more than 50 automobiles; (e) that the #streets# providing access to such #use# will be adequate to handle the traffic generated thereby; (f) that, where roof parking is permitted, such roof parking is so located as not to impair the essential character or future use or development of adjacent areas; and (g) that, where any floor space is exempted from the definition of #floor area#, such additional floor space is needed in order to prevent excessive on-street parking demand and relieve traffic congestion.

For example, a developer proposing to build a medium sized residential building with twice the amount of permitted parking to serve not only the residents of the proposed development but also the residents of several new nearby apartments built without parking would not be required to demonstrate to the City Planning Commission why this number is appropriate by showing, for example, how many off-street parking facilities are already in the neighborhood, or whether there has been substantial recent development in the neighborhood that did not provide parking.

In another example, a developer proposing to build a news media headquarters with additional spaces dedicated specifically for the vehicles required for transporting reporters around the city for stories would not be required to demonstrate how those spaces are essential to the effective operation of the business.

The existing 13-561 Special Permit allows for on- or off-site accessory off-street parking to be granted with any capacity not otherwise allowed under Section 13-10, provided five findings are met: (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.

While the Special Permit under Section 13-561 makes “insufficient parking spaces” relevant for consideration, there are no guidelines on how to make this determination. The absence of a clear standard or methodology to determine sufficiency results in confusion and uncertainty for the applicants, the public and agencies alike as to what evidence is appropriate to the finding.

Neighborhood Use of Accessory Parking Facilities

Under existing zoning, parking that serves uses on the same zoning lot – residences, businesses, or other activities – is called “accessory parking.” In the Manhattan Core, residential accessory parking is permitted as-of-right for 20 percent of dwelling units in Community Districts 1-6, and 35 percent of dwelling units in Community Districts 7 and 8. These spaces are restricted to use by residents of the building. These restrictions were intended to ensure that this parking not be available to commuters, and reflect tighter controls over than in areas outside the Manhattan Core, where more flexible use of accessory parking facilities is allowed. Nonresidential accessory parking is permitted as-of-right at various square foot ratios, depending on the use. Retail uses, for example, generate a parking allowance of one space per 4,000 square feet of development. Nonresidential accessory parking is similarly limited to the tenants or employees of the development and may be made available to the public only by special permit.

However, these provisions have not operated in a coordinated fashion with Department of Consumer Affairs licensing requirements for public parking garages, which are based on different criteria. Many accessory facilities obtain DCA licenses for public parking garages and, as such, hold themselves out to the public as providing public parking. A field survey of 147 new buildings in Manhattan Community Districts 1, 2 and 8 was conducted by the Department of City Planning to better understand how parking is provided – specifically in the 41 buildings built in residential zoning districts (including Battery Park City). Of these 41 new buildings since 2001, only 9 provided parking. Six of the 9 were operating publicly with DCA licenses, and 3 had residential keypad entry for cars. Those acting as strictly accessory to the building tended to be in smaller buildings, with 6, 7, and 41 dwelling units, as compared with those with DCA licenses, which were in buildings with no fewer than 99 dwelling units. This data highlights that the distinction between accessory and public facilities is blurred, and that parking facilities in residential districts or in predominantly residential buildings in commercial districts often serve residents beyond those living within the building.

According to records provided by the NYC Department of Finance (DOF), which offers a tax exemption for Manhattan residents who own and register their motor vehicle to a Manhattan address and park in a long-term rented space for a month or more, on average only 10 percent of residents who filed for the tax exemption lived in the same building where they parked their vehicle. By contrast, 53 percent of DOF filers lived within a quarter-mile of the parking facility where they parked their vehicle, and another 21 percent of filers lived between a quarter-mile and a half-mile of the facility where they parked their vehicle. While accessory parking facilities with DCA licenses also serve commuters and other short-term daily parkers, there has been a marked decrease in the use of public parking by commuters. Studies preceding the 1982 regulations indicate that in 1982 off-street public parking was primarily a commuter resource. In contrast, today it is increasingly utilized by residents. Findings from DCP surveys indicate that approximately 44% of spaces in 97 surveyed DCA licensed facilities were utilized by residential monthly parkers. In residential buildings, this figure increased to 60% of spaces and was over 70% in residential buildings in predominantly residential districts.

However, while about 22 percent of Manhattan Core households have cars according to the 2008-2010 ACS, only about one-fifth of these households have someone in the household using a car as their primary means of commuting to work. Of these Manhattan Core residents who drive to work, only one-third drive to a job in Manhattan. These commuters represent only 2 percent of all people in the workforce who live in the Manhattan Core. Among Manhattan Core residents with jobs in Manhattan in

2009, approximately 69 percent traveled to work by transit, seven percent drove, and the remaining 24 percent biked, walked, used another mode, or worked at home.

Expanding the geography to include all of Manhattan, auto use as the primary means of travel to work for Manhattan residents has declined in spite of the increased number of households owning vehicles. In 1990, the share of Manhattan borough residents using a car as their primary means of commuting was 10.1 percent; in 2000, that percentage was 9.2 percent; and by 2010, it had declined further to 8.9 percent according to the 2008-2010 ACS. Data from 2000 and 2010 indicate an even greater decline among workers living within the Manhattan Core who used a car as their primary means of commuting, from 9.2 percent according to the 2000 Census, to 7.9 percent according to the 2008-2010 ACS.

Looking more closely at all commuters into the Manhattan Core, and not just the commute patterns of Manhattan Core and Borough residents, the data reveal that commuting patterns have increasingly shifted from autos to transit, as transit safety and quality have improved and free transfers and monthly rates have become available to Metrocard-using city residents. A study on travel patterns among all commuters into the central business district (Manhattan south of 59th street), the closest approximation to the Manhattan Core for which data is available, show a decline in auto entries. During the morning peak period (7 am-10 am), when commuter entries are the highest, combined auto, taxi, and truck entries into the CBD between 1982 and 2009 trended down, declining by about seven percent from 154,000 to 143,000, with the decline concentrated since 2000.

Declining numbers of auto commuters into and within the Core, coupled with an increasing number of households within the Manhattan Core with cars but which do not use their cars for a daily commute, are reflected in the current pattern of off-street parking utilization.

This current pattern of use, with accessory parking facilities often functioning as shared community resources by operating as open to the public, and with public facilities meeting the demand of neighborhood households with cars, produces a market-based pricing for parking at all facilities that minimizes incentives for the creation of additional public facilities. Were this widespread public use not the case, and were residential accessory garages used exclusively by the residents of the building in which a garage is located, the price of monthly off-street parking would be less for building residents, but this situation would both encourage the construction of more public parking garages to meet the demand from other neighborhood residents living in buildings which do not provide parking and could also encourage more car ownership. Further, this situation would encourage more applications for public parking garage special permits to meet unmet demand.

DCP believes that the use of accessory parking spaces as a neighborhood resource for residential and commercial users which has occurred over time is appropriate: it allocates the supply of parking more efficiently while still preserving the ability for a residential building to maintain its off-street parking as available to residents only. Future buildings with parking wishing to limit access to residents will be permitted to do so under the proposal; however, the ability to operate as open to the public will be formally recognized through the proposed zoning regulations.

Reservoir Space Requirements

Existing reservoir space requirements may be excessive for some facility capacities, due to the failure of the requirements to increase in proportion to facility size, and force public parking facility developers to allocate unnecessary square footage towards reservoir spaces at the expense of other parking spaces or other uses. Additionally, there are no reservoir space requirements for accessory parking or car rental

facilities, which may have vehicle volumes similar to those of public parking facilities. The proposal seeks to modify the reservoir requirements, reducing them for some public facilities and allowing the smallest facilities to waive out, while treating all off-street parking facilities consistently.

Floor Area Exemption up to 23' for Parking Facilities

The current floor area exemption for above-grade parking up to a height of 23' provides an incentive for above-grade parking and may discourage other more active uses on the ground floor. The proposal would require the building to wrap above-grade parking with another use in order to encourage a more desirable streetscape.

As of Right Retail Allowance for Parking

Under the existing regulations, retail and other commercial uses generate parking at an as-of-right ratio of one space per 4,000 square feet of commercial use. While some amount of parking for retail is appropriate, the absence of any limit on parking generated by retail square footage has the potential to facilitate the development of auto-oriented shopping destinations which are generally inappropriate for the Manhattan Core's built environment. The proposal will cap the retail accessory parking allowance at 10 spaces.

Floor Space for Attended Parking Facilities

The current rules limit the size of attended accessory facilities to no more than 200 square feet per permitted parking space, occasionally creating anomalous situations where not all permitted parking can be accommodated in a desirable configuration. The current rules include all aisles and ramps in the square feet -per-space calculation, thereby penalizing facilities with long ramps that lead drivers to parking but don't actually contribute to the provision of parking. This can create an incentive to locate off-street parking close to the street, in lieu of more active uses. The proposal seeks to correct for this by exempting aisles and ramps from the 200 square foot maximum calculation for all attended parking facilities. The proposal would also require a minimum of 180 square feet per space. This could be reduced by CPC Chair certification, for example to accommodate a business that maintains a corporate fleet of subcompact cars.

The current regulations do not include spaces on mechanically operated lifts within the 200-square-foot-per space limitation. The proposal would include such spaces.

Automated Parking Facilities

The current rules did not anticipate new technology that allows for completely automated parking facilities. Automated parking facilities provide a number of advantages over conventional attended public parking facilities, both for developers and communities. Because cars are not running while they are moved to a parking space in an automated facility, emissions are reduced and the need to vent is minimal as compared to a traditional garage. These facilities operate within a smaller footprint, allowing for other uses and, because they lack the need for significant venting, the facilities can be more easily wrapped with other uses.

Many existing traditional facilities are garages retro-fitted into carriage houses and former industrial buildings. Depending on venting considerations, building style and general maintenance, the facades of these facilities may be attractive, contextual, and blend well with the neighborhood. In other cases,

however, the parking facilities appear out-of-context with the surrounding buildings with unsightly venting mechanisms or with an open design that provides pedestrians with views only of the parked cars. One purpose of the proposal is to define guidelines for the development of automated parking in order to encourage their development rather than more traditional facilities, whose venting requirements often result in undesirable streetwalls and building facades, as shown in the following examples.



Figure 1 103 West 108th Street

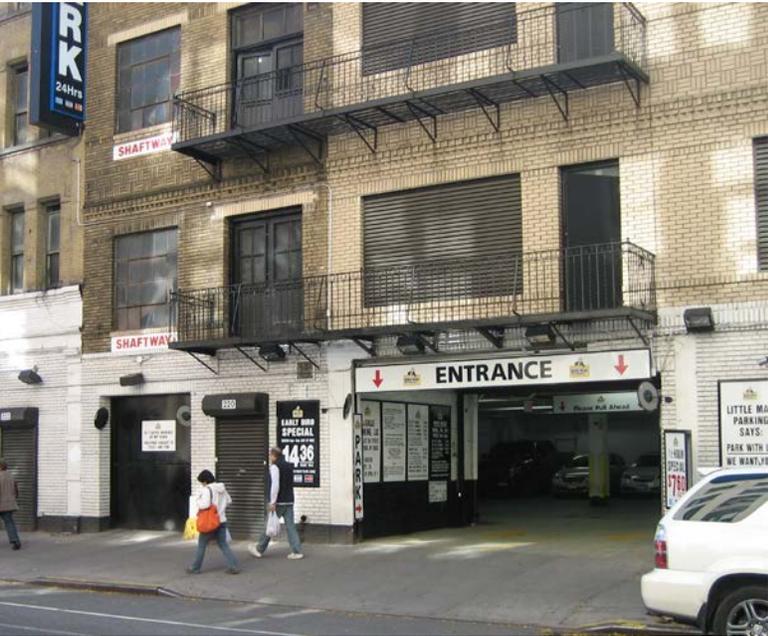


Figure 2 220 East 9th Street

In addition to the previously cited benefits related to neighborhood character, automated facilities also reduce the time spent driving and idling within a traditional parking facility. An additional benefit of these systems is that, because they are fully automated and computerized, more detailed information on parking capacity and utilization is readily available to the facility operators, allowing them to better manage their facilities.

The proposal will define guidelines for the construction of these facilities, whose maneuverability and layout requirements differ from traditional self-park or attended parking facilities.

Garage Design and Configuration

The current regulations do not contain provisions to promote a safe facility design. The proposal includes design standards and pedestrian safety standards such as stop signs and speed bumps at facility exits.

Storage of Rental Cars

As the Manhattan Core has become more affluent since 1982, an increasing number of residents and visitors have utilized car rental services, particularly on weekends. Rental car availability contributes to the choice of Manhattan Core households to forego owning a vehicle since cars may be rented for use only when needed. Manhattan Core rental car agencies serve this peak demand by bringing in cars from remote locations such as the New York-area airports. Because of the restrictions on rental car storage capacity, the car rental agencies have limited ability to store cars in the Manhattan Core, necessitating car movements at peak times for traffic congestion, and leading to excess returned cars being illegally parked on streets and sidewalks outside rental facilities.

Current regulations permit up to 40 percent of parking spaces in public facilities in C2 and C4 districts to be occupied by car share vehicles, with no allowance for rental cars. Dedicated car rental facilities are limited to 100 spaces. The proposal recognizes that car rental operations and car share operations serve similar purposes in the Manhattan Core, by allowing non-car owning households the flexibility to travel by car when needed and providing access to a vehicle at a location convenient to their point of departure. The proposal also acknowledges the role that car rental and car share options play in affecting a household's decision or need to own a car. Provisions for rental cars in the Manhattan Core will be modified accordingly, by increasing the permitted facility size and allowing a larger number of rental cars to be stored in public parking garages.

Commercial Vehicle Parking Allowances in Public Parking Facilities

Current regulations allow for up to 10 percent of parking spaces in public parking facilities in C5, C6 and M1-6 districts to be occupied overnight by commercial vehicles, resulting in relatively few spaces available for fleets to park overnight. As a result, commercial fleets and vans may leave Manhattan empty to park overnight, returning empty the next day to conduct business. Certain parking facilities in Brooklyn and Queens identify themselves as "open for van parking" in recognition of this demand, and many of the vehicles found within these lots appear to be commercial vans reporting to businesses in Manhattan, based on the addresses shown on the vehicles. The proposal will provide additional opportunities for small commercial vehicle parking by increasing the number of spaces they may occupy overnight in public parking facilities in the Manhattan Core. This will reduce vehicle miles traveled and decrease congestion.

Loading Dock Requirements

Truck loading dock regulations have become outdated as typical trucks serving the Manhattan Core have become longer since 1961 and often obstruct sidewalks while loading. Additionally, truck loading docks may be blocked by trash dumpsters. Finally, zoning loading requirements do not fully account for the circumstances in which providing a loading dock is impractical.

The following regulations are the subject of this proposal, which would fine tune the existing regulations to meet the needs of the Manhattan Core. The current rules require loading dock dimensions of 33' x 12'. However, modern trucks often have lengths that exceed the 33' depth required for a loading dock, resulting in trucks blocking sidewalks in front of loading areas. The proposal will allow loading docks that accommodate typical single-unit trucks by requiring them at a depth of 37', as well as accommodate trash dumpsters. Increased floor space for these expanded loading facilities will be exempt from the definition of floor area. Where it is not practical to provide loading docks, such as sites with below grade or infrastructure constraints, or with frontage on a two streets, where one does not permit curb cuts, and the second is too narrow in width to permit truck maneuvering, the proposal will allow appropriate waivers.

Publicly-Assisted Housing

The existing zoning text contains obsolete references to inactive categories of publicly-assisted housing. These are holdovers from the pre-1982 regulations, and while they have no practical effect, they create confusion as to what rules apply to new affordable housing in the Manhattan Core. The proposed zoning will clarify this text.

Existing Parking Required Pre-1982

Prior to 1982, parking was required and determined by required minimums, rather than the permitted maximums post-1982. As a result, many developments generated large amounts of parking, built as parking lots or structured facilities, in the Manhattan Core. Some of this parking area may be more appropriate for other uses. For example, affordable housing was developed on a site formerly used for open parking for New York City Housing Authority tenants as a consequence of a targeted zoning text amendment (ULURP No. N100262 ZRM). Under the proposal, the removal of previously required parking would be allowed by a City Planning Commission authorization. This would create a mechanism to scrutinize the appropriateness of future proposals on a case-by-case basis.

Special Districts

There are twelve Special Districts throughout the Manhattan Core that have parking and loading regulations specific to the areas they encompass. These Special Districts need to be modified to ensure consistency with the proposed revisions to the underlying Manhattan Core regulations for off-street parking and loading.

BACKGROUND AND DIRECTLY AFFECTED AREA

The Manhattan Core is defined by high residential and commercial densities and a comprehensive public transportation network. The area can be broken down into smaller geographies for discussion; the Central Business Districts in midtown and Lower Manhattan, and the predominantly residential districts of the Upper West Side, Clinton, Chelsea, the West Village, the Upper East Side, Murray Hill, Gramercy, Stuyvesant Town, the East Village and the Lower East Side.

Within the Manhattan Core, only a sliver of blocks west of 11th Avenue on the far west side, and in Yorkville and near Stuyvesant Town on the far east side, are more than a half mile from a subway line. Public bus lines supplement underground options, with over 100 bus routes through the Manhattan Core. An extensive network of bike lanes and dedicated bike paths have been established in recent years, and a comprehensive sidewalk network make every neighborhood accessible by foot. Over 13,000 taxicab medallions are issued for cabs that largely serve the Manhattan Core and a growing fleet of car rental and car share vehicles are available for customers who seek automotive transportation but who do not own their own car.

The entirety of the Manhattan Core is well served by transit, but predominant land uses differ and neighborhood character varies as a result. The Upper East and Upper West sides are characterized by tall residential buildings often with ground floor commercial uses on the avenues. The Midtown and Lower Manhattan business districts are predominantly office and commercial uses with fewer residential units. The Midtown neighborhood has a significant residential component, however; Community District 5 had nearly 52 thousand residents at the 2010 Census, a 17 percent increase from 2000. Lower Manhattan, too, has historically been a commercially-oriented area, but the 2010 Census found Community Board 1 with a population of over 60,000 – a 77 percent increase over its population in 2000, much of which is attributed to the development of Battery Park City, but also with residential high rise development and conversion of older commercial buildings in the financial district.

The neighborhoods east and west of Midtown are a more diverse mix of residential, commercial, and institutional uses. Character varies by block, with residential brownstones lining streets closer to midtown, a more high-rise character on avenues and wide cross-town streets, and larger blocks with industrial, transportation and public facilities closer to the rivers. Like Midtown and Lower Manhattan, however, these neighborhoods underwent significant residential growth during the previous decade. Several rezonings have been adopted in recent years that reflect or respond to the changes. The West Chelsea rezoning was approved in 2005, resulting in extensive residential development in the vicinity of the High Line. In 2011, the West Clinton rezoning extended the residential districts in Community District 4 west to 11th Avenue, and also increased the permitted density for manufacturing-compatible uses. In 2010, the North Tribeca rezoning provided opportunities for housing through residential conversions, in-fill residential development, and incentives for affordable housing.

Redevelopment trends also differ by neighborhood, with some having undergone dramatic transformations in recent years, as discussed above, and others largely retaining their historic built form. Many historic districts are now mapped throughout the Manhattan Core, limiting new development. Most of the Manhattan Core, however, is well-established and even neighborhoods that experienced significant new development are still generally set within an older context; the average build year for the nearly 30,000 buildings in the Manhattan Core is 1920, but over 600 buildings have been built in the past 10 years.

Existing Zoning and Land Uses

The area to which the proposed zoning text amendment would apply encompasses a total 29,767 blocks - the entirety of Manhattan Community Districts 1 through 8, except for the Special Hudson Yards District in Community District 4, and Roosevelt Island in Community District 8. Zoning districts within this geography include:

| |
|--------|
| BPC |
| C1-6 |
| C1-6A |
| C1-7 |
| C1-7A |
| C1-8 |
| C1-8A |
| C1-8X |
| C1-9 |
| C1-9A |
| C2-6 |
| C2-6A |
| C2-7 |
| C2-7A |
| C2-8 |
| C2-8A |
| C4-2F |
| C4-4A |
| C4-5 |
| C4-5A |
| C4-6 |
| C4-6A |
| C4-7 |
| C5-1 |
| C5-1A |
| C5-2 |
| C5-2.5 |
| C5-3 |
| C5-5 |
| C5-P |
| C6-1 |
| C6-1G |
| C6-2 |
| C6-2A |
| C6-2G |
| C6-2M |
| C6-3 |
| C6-3A |

| |
|----------|
| C6-3X |
| C6-4 |
| C6-4.5 |
| C6-4A |
| C6-4M |
| C6-4X |
| C6-5 |
| C6-5.5 |
| C6-6 |
| C6-6.5 |
| C6-7 |
| C6-7T |
| C6-9 |
| C8-4 |
| M1-1 |
| M1-2 |
| M1-4 |
| M1-5 |
| M1-5/R7X |
| M1-5A |
| M1-5B |
| M1-5M |
| M1-6 |
| M1-6D |
| M2-1 |
| M2-3 |
| M2-4 |
| M3-2 |
| PARK |
| R10 |
| R10A |
| R10H |
| R3-2 |
| R6 |
| R6A |
| R7-2 |
| R7A |
| R7B |

| |
|-----|
| R8 |
| R8A |
| R8B |
| R8X |
| R9 |
| R9A |
| R9X |

Many of the residential districts are further mapped with C1-5 or C2-5 commercial overlays.

A land use survey of the area to which the off-street parking regulations would be applicable demonstrates the diversity of uses found within the Manhattan Core. In terms of both lot area (45%) and total number of lots (70%), residential uses are more prevalent than any other type of use.

| Land Use | Lot Area | Total Lots | % Lot Area | % Total Lots |
|---|--------------------|-------------------|-------------------|---------------------|
| One & Two Family | 4,370,521 | 2,437 | 2% | 8% |
| Multi-Family Walkup | 17,623,511 | 6,923 | 7% | 23% |
| Multi-Family Elevator | 42,777,079 | 3,617 | 17% | 12% |
| Mixed Commercial/Residential | 45,586,431 | 7,934 | 19% | 27% |
| Commercial/Office | 42,704,149 | 4,460 | 17% | 15% |
| Industrial/Manufacturing | 7,617,042 | 1,286 | 3% | 4% |
| Transportation/Utility | 23,076,619 | 260 | 9% | 1% |
| Public Facilities & Institutions | 24,685,949 | 1,531 | 10% | 5% |
| Open Space | 22,037,012 | 215 | 9% | 1% |
| Parking Facilities | 3,896,026 | 458 | 2% | 2% |
| Vacant Land | 6,911,722 | 489 | 3% | 2% |
| Other/ Unknown | 3,735,515 | 157 | 2% | 1% |
| Total | 245,021,576 | 29,767 | 100% | 100% |
| Source: PLUTO 2012 | | | | |

In total, there is approximately 776 million square feet of commercial space and over 623 million square feet of residential space, comprising over 639,000 residential units.

Twelve Special Districts in the Manhattan Core would be affected by the proposed changes; the area subject to the special Hudson Yards parking regulations (portions of the Special Hudson Yards District, the Special Garment Center District and the Special Clinton District) would only be affected by the revisions to automated parking, rental cars, commercial parking, and loading docks provisions of the proposal. These districts are shown below:

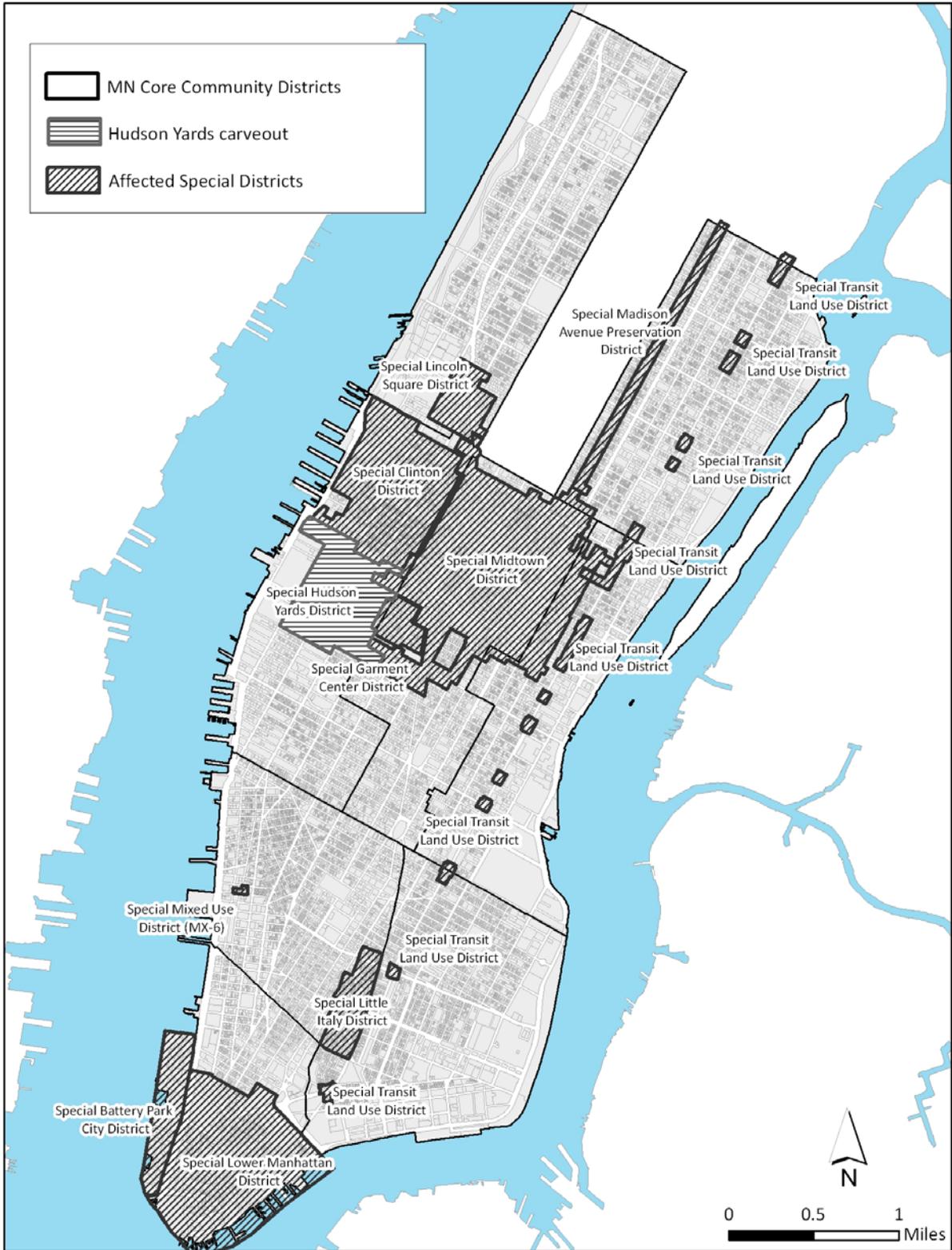


Figure 3 Affected Special Districts

DESCRIPTION OF PROPOSAL

Proposed Zoning Text Amendment

The proposed zoning text amendment would modify the regulations for off-street parking in the Manhattan Core and establish new Special Permits to allow for an increase in the number of spaces above as-of-right parking ratios.

The proposed text was informed by the following key findings from the Manhattan Core Study, referenced above:

- The Manhattan Core parking regulations have proved to be compatible with population and job growth and a thriving Central Business District;
- Some new parking is still needed;
- Levels of car ownership in the Manhattan Core are relatively low;
- Public parking facilities serve a large number of Manhattan residents and fill neighborhood needs for residential parking, as well as parking for commuters, business, visitors, and tourists; and
- Most new as of right parking facilities in the Manhattan Core operate as public facilities serving largely neighborhood residents.

A summary of the proposed text provisions are discussed below.

Proposed Text changes to Article I Chapter 3

1. Permit all new as-of-right accessory parking to operate as public. Under the proposed action, all new accessory parking may be for public use (i.e., by non-residents), and all existing accessory parking that holds a DCA license as of January 1, 2012 may file their DCA license with the Department of Buildings to indicate that public use is permitted. This provision would recognize that accessory parking serves as a neighborhood resource, allowing for the more efficient allocation of parking supply while still preserving the right for a residential building to maintain its off-street parking as strictly accessory.
2. The existing floor area exemption for parking spaces between curb level up to 23' in new developments would be retained only for buildings wrapped to a depth of 30' with non-parking uses. For automated facilities, floor area for garages up to a height of 40' would be exempted, but with a ground-floor wrapping requirement up to 23', and façade requirements up to 40'. In residential districts, exempted floor area would have a planting and screening requirement.
3. Cap the as-of-right retail parking allowance to 10 spaces.
4. Allow for, by Authorization, a reduction of the number of required accessory off-street parking spaces for off-street parking facilities built prior to January 1, 2012 where the Commission finds that such reduction will not have undue adverse effects on residents, businesses, or community facilities in the surrounding area.

5. Exempt ramps and mechanical space from 200'-per-space parking requirement. Define standards for mechanical lifts.
6. Modify reservoir space requirements to allow small facilities to waive out, and to enable a more rational provision of reservoir spaces given garage capacities. The proposal would reduce the requirement to: none for facilities with less than 25 parking spaces; 5 percent reservoir spaces for a facility with a capacity between 26-50 spaces; 10 percent reservoir spaces for a facility with a capacity between 51-100 spaces; 10 reservoir spaces for a facility with between 101-200 spaces; and 10 reservoir spaces plus 5 percent of all spaces for a facility with more than 200 parking spaces. The current requirement is 20 percent of spaces up to 50 spaces, and 5 percent of the number over 200. Reservoir space requirements would be applied to accessory facilities and automobile rental facilities.
7. Define guidelines for automated parking facilities, including wrapping requirements and floor area exemptions. These recommendations would encourage the development of automated facilities, which are a more efficient use of space and have some environmental benefits over conventional attended garages. The Commissioner of Buildings would be given authority to determine capacity and the number of reservoir spaces needed, based on the operational characteristics of the facility. This flexibility is needed because each automated parking facility is custom-designed for the site, and because the technology for this type of facility is evolving. The proposal would also increase the floor area waiver, now permitted for garages up to a height of 23', to 40' for automated parking facilities by Chair certification, provided that:
 - a. there is floor area above the garage (there has to be another use and not just a stand-alone garage);
 - b. the first story must be wrapped by another use to a depth of 30';
 - c. the façade up to 40' is consistent with the rest of the building's façade.
8. Establish design regulations to ensure safe vehicular and pedestrian access. The following safety features shall be provided at all vehicular exit points: a 'stop' sign which shall be clearly visible to drivers and a speed bump located within the exit lane of the parking facility.
9. Replace existing applicable Special Permits that lack sufficient findings to permit the City Planning Commission to evaluate relevant land use issues, with new Special Permit processes in which applicants may demonstrate the need for parking above the permitted as-of-right ratios based on the following factors, as applicable:
 - a. Special Permit for additional parking spaces for residential growth based on the supply of parking relative to the growth in neighborhood residents;
 - b. Special permit for additional parking for health care, arts or public assembly uses based on a demonstration that the parking is essential to the operation of the uses;
 - c. Special Permit for additional parking for spaces for economic development uses based on a demonstration that the parking is essential to the operation of the uses;
 - d. Special Permit for additional parking for large-scale developments based on a parking deficit associated with the development, insufficient capacity to accommodate potential

parking users, or the inability to provide parking pursuant to as-of-right ratios based on existing parking caps.

10. Create a Special Permit for limited increase of parking spaces in existing buildings or parking facilities to allow for additional parking up to what would be permitted on the zoning lot if the zoning lot were vacant and developed with a new building.
11. Increase the minimum loading dock depth to 37' x 12' from 33' x 12' to address the issue of trucks blocking sidewalks in front of loading areas. There will be a waiver via a certification for sites with below grade or infrastructure constraints. Additionally, internal areas used for dumpsters may be excluded from floor area (up to 25' x 12'). The proposal would grant the Commissioner of Buildings expanded ability to exempt loading requirements on zoning lots that have two street frontages, one of which does not permit curb cuts. The waiver would be allowed if the second street frontage, where curb cuts are permitted, has an unusually narrow street width (as in Lower Manhattan), or is encumbered by residential buildings, landmark buildings, or large commercial buildings that preclude access to a required loading dock.
11. Increase the permitted number of car rental vehicles in public parking facilities to 40 percent in C2,C4,C5, C6, C8 and M districts, where they are currently not permitted or, 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, limited to 10 spaces or 10 percent of total facility capacity, whichever is less. The current 100 space limit on rental car vehicles in stand-alone facilities in the Manhattan Core would be modified to allow for additional storage (150 in C2 districts, 225 in C4, C5, C6 and C8 districts, 300 in M districts). Rental car vehicles (and car share vehicles) would also be permitted to count towards the 50 percent of commercial vehicles in C5, C6, C8 and all M districts (see below). Reservoir spaces would be required in standalone rental car facilities.
12. Allow commercial vehicle parking up to 50 percent in C5, C6, C8 and all M districts for all commercial vehicles, including car share and car rental vehicles. Permitted car share and car rental vehicles would be counted within this cap.

Special Permits

Under the text amendment existing Special Permits which allow as-of-right parking ratios and maximum capacities to be exceeded would be replaced with new Special Permit mechanisms. Currently, there is a lack of guidance to inform the City Planning Commission's determination about the appropriate amount of parking for a proposed development seeking accessory spaces above the permitted as-of-right ratios, and no findings on appropriateness of amount of parking for a proposed public parking facility. New findings for the parking special permits would provide a framework for evaluating whether the number of spaces proposed is appropriate.

The existing special permit applicable to the Manhattan Core and Long Island City would be moved in the Zoning Resolution to proposed Section 16-35 and be made applicable only to Long Island City. The proposed Special Permits applicable to the Manhattan Core make distinctions between different types of development and assess the proposed parking supply accordingly.

A new Special Permit for a limited increase of parking spaces in existing buildings or parking facilities will allow the City Planning Commission to permit an increase in the number of parking spaces within an

existing off-street parking facility, where such an increase does not exceed the number of parking spaces that would be permitted on the zoning lot if the zoning lot were vacant and developed with a new building.

Four additional new Special Permits will apply to requests for additional off-street parking in the Manhattan Core above the as-of-right ratios. All permits will be subject to a set of generally applicable conditions and findings found in Section 13-46, Special Permits for Additional Parking, as well as findings particular to each type of permit. The generally applicable findings are as follows:

1. The proposed parking facility shall comply with the applicable provisions of Section 13-20 (Special Rules for Manhattan Core Parking Facilities);
2. The proposed parking facility will not interrupt the flow of traffic or create conflict between vehicles and pedestrians;
3. The location of vehicular entries and exits in the proposed parking facility will not interfere with the efficient functioning of the street;
4. Any exempted floor area used for parking is needed in order to prevent excessive on-street parking demand and relieve traffic congestion;
5. The proposed parking facility will not be inconsistent with the character of the existing streetscape; and
6. The proposed off-street parking facility complies with the additional findings set forth in Section 13-461, 13-462, 13-463 and 13-464, as applicable.

Four proposed Special Permits build on the above.

1. **Special Permit for additional parking for residential growth (Section 13-461):** This Special Permit allows for parking above what is permitted as-of-right within a development, provided that:
 - a. The number of parking spaces in the proposed facility is reasonable and not excessive in relation to the increased number of dwelling units in close proximity (typically within one-third to one-half of a mile) to the proposed facility in recent years (typically the previous decade, for reasons outlined in Attachment B); and
 - b. The number of parking spaces in the proposed facility is reasonable and not excessive in relation to the number of public and accessory parking spaces in close proximity, including any parking spaces for which building permits have been granted, or which have obtained City Planning Commission Special Permits to be built; or
 - c. The proposed ratio of parking spaces to dwelling units in the proposed development does not exceed what would be allowed for an as-of-right building developed under the provisions of Section 13-10 (Permitted Off-Street Parking in the Manhattan Core), without regard to the applicable limits on the total number of permitted parking spaces established for as-of-right buildings.
2. **Special Permit for additional parking spaces for health care, arts, or public assembly uses (Section 13-462):** This Special Permit allows for additional parking for uses that operate under conditions where additional parking may be appropriate, and allows for additional parking provided that:
 - a. The proposed parking facility is in close proximity to, or on the same zoning lot as, a hospital or related facility, a museum, a theater, an arena, an auditorium, a trade exposition or a stadium;
 - b. An increased number of permitted parking spaces is essential to the operation of the above use; and

c. Reasonable measures to minimize parking demand have been identified. For existing or enlarged health care, arts or public assembly uses, such measures shall have been implemented, where feasible, prior to application, and a commitment by the applicant shall be made to continue, and where necessary, improve upon and supplement such measures. For new uses seeking additional parking with development, a commitment has been made to utilize measures to minimize parking demand.

3. Special Permit for additional parking spaces for economic development uses (Section 13-463):
This Special Permit allows for additional parking for uses that are considered to be of significant importance to the economic well-being of the city, provided that:

- a. The proposed facility is in close proximity to, or on the same zoning lot as, a use of significant economic importance to the city;
- b. An increased number of permitted parking spaces is essential to the operation of the above use; and
- c. Reasonable measures to minimize parking demand have been identified. For existing uses wishing to expand their parking, such measures have been implemented where feasible, prior to application, and a commitment has been made to continue and improve upon such measures. For new uses seeking additional parking with development, a commitment has been made to utilize measures to minimize parking demand.

4. Special Permit for additional parking spaces for large-scale developments (Section 13-464):
This Special Permit allows for additional parking within a development or enlargement on a tract of land exceeding one-and-a-half acres, provided that:

- a. Where an increased number of permitted off-street parking spaces in such proposed parking facility would serve the parking needs of a predominantly residential large-scale development or enlargement;
- b. Where an increased number of permitted off-street parking spaces in such proposed parking facility is essential to the operation of the non-residential uses in such development or enlargement;
- c. Where a parking deficit is created by the relocation of parking users from off-street parking spaces that will be eliminated through the proposed development or enlargement, the availability of off-street parking in close proximity will be of insufficient capacity to accommodate such potential parking users;
- d. Reasonable measures to minimize parking demand have been identified. For existing uses wishing to expand their parking, such measures have been implemented where feasible, prior to application, and a commitment has been made to continue and improve upon such measures. For new uses seeking additional parking with development, a commitment has been made to utilize measures to minimize parking demand; and
- e. Where phased construction will occur in the large-scale development, a phased parking plan has been provided which demonstrates that a reasonable and not excessive amount of additional parking spaces is provided in the proposed parking facility in relation to the amount of completed construction in such large-scale development.

Special Districts

The Special Midtown District

Regulations for the Special Midtown District are found in Section 81-00 of the Zoning Resolution. Four provisions are modified: Section 81-31, General Provisions, is changed to refer to the Manhattan Core, not all 8 affected Community Districts; Section 81-311, Applicability of More Restrictive Provisions, is

deleted, as the more restrictive regulations already apply pursuant to Section 11-22; Section 84-44, Curb Cut Restrictions, is cross-referenced with the proposed Manhattan Core loading regulations; and Section 81-731, Special Regulations for Signs, Transparency, Banners and Canopies, is clarified to indicate that glazing is not required for off-street loading berths and parking.

The Special Lincoln Square District

Regulations for the Special Lincoln Square District are found in Section 82-00 of the Zoning Resolution. Three references are modified: Section 82-50, Off-Street Parking and Off-Street Loading Regulations, is changed to refer to the Manhattan Core rather than all 8 affected Community Districts; paragraph (a) of that Section is changed to refer to the proposed new Section 13-46 Special Permits, rather than the existing Section 13-561 Special Permit for accessory parking; and Section 82-60, Public Parking Garages, which unnecessarily refers users to the underlying zoning regulations, is deleted.

The Special Battery Park City District

Regulations for the Special Battery Park City District are found in Section 84-00 of the Zoning Resolution. Four unnecessary references to the underlying off-street parking and loading regulations for the Manhattan Core are removed: Section 84-031, Special Permit Uses; Section 84-141, Accessory Off-Street Parking Spaces; Section 84-142, Accessory Off-Street Parking Spaces for Buildings Containing Hotel Uses; and Section 84-143, Off-Street Loading. The authorization in Section 84-141 (Accessory off-street parking spaces), permitting the location of such spaces anywhere within Zone A, is modified to reference the proposed traffic-related findings in Section 13-46, rather than having separate, similar findings.

The Special Lower Manhattan District

Regulations for the Special Lower Manhattan District are found in Section 91-00 of the Zoning Resolution. Three provisions are modified: Section 91-50, Off-Street Parking, Loading and Curb Cut Regulations, is changed to refer to the Manhattan Core rather than all 8 affected Community Districts; Section 91-511, Authorization for Off-Site Parking Facilities for Converted Buildings, is modified to reference the proposed traffic-related findings in Section 13-46, rather than having separate, similar findings; and Section 91-52, Curb Cut Regulations, is cross-referenced with the proposed Manhattan Core loading regulations.

The Special Park Improvement District

Regulations for the Special Park Improvement District are found in Section 92-00 of the Zoning Resolution. One reference is modified: Section 92-05, Minimum Number of Accessory Off-street Parking Spaces, to clarify the applicable regulations.

The Special Hudson Yards District

Regulations for the Special Hudson Yards District are found in Section 93-00 of the Zoning Resolution. Six Sections are modified to update cross-references: Section 93-052, Applicability of Article I, Chapter 3; Section 93-80, Off-Street Parking Regulations; Section 93-821, Permitted Parking when the Reservoir Surplus is Greater Than or Equal to Zero; Section 93-822, Permitted Parking when a Reservoir Deficit Exists; Section 93-823, Parking Permitted by Special Permit; and Section 93-83, Use and Location of Parking Facilities.

The Special Transit Land Use District

Regulations for the Special Transit Land Use District are found in Section 95-00 of the Zoning Resolution. One reference is modified: Section 95-09, Special Regulations for Accessory Off-Street Parking and Curb Cuts, to clarify the applicable regulations.

The Special Clinton District

Regulations for the Special Clinton District are found in Section 96-00 of the Zoning Resolution. Two references are modified: Section 96-111, Off-Street Parking Regulations, is changed to refer to the proposed new Section 13-46 Special Permits, rather than the existing Section 13-561 Special Permit for accessory parking and 13-562 Special Permit for public parking garages and public parking lots; and Section 96-21, Special Regulations for 42nd Street Perimeter Area, is changed to clarify language.

The Special Madison Avenue District

Regulations for the Special Madison Avenue District are found in Section 99-00 of the Zoning Resolution. One reference is modified: Section 99-06, Off-Street Parking Regulations, to clarify the applicable regulations.

The Special Little Italy District

Regulations for the Special Little Italy District are found in Section 109-00 of the Zoning Resolution. Two provisions are modified: Sections 109-16, Parking Regulations for Area A, and 109-351, Parking Regulations for Area B. These provisions, which have separate special permit findings relating to the provision of accessory off-street parking, and in Area B, the reduction of required parking, will be replaced by the new proposed Section 13-46 special permits and, for the reduction of required parking, the proposed Section 13-443 authorization (Reduction in the number of required existing parking spaces).

The Special Garment Center District

Regulations for the Special Garment Center District are found in Section 121-00 of the Zoning Resolution. Two provisions are modified: a cross-reference is updated in Section 121-111 (Use Group A), and Section 121-40 (Parking Requirements in Preservation Area P-2), is changed to clarify language.

The Special Mixed Use Districts

Regulations for the Special Mixed Use Districts are found in Section 123-00 of the Zoning Resolution. One reference is modified: Section 123-70, Parking and Loading, is clarified to state that mixed use districts mapped within the Manhattan Core (MX-6 is currently the only Special Mixed Use District so mapped) are subject to Article I, Chapter 3.

II. EXISTING CONDITIONS

Public and Accessory Parking

Background on Public and Accessory Off-Street Parking Regulations in the Manhattan Core

No formal inventory of the off-street parking supply exists. The Department of Consumer Affairs (DCA) issues licenses to parking facilities and maintains a database of the number and location of these spaces. There are approximately 146,000 DCA-licensed spaces in over 1000 facilities within the Manhattan Core. While parking in residential districts and many residential buildings in other districts is required by zoning to be accessory, available only to residents and visitors of the building, there are many facilities in residential districts and residential buildings in commercial districts which have DCA- licenses and operate as open to the public, with required signage and posting of hourly and monthly prices that indicate the availability of spaces to parkers who do not reside in the building.

However, in addition to the universe of DCA-licensed facilities in both residential and non-residential districts, there is a universe of accessory parking spaces that strictly serve the users of the building. In many residential buildings these are accessed via a private key-card or sensor, and individual cars are assigned specific parking spaces. In 2009, the NYC Department of Buildings (DOB) began requiring the number of parking spaces built in a development to be included on the building's certificate of occupancy; before that, spaces were only sometimes listed on a building's certificate of occupancy, making assembling a comprehensive database of off-street accessory parking spaces in the Manhattan Core nearly impossible.

Under zoning, parking that serves a use on the same zoning lot – residences, businesses, or other activities – is called “accessory parking.” In post-1982 buildings in the Manhattan Core, accessory residential parking is generally restricted to use by residents of the building. Parking that serves a broader range of purposes, not limited to serving uses on the zoning lot, and which may provide parking at an hourly or daily rate, is called “public parking” under zoning. Public parking is not permitted in most residential zoning districts and some commercial districts, and in all districts, public parking garages require a City Planning Commission special permit.

Whereas in 1982 off-street public parking was primarily a commuter resource, today it is increasingly utilized by residents. Findings from DCP surveys indicate that approximately 44% of spaces in 97 surveyed DCA-licensed facilities were utilized by residential monthly parkers. For these facilities in predominantly residential buildings, this figure increased to 60% of spaces and was over 70% in more residential districts.

Public parking facilities serve as a neighborhood resource. Per Department of Finance data records of facilities operating as public with DCA licenses, regardless of whether they were technically accessory by zoning, only 10% of parking tax exemption filers in surveyed facilities parked in their building; 63% of filers parked in their building or within a quarter-mile, and 84% parked in their building or within a half-mile.

Consumer protection regulations administered by DCA require a license to be issued for a parking facility with more than five spaces where a fee is charged for parking. Parking accessory to a business or multiple dwelling is exempt from this requirement if the parking is for exclusive use of the business or multiple dwelling and is operated by the business or the residential building owner or lessee. As a

result, DCA-licensed facilities include accessory residential parking facilities operated by a business entity that is not the owner or lessee of a residential building.

Policy Implications of Existing Conditions

By limiting the number of potential users, , restricting residential parking garages to use by building residents would tend to reduce competition for spaces and have the effect of lowering prices for parking for this group. A lowering of prices in turn would in turn encourage car ownership among residents of the building to which the parking is accessory, in comparison to alternatives such as the occasional use of car share or car rental vehicles. However, as noted, in the Manhattan Core much of the parking that is accessory according to zoning operates as public under existing conditions. As such, a significant share of accessory off-street parking under existing conditions is effectively operating as public.

There are accessory parking facilities throughout the Manhattan Core that do operate with spaces reserved only for residents of the building. These are typically found in smaller buildings with fewer dwelling units and, thus, fewer parking spaces allowed as-of-right. Luxury buildings with parking pursuant to as-of-right ratios, or with approved special permits to build parking at higher ratios than the permitted 20 percent or 35 percent, also often retain their parking for residents only, with individual assigned parking spaces available as amenities to unit owners.

Older buildings were not studied as a part of this assessment since development trends of recent years are considered more representative of future development, but there is some indication that older buildings may, too, retain their spaces as accessory with more frequency, likely in keeping with the historical use of the parking spaces.

Survey of Existing Parking Development Patterns

The department completed several types of analysis in order to further evaluate data indicating that public and accessory parking are nearly indistinguishable throughout the Manhattan Core. The analysis also provides a better understanding of how a proposal allowing all future accessory facilities, and existing facilities with DCA licenses, to operate as public would affect the supply of parking.

The proposed regulations would enable any new accessory facility to operate as open to the public – a practice that is widespread under existing conditions. As a result, parking facilities have been better able to respond to market demands. The finding that many facilities are populated by cars belonging to residents of the neighborhood, but not the building to which the parking is accessory, recognizes that accessory parking functions as a shared community resource .

For these reasons, the proposal includes a formal recognition in zoning of a new class of parking : accessory which may operate as open to the public. The surveys of existing parking development patterns looked at parking construction and utilization among a variety of parking facility types associated with residential uses in order to understand the effects of the proposal.

Parking for residents is built in many forms. There are residential buildings in zoning districts that allow for other types of uses, like commercial uses, that may also generate parking, making it difficult to get a complete understanding of how parking is allocated simply by examining a building's Certificate of Occupancy. There are residential zoning districts that only allow residential uses, making the total parking capacity indicated on the building's Certificate of Occupancy easier to understand, because all parking can be attributed to the residential development. There are also strictly residential buildings in

other zoning districts which may also allow public parking facilities by Special Permit, so the existence of parking in these buildings cannot always be attributed to the as-of-right accessory parking generated by the dwelling units. In order to understand the conditions of parking provision across all of these environments, significant data and field work was necessary.

One analysis involved matching the DCA-provided database of licensed parking facilities with PLUTO data to ascertain information about the buildings that house DCA licensed facilities. A second analysis involved field surveys of 143 buildings built throughout the Manhattan Core since 2001, representing approximately 20 percent of all buildings built in the Manhattan Core since 2001, and nearly 10 percent of all buildings built in the Manhattan Core since 1982, when the existing off-street parking regulations went into effect. A third analysis also involved field surveys by looking more closely at 41 buildings built in Manhattan Community Districts 1,2 and 8 in residential districts since 2001. Follow-up for all analyses included research into each building's Certificate of Occupancy to gain further insight into how buildings with parking that is strictly accessory, or operating with a DCA license as open to the public, define their parking for building permit purposes.

DCA considered the findings from the DCA database of licensed parking facilities and field surveys of accessory facilities that would not appear in the DCA database. Of the roughly 660 new developments built in the Manhattan Core since 2001, only about 20 percent provided any parking, either accessory or public. This is consistent across buildings with different uses, and is discussed in further detail below.

Parking in buildings with primarily residential uses, or in residential districts

Field Survey of New Buildings in the Manhattan Core

Of the 143 buildings surveyed, 96 contained only residential uses, or with marginal commercial square footage too low to generate a parking allowance. These buildings were found in residential zoning districts and in commercial districts with residential equivalents. According to zoning regulations, strictly residential buildings would only be permitted to provide accessory and not public parking.

Initial research illustrated that parking is very rarely provided on lots with a footprint of less than 5,000 square feet. Of the 143 buildings surveyed for the presence of parking, 83 were on lots of at least 5,000 square feet. Approximately two-thirds of the 96 residential buildings were built on lots with less than 5,000 square footage, and therefore not likely to be able to provide parking within the lot footprint. However, of the 36 buildings built on lots of at least 5,000 square feet and containing only residential uses, only two provided any parking. One was DCA licensed and another had parking available only to residents. The median lot area for all 36 new residential developments on lots of at least 5,000 square feet was just over 7,000 square feet; the average was over 9,000 square feet. The building with only residential uses that provided parking open to the public had a lot area of just over 18,000 square feet and 274 dwelling units; the building which provided parking only for residents had a lot area of just over 5,000 square feet and only 8 dwelling units.

Field Survey of New Residential Buildings in the Manhattan Core

Supplemental field surveys of the universe of new buildings in residential zoning districts in CDs 1, 2 and 8 provided further understanding of accessory and publicly-operated parking. The surveys supported the findings of the Manhattan Core research and revealed that, while only 9 of the 41 new buildings in residential districts that were surveyed provided any parking, 6 of the 9 were operating with DCA licenses. These ranged in capacity from 41 to 123 parking spaces. One of the three buildings with

strictly resident-only accessory parking had a capacity of 10 spaces. The capacity of the other two could not be determined, but they are small buildings with only 6 and 7 dwelling units. Of the six buildings that had DCA licenses, 3 had Certificates of Occupancy stating their parking as accessory to the residents and 3 did not specify.

Parking in buildings with mixed residential and retail/commercial uses

Field Survey of New Buildings in the Manhattan Core

An additional 36 buildings from the 83 surveyed throughout the Manhattan Core on lots of at least 5,000 square feet consisted of a combination of retail/office and residential uses (with retail uses not exceeding 40,000 square feet). The median lot area for all 35 new developments in this category was close to 17,000 square feet – significantly larger than the residential-only lots. The average was over 20,000 square feet. Among these, according to field surveys, 18 did not provide any parking, 16 provided parking with a DCA license, and 1 provided parking only to residents. The median lot area for the 17 buildings that did provide parking was higher than for all buildings, at more than 25,000 square feet; the average was close to 27,000 square feet.

The Certificates of Occupancy were looked at for the 17 buildings that provided parking to ascertain the facilities' intent as demonstrated by the building permit. Of the 16 with a DCA license, 6 state the parking is accessory on their certificate of occupancy. Five state explicitly that they contain public parking, 4 state only that the building contains parking, and 1 had no Certificate of Occupancy available.

Parking accessory to the commercial use is permitted in a mixed-use building, but only to the extent of the use. Monitoring users of parking facilities that are accessory to commercial uses is especially difficult, but the parking may technically only operate as public by Special Permit. However, only two of the 17 buildings that provided parking – 1 with a C of Os stating public parking, and 1 listing only “parking” – received Special Permits under Section 74-52. These include 158 Hester Street, with 154 publicly accessible spaces to “be used by the future residents and retail customers of the 106 Mott Street building and the public” (<http://www.nyc.gov/html/dcp/pdf/cpc/030131.pdf>), and 95 Worth Street, with 114 publicly accessible spaces. The remaining 15 buildings provided parking that was effectively operating as open to the public. This finding reaffirmed previous analysis that revealed that many spaces occupied in parking facilities accessory to commercial uses are occupied by cars of nearby residents, reaffirming parking as a shared community resource.

DCA database of licensed parking facilities in buildings with primarily residential uses

A detailed study of DCA licensed facilities was made possible by a database including the address and capacity of every licensed facility in the Manhattan Core. Using this data, DCP could match licensed parking with new developments – something not as easily done without extensive fieldwork when parking operates as strictly accessory, because no comparable database exists for these facilities.

Fieldwork revealed that approximately 20 percent of new buildings with residential uses provide parking. DCA and Department of Finance (PLUTO) records indicate that 11 percent of the roughly 500 buildings built since 2000 with residential uses include licensed parking facilities. This, supported by the following analysis, suggests that residential developments that wish to operate their accessory parking facilities as open to the public are able to do so regardless of what is listed on the building's certificate of occupancy.

Of buildings with residential uses and licensed parking built since 2001, 39 are in predominantly residential buildings, with less than 40,000 square feet of commercial use. This threshold for commercial square footage was used for analysis because it is assumed that a public parking facility for only the 10 commercial parking spaces permitted for 40,000 square feet of commercial use would be infeasible. As such, any significant parking associated with the development would be generated by the residential uses. Among this universe, only 9 of the buildings with residential uses that are also DCA licensed as public parking facilities received a special permit under section 74-52 of the zoning resolution to do so.

Residential buildings with DCA licensing and without Special Permit approval range in size from 14 to 400 spaces with an average capacity of 108 spaces. Lot areas for these sites range from 6,600 square feet to 65,000 square feet, with an average total lot area of nearly 24,000 square feet. In 21 of the 30 developments, the certificates of occupancy for the building specify the parking as “accessory”; two specify the parking as public, and the remaining 6 do not specify, stating only “parking”. This suggests that residential developments that wish to provide public parking, as opposed to parking exclusive to residents, are able to do so regardless of what is listed on the building’s certificate of occupancy.

Special Permits and Authorizations

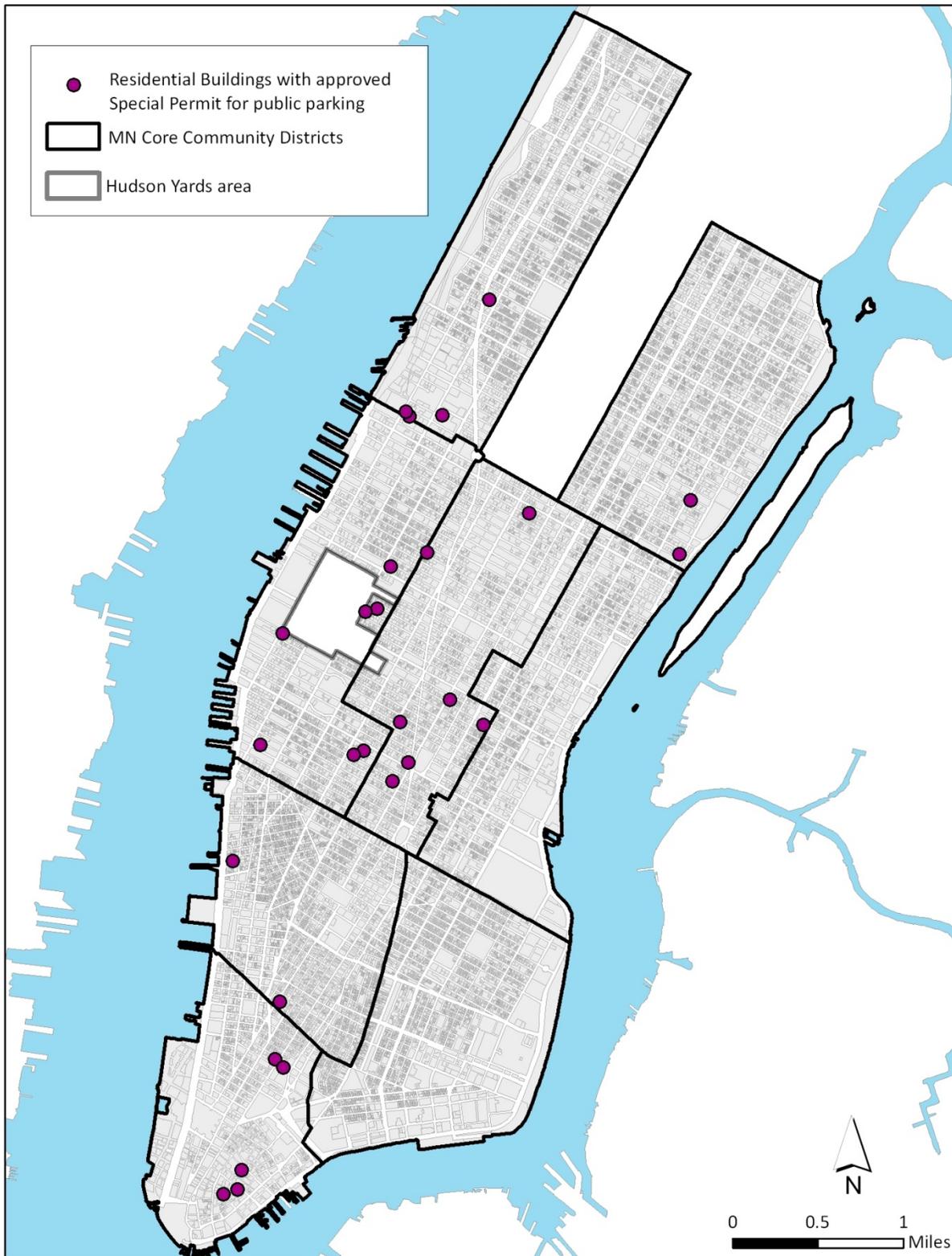
A study of buildings built between 2001 and 2010 was completed to determine what percentage of buildings with DCA licensed facilities and residential units obtained an authorization or special permit for their parking facilities. Since 2001, 16 applicants were approved for Authorizations related to off-street parking and loading in the Manhattan Core. Since 2001, 63 applicants were approved for public parking permits under sections 74-52 and 13-562 of the Zoning Resolution.

A small number of Special Permits for public parking facilities under Section 74-52 are obtained each year for new residential buildings in zoning districts that allow public parking. In the previous decade, 29 such applications were filed for buildings containing only residential uses or with a limited amount of commercial square feet (less than 40,000 square feet, which would generate a parking allowance). The sites that had DCA licenses for which they received a Special Permit to operate range in size from 65 to 225 spaces with an average capacity of 148 spaces. Lot areas for these sites range from 9,300 square feet to 52,900 square feet, with an average lot size of 22,900 square feet. This study reveals that sites with DCA licensed facilities, with and without Special Permit approval, in recently built residential buildings are similar in general characteristics.

A small number of Special Permits for public parking facilities under Section 74-52 are obtained each year for public parking garages in new buildings with commercial or mixed commercial and residential uses. In the previous decade, 20 such applications were filed.

An additional small number of Special Permits under Section 13-561 are obtained each year for accessory parking garages in new residential buildings exceeding their as-of-right parking ratios in the future without the action. In the previous decade, 19 such applications were filed for the Special Permit under 13-561 which didn’t also apply for the public parking Special Permit under Section 74-52, analyzed above. Of these 19, 4 also obtained DCA licenses. These 4 facilities have capacities of 45, 60, 77 and 107; however, the largest facility, at 222 East 34th Street, has clear DCA signage articulating that there is “No Public Parking” at that location – the only sign of its kind observed among all DCA facilities looked at as part of this environmental analysis.

Figure 4 Residential buildings with Special Permit 74-52 approval for public parking (2000 – 2010)



Parking facilities in residential buildings which effectively function as public parking facilities through the receipt of a DCA license or through an approved Special Permit operate as shared neighborhood parking resources with entry and exit volumes more reflective of traditional residential accessory facilities than public parking facilities that serve commuters. The Environmental Assessment Statements prepared for public parking garage special permits in residential buildings (Section 74-52) reflect this same trend in residential car ownership and usage; the 29 approved facilities were largely expected to cater to on-site and nearby residents, rather than commuters.

As previously discussed in the project background, accessory facilities that operate as open to the public serve a large number of Manhattan residents and fill neighborhood needs for residential parking. In contrast with 1982, when most public parking was utilized by commuters and other business parkers, a large portion of spaces in public parking facilities were found to be utilized by Manhattan residents on a monthly basis. In facilities located in residential and mixed-use buildings, over 60 percent of spaces were occupied by residential monthly parkers. To a much greater extent than in 1982, the supply of public parking, and accessory parking operating as open to the public, is serving neighborhood needs for long-term residential parking. This is particularly true as only a fraction of residential developments provide any of their permitted parking, yet a disproportionate share of households with cars continue to populate these new units, compared with the average for the Manhattan Core as a whole.

Reservoir Spaces

As-of-right accessory parking facilities and rental car establishments are not required to provide reservoir spaces, although such spaces are often operated as public parking facilities with a DCA license. Under the current Special Permits for accessory off-street parking spaces (13-561) and for public parking garages or public parking lots in high density central areas (74-52), the City Planning Commission must find that “adequate reservoir spaces are provided at the vehicular entrance to accommodate vehicles equivalent in number to 20 percent of the total number of parking spaces up to 50, and five percent of the spaces in excess of 200 parking spaces,” up to a total of 50 reservoir spaces. Facilities with a capacity for 10 or fewer parking spaces are not required to provide any reservoir spaces. While there are no DCA licensed facilities with capacities of 10 or fewer cars in buildings built over the previous decade in the Manhattan Core, there are 6 with capacities between 10 and 25, and 20 with capacities between 10 and 50 cars. There are a total 92 developments built since 2001 with DCA licensed facilities. These 92 parking facilities generated 910 reservoir parking spaces, amounting to an approximate total of 140,000 square feet, assuming 153 square feet per reservoir space. Of these 910 reservoir spaces, 157 were required for facilities with capacities of 50 or fewer cars. These reservoir spaces amounted to a rough total of 24,000 square feet.

The reservoir space requirements for special permit facilities may result in an excessive number of reservoir spaces being provided in smaller parking facilities, since the number of such spaces is constant as the facility size increases from 50 to 200 spaces. So, for example, the 76 space public parking facility approved by Special Permit (C 070577 ZSM) at 31-37 West 56th Street required the same number of reservoir spaces (10) as did the 166 space public parking facility approved by Special Permit (C 020365 ZSM) at 475 9th Avenue. The peak inbound number of cars, when reservoir spaces would be at highest demand, varied by facility size. Environmental review analysis of trip generation for the 166 space facility projected the peak inbound activity between 9am and 10am, with 21 cars seeking spaces (and utilizing reservoir space in the meantime). Environmental review for the 76 space facility projected the peak inbound activity between 11am and 12pm, with only 8 cars seeking spaces. Despite the variation in demand based on facility size, the reservoir space requirement for both facilities was the same. The

proposal would make reservoir space requirements more proportional to facility size for facilities with fewer than 200 spaces, while applying them to accessory parking and car rental facilities.

Floor Area Exemption

Under the current Special Permits for parking garages or lots in the Manhattan Core, in sections 74-52 and 12-10 of the zoning resolution, floor area for the first floor of above-grade parking may be exempt, up to a height of 23'. This exemption encourages blank walls and the displacement of active uses, which are central to the Manhattan Core's pedestrian environment.

Ground floor square footage in the Manhattan Core demands considerable rent. Retail rents along the Core's primary shopping corridors average from \$232 per square foot along Third Avenue from 58th Street to 79th Street, to \$827 per square foot along Madison Avenue (Cushman & Wakefield 2010 <http://www.cushwake.com/cwglobal/jsp/newsDetail.jsp?Country=DE&Language=EN&repld=c30500015p>). While parking spaces can command rents exceeding \$500 per month, ground floor retail space remains more profitable. Most developers choose not to occupy ground floor square footage with above-grade parking, preferring instead to tenant the space with more profitable uses. As previously discussed, parking is not required in the Manhattan Core and less than half of all new buildings are developed with any parking. Only 7 of the 23 sampled buildings that had parking had the parking located above-grade. Although it was occasionally impossible to tell the extent to which the facilities were wrapped with other uses, it appears that most of these above-grade facilities were wrapped by other uses or were using the ground floor area for ventilation purposes. Only 2 of the 7 facilities had no obvious wrapping or ventilation on the ground floor where the parking was located. This pattern of development results in fewer than 2 percent of all new developments providing parking at-grade with no wrapping, or, approximately 9 percent of all new developments with parking, providing the parking at-grade and with no wrapping. Examples of a wrapped and non-wrapped facility are below.



Figure 5 158 Hester Street, at-grade garage wrapped with other uses



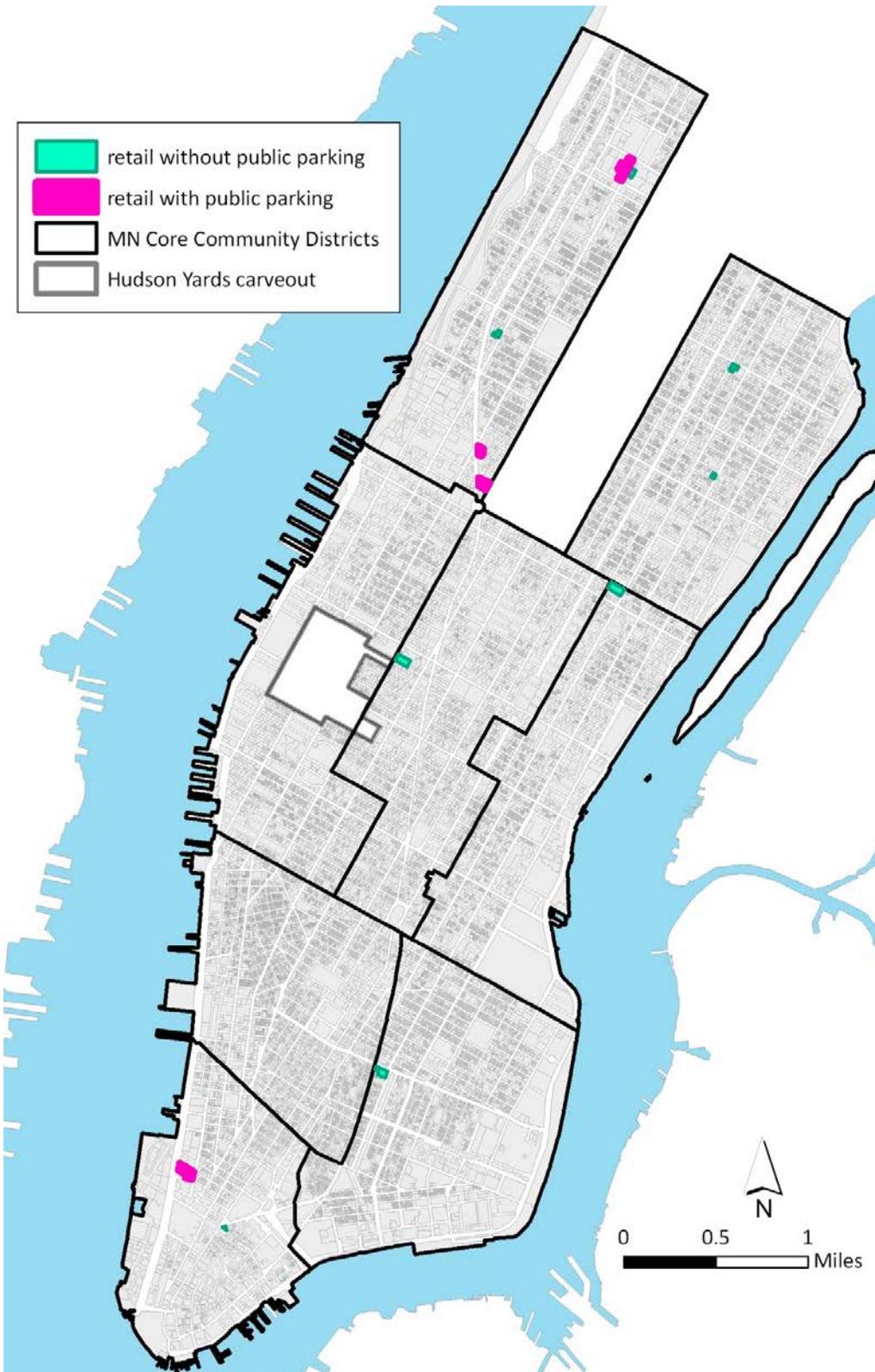
Figure 6 325 North End Avenue, at-grade garage not wrapped with other uses

As of Right Retail Cap

Under current regulations outlined in section 13-133 of the Zoning Resolution, parking is permitted for all commercial uses in the Manhattan Core at a ratio of one parking space per 4,000 square feet of commercial space. As previously discussed, development occurs throughout the Manhattan Core that does not include any parking. Commercial developments often lack parking because of the cost associated with providing such parking, and the otherwise high rents that other non-parking related uses can command. Retail uses draw shoppers from throughout the neighborhood, borough, and city, but are rarely designed to be automobile-oriented. Unlike more suburban shopping-mall type development, retail developments in the Manhattan Core are typically accessible by public transportation, and are not built in a layout conducive to a large parking facility with internal shopping corridors. Shopping is often part of a multi-stop journey, on the way home from work or en route to another destination not accessed by car.

These patterns are reflected in development trends. Of the 665 new residential and non-residential buildings built between 2001 through 2010 in the Manhattan Core, 301 have retail square footage (PLUTO 2012). Of these 301 buildings, only 12 have retail square footage exceeding 40,000 square feet – the threshold beyond which as-of-right parking for retail would exceed 10 spaces, according to the existing 1 space per 4,000 square foot ratio. Of these 12, six buildings provided no parking, four provided DCA licensed public parking, and two provided parking for residents only with no DCA license. Of the four developments with DCA licenses, one, at 1930 Broadway, had DCA signage indicating parking was limited to residents only. Another is associated with the Park West Village retail development, and the remaining two obtained a special permit for their parking garages: 15 Central Park West, is within the Special Lincoln Square District and thus would not have been permitted to provide any parking as-of-right; while the second, 270 Greenwich Street, sought the Special Permit to provide over twice as much parking on site than what as-of-right ratios would have allowed for the development. All 12 of the developments with more than 40,000 square feet of retail uses were in mixed-use buildings that also generated parking allowances with other uses. The three that provided parking associated with the retail development had facilities with capacities of 324, 400, and 162 cars, which generated 37, 38, and 21 parking spaces, respectively, (96 total) associated with the retail uses using as-of-right ratios.

Figure 7 Large retail developments since 2000



Floor Space Limitation

Under current regulations, ZR Section 13-143 defines the maximum size of a permitted accessory group parking facility at no greater than 200 square feet times the maximum number of parking spaces permitted at that facility. This includes square footage for stalls, aisles, driveways, and maneuverability areas within the facility. In self-park accessory facilities up to a capacity of 100 cars, the maximum size can be no greater than 300 square feet times the maximum number of parking spaces permitted at that facility. This ratio was developed to ensure that facilities have room to accommodate individual cars (with spaces measured at 8.5' x 18' and equal to 153 square feet) plus room to maneuver within the facility. Under existing conditions, all interior space within a facility is calculated in the 1-per-200 or 1-per-300 sq ft ratio, including ramps leading from the facility entrance to the area where parking begins, and including reservoir spaces, which are required for public facilities. The 1-per-200 square foot ratio is more commonly used, since few self-parking facilities are developed in the Manhattan Core. The ratio generally provides adequate square footage to accommodate the permitted number of parking spaces and associated access and maneuvering space. However, these requirements can potentially result in anomalous situations where not all permitted parking can be accommodated because long ramps consume larger proportions of the allotted space, so fewer spaces can be provided. This is particularly true for facilities with long access ramps, and the rule therefore provides an incentive to locate parking close to the street, where long ramps are not needed. This may result in lost opportunities for other permitted ground-floor uses that would promote active pedestrian activity, such as retail or community facilities.

While it is difficult to gauge the extent of these anomalous cases, architects and developers have noted a few situations where not all permitted parking can be provided within the footprint of a parking facility because of ramp lengths. The 1982 zoning intended for, and analyzed, the full provision of parking permitted through the as-of-right maximums. The inability to provide the entirety of what is allowed as-of-right is an unintended outcome of the square footage calculations.

Other proposed changes, requiring that above-grade parking be “wrapped” with other uses, and that accessory facilities, which are often open to the public, provide reservoir spaces, would have the effect of increasing the number of situations where developments cannot accommodate the full amount of permitted parking, were changes to the floor space rules not also proposed.

One device to escape the constraints of the current regulations is to provide parking spaces on mechanical lifts within a garage. These are not counted towards the floor space limitation.

Automated Parking

Automated parking, defined for the purposes of this proposal as any off-street parking facility or public parking garage where vehicular storage and retrieval within such facility is accomplished entirely through a mechanical conveyance system, is a relatively new type of parking facility in New York City. Although it is widely provided throughout Europe and parts of Asia, there are only 2 public automated parking facilities in New York City and a handful of private facilities marketed as luxury amenities in new residential buildings. Because these facilities operate differently and in smaller spaces than traditional garages, alternative standards for maneuverability and square-footage-per-space calculations are appropriate. While mechanical parking requires a high initial investment, it is an attractive development possibility because it takes up much less space for the same number of cars, compared with attended parking; it requires no on-site staff; damage to parked vehicles is eliminated because each vehicle rests on an individual pallet; and there is no need to ventilate the parking facility, permitting full enclosure and eliminating mechanical ventilation systems.

The automated parking industry today is dominated by a handful of companies operating primarily outside of the United States. They include Automotion, with one facility already operating in New York City (123 Baxter Street) and a few others under development in Manhattan and Brooklyn. Automated parking facilities are able to park more cars within a smaller footprint, and at a rate of about one car per 2.5 minutes. Because the system is entirely automated, and cars are moved through the facility on platforms, the need for access ramps and maneuverability space is eliminated or dramatically reduced. For example, the facility at 123 Baxter can park 67 cars in a space that could only accommodate 24 cars under the non-automated configuration standards (<http://www.popularmechanics.com/technology/gadgets/4213198>).



Figure 8 Automated vehicle retrieval in 123 Baxter facility

Under current zoning regulations, automated parking facilities are not distinguished from attended parking. The current reservoir space requirements are excessive in many cases for automated parking facilities, which are able to process incoming cars more quickly than attended facilities.

Design Requirements

Existing parking facility design requirements are stated throughout the zoning resolution, in sections 13-143, 13-231, 36-50, 44-40 and 26-56. The proposal seeks to consolidate and clarify these requirements. Under existing zoning, entrances and exits to all off-street parking spaces in facilities or lots must be located at least 50 feet from the nearest intersection in order to prevent queuing into the intersection as cars line up to enter the facility. This distance minimum may be waived if the Department of Buildings certifies no negative traffic or pedestrian impact would result from a shorter distance between the entrance and the intersection.

Also under current zoning, curb cuts for parking entrances and exits are only permitted on narrow streets, except by authorization of the City Planning Commission.

There are currently no width requirements for curb cuts to ensure the safe passing of two cars as one exits and one enters, or to ensure the safe turning of a car from the street into the facility, nor are there maximum width allowances for curb cuts in R9 and R10 districts – the predominant residential zoning districts in the Manhattan Core. Section 26-15, which governs curb cuts in R9 and R10 districts, allow for curb cuts on narrow streets but set no minimum or maximum width requirements.

All other residential zoning districts apply curb cut maximums. The densest of those that currently have maximums (R6, R7 and R8 districts) allow one curb cut with a maximum width of 12 feet for small parking facilities. Where the curb cut leads to a group parking facility of at least 50 spaces, the maximum width of a single two-way curb cut is 22 feet, or 12 feet for two one-way curb cuts (25-631).

Additionally, there are no requirements for spacing of curb cuts in the Manhattan Core, to ensure that there is a refuge for pedestrians between two parking entrances. Finally, there are no standards for safe operation at the exit of a parking facility, to ensure pedestrian safety as cars exit.

In certain Special Districts in the Manhattan Core, maximum curb cut widths are defined. The Midtown Special District (81-44) and Lower Manhattan Special District (91-52) allow curb cuts to a width of 15 feet for one-way traffic and 25 feet for two way traffic.

Storage of Rental Cars

In C2, C4 and C6 districts in the Manhattan Core, standalone automobile rental establishments may store no more than 100 rental cars (Section 32-17 of the Zoning Resolution, Use Group 8C). No limits apply in C8 and M districts. Additionally, rental cars may be parked in no more than 10 percent of spaces in a public parking facility within the Core's central business areas 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 that are available to small commercial vehicles (Section 13-014). Under existing regulations in Section 13-012 and 13-144, car sharing vehicles, but not rental car vehicles, may occupy existing pre-1982 required or permitted accessory off-street parking spaces in the Manhattan Core, in an amount not exceeding five spaces or 20 percent of all parking spaces in the facility, whichever is greater. Car sharing vehicles may also occupy spaces in all public parking facilities, in an amount not exceeding 40 percent of all parking spaces in the facility.

A PLUTO analysis of building square footage and DCA licensed facility locations indicates that there are roughly 80 free standing garage facilities in C2, C4, C6, C8 and M districts in the Manhattan Core where rental car establishments are permitted by zoning. Additionally, approximately 214 out of the nearly 1000 DCA licensed parking facilities are in districts that allow limited commercial vehicle parking, where rental car vehicles may be stored.

Since the 1982 off-street parking regulations were enacted, rental cars increasingly serve the needs increasingly of non-car owning Manhattan households for occasional or weekend vehicle use. There are approximately fifty car rental establishments in the Manhattan Core, with most operated by the major national companies, including Hertz, Avis, Budget, and Enterprise. Rental car companies operate with business models that are similar to those of car share vehicle companies by meeting short-term use needs of non-car owning residents. Like car share companies, rental car companies also experience concentrated periods of higher demand when more users rent cars for longer periods, such as over a weekend. Current regulations limit these establishments to a capacity of 100 cars in most of the locations convenient to residences. Discussions with several major operators indicated an increasing demand among Manhattan Core residents to pick up rental vehicles on Thursday evening or Friday, with the bulk of returns made on Sunday evenings. During these peak hours, the supply permitted in rental car facilities is insufficient to handle demand both in terms of rental car provision when customers take them out, and rental car storage when they return them to the Manhattan Core after the weekend. Insufficient storage capacity on-site and elsewhere in the Manhattan Core has led to the development of a complex system of managing cars. Vehicles need to be shuttled individually to remote locations such as the airports. In the hours immediately preceding, during, and after peak-hour pickup and return, this results in on-street impacts and congestion. Cars must be brought into the Manhattan Core during the

congested business day on Friday, for example, rather than during the overnight hours when congestion is greatly diminished. Garages with fewer spaces than can accommodate the volume of cars returned at that location on a Sunday night experience significant queuing backups while the overflow of cars are moved to other locations outside the Manhattan Core.

Commercial Vehicles Parking in Public Parking Facilities

Current regulations in Section 13-014 of the Zoning Resolution permit commercial and public utility vehicles in public parking facilities located in C5-2, C5-2.5, C5-3, C5-5, C5-P, C6-4, C6-4.4, C6-5, C6-5.5, 6-6, C6-6.5, C6-7, C6-9 and M1-6 Districts, provided that the vehicles do not exceed 20 feet in length, and that not more than 10 spaces or 10 percent of the total number of spaces permitted in the facility are occupied by these commercial vehicles. Currently, as discussed as part of the rental car analysis, approximately 224 out of the nearly 1000 DCA licensed parking facilities are in districts that allow limited commercial vehicle parking. A PLUTO analysis of building square footage and DCA licensed facility locations indicates that roughly 32 of these licensed parking facilities that allow limited commercial vehicle parking are in the form of free standing garages.

As a result of the existing limitations, some commercial vehicles and public utility vehicles conducting business in the Manhattan Core during daytime hours are forced to return to the other boroughs or elsewhere to park overnight, returning the next day for business. There were about 10,000 commercial vehicles registered in Manhattan in 2011, some of which may be forced to park outside of the Manhattan Core. This additional travel costs time and money, and adds to congestion. Particularly in nonresidential areas, overnight parking use by residents, while significant, still leaves a large percentage of spaces available for overnight parking by these nonresidential vehicles. This indicates a capacity for commercial vehicle parking overnight, potentially reducing congestion and emissions during the morning and evening commute hours when these vehicles currently enter and leave Manhattan to park.

Loading Dock Requirements

Current regulations in Sections 25-74, 36-62, and 44-52 (for M districts) of the Zoning Resolution require hospitals and related facilities, as well as commercial uses in commercial and manufacturing districts and in large-scale residential developments to provide loading berths with minimum dimensions of 33' in length and 12' in width to accommodate delivery trucks and vans, unless the Commissioner of Buildings certifies that there is no way to arrange the required berths so that curb cuts accessing the berths are either further than 50 feet from an intersection, or within 50 feet of an intersection but not likely to create traffic congestion.

While three loading berths with dimensions of 33' in length and 12' in width would occupy a combined footprint of 1188 square feet, or 33' x 36', for example, garbage and recycling dumpsters serving the building are also commonly stored in areas accessible to their pickup trucks. New York City law has mandated recycling by businesses since 1992, and more recently amended the law to include higher penalties for noncompliance. As such, more than one dumpster is almost always necessary in order to store garbage separate from recyclable material, regardless of building size, and there is currently no recognition through zoning for this requirement. Additional space is typically set aside to accommodate garbage and recycling dumpsters, or these dumpsters occupy square footage allocated towards the loading berths.

There have been 21 developments in the previous decade in commercial zoning districts in the Manhattan Core that had enough retail floor area to generate a loading berth requirement per Section

36-62, using the 25,000 commercial square foot standard for retail or service uses listed in Use Group 6A, 6C, 7B, 8B, 9A, 9B, 10A, 12B, 14A or 16A, in zoning districts C1, C1-6, C1-7, C1-8, C1-9, C2, C2-6, C2-7, C2-8, C4-4, C4-5, C4-6, C4-7, C5, C6, C8-3, C8-4 in the Manhattan Core. In general, these uses in these districts trigger a requirement for one loading berth at 25,000 square feet of development. One berth is required for between 25,000 and 40,000 square feet of relevant floor area, a second berth is required for between 40,000 and 100,000 square feet of relevant floor area, and an additional berth is required for every 150,000 square feet of floor area or fraction thereof. So a retail development with 30,000 square feet of floor area would be required to construct one loading berth, a development with 60,000 square feet of floor area would be required to construct two loading berths, a development with 110,000 square feet of floor area would be required to construct three loading berths. Of the 21 developments with at least 25,000 square feet of retail square footage assumed to generate loading berth requirements, 9 required 1 loading berth, 8 required 2 loading berths, and 4 had at least 100,000 square feet but less than 250,000 square feet, requiring at 3 loading berths. A total 37 loading berths were required as a result of retail development in the previous decade.

There have been 18 developments in the previous decade in commercial zoning districts in the Manhattan Core that had enough office, hotel or court house floor area to generate a loading berth requirement per Section 36-62, using the 100,000 commercial square foot standard for these uses in zoning districts C1, C1-6, C1-7, C1-8, C1-9, C2, C2-6, C2-7, C2-8, C4-4, C4-5, C4-6, C4-7, C5, C6, C8-3, C8-4 in the Manhattan Core. In general, these uses in these districts trigger a requirement for one loading berth at 100,000 square feet of development. One berth is required for between 100,000 and 300,000 square feet of relevant floor area, a second berth is required for between 300,000 and 600,000 square feet of relevant floor area, and an additional berth is required for every 300,000 square feet of floor area or fraction thereof. So a commercial development with 90,000 square feet of office floor area would generate no loading berth requirement, a development with 160,000 square feet of office floor area would be required to construct one loading berth, a development with 310,000 square feet of office floor area would be required to construct two loading berths, and a development with 450,000 square feet of office floor area would be required to construct three loading berths. Of the 18 developments with at least 100,000 square feet of office, hotel or court house floor area, 3 required 1 loading berth, 2 required 2 loading berths, 2 required 3 loading berths, 8 required 4 loading berths, 1 required 6 loading berths, 1 required 8 loading berths, and 1 required 10 loading berths. A total 69 loading berths were required as a result of office, hotel or court floor area in the previous decade.

The combined square footage allocated towards the 106 loading berths required by retail and office, hotel or court house floor area in the previous decade equals 41,976 square feet. This does not account for any developments that might have generated a loading berth requirement but were able to waive out of the requirement.

There are cases where the loading berth requirement is difficult or impossible to meet. One example where the Commissioner of Buildings certified the waiver for a loading dock was for a development at 100 Varick Street. In this case, the lot was bounded by the east side of Varick Street, between Broome and Watts streets. The lot frontages along Broome and Watts streets were 56 feet on each block, making a curb cut 50 feet from the intersection impossible to configure. The prohibition of curb cuts on wide streets at this location meant the loading dock would be impossible along Varick Street, also. The applicant requested permission from the Department of Transportation (DOT) for two curb cuts within 50 feet of the intersections along Broome and Watts, for parking and for loading. The curb cut for parking was granted along Broome Street; however, proximity to the Holland Tunnel, high vehicular traffic flow, and high pedestrian activity contributed to DOT's disapproval for the loading dock curb cut

and the Commissioner of Building's resulting decision to waive the loading dock requirement. The Department of Buildings has exercised this ability to waive; however, they have indicated the need for additional clarity in zoning language where this ability is not as explicit. For example, Section 91-52 in the Special Lower Manhattan District states the Buildings Commissioner "may" allow loading berths on streets where curb cuts are prohibited "where there are no alternative means of access". Implicit in this language is that the Commissioner may also deny a curb cut in such a situation. The Department of Buildings has cited two applications for new buildings, both of which comprised zoning lots that fronted on streets where curb cuts were prohibited. The first example also fronted on a very narrow Lower Manhattan street, where a curb cut was permitted but, as a practical matter, a loading dock would not work because the street was too narrow to allow a truck to maneuver. The second example involved a zoning lot merger with a building to remain, which blocked access to a second street where curb cuts were permitted.

The number of loading berths required is dependent on the size and type of commercial use, with minimum thresholds for each use below which no loading berth is required. However, if the total floor area of all the uses for which berths are required is greater than the smallest amount of floor area for which berths are required for any of the uses individually, off-street loading berths shall be provided as if the total floor area of the uses for which berths are required were used for the use with the highest requirements (Section 36-63). As a result, a commercial development in a C6 district for example, with less than 100,000 square feet of office floor area, as well as ground floor retail, would trigger loading requirements as if the entire building were retail. However, a building with more than 100,000 square feet of office floor area and the same amount of retail would trigger a separate, lower loading requirement for office space, and require fewer loading berths overall. The effect is illogical since the loading demands would be greater for the larger building.

Publicly-Assisted Housing

The existing zoning text contains obsolete references to required parking for certain inactive categories of publicly-assisted housing. These are holdovers from the pre-1982 regulations, and while they have no practical effect, they create confusion as to what rules apply to new affordable housing in the Manhattan Core.

Special Districts

Special Midtown District

Section 81-44, which provides that "the Commissioner of Buildings may approve a curb cut where there are no alternative means of access to off-street loading berths from other #streets# bounding the #zoning lot," is ambiguous and requires significant interpretation by the Department of Buildings.

Special Lincoln Square District

In the Special Lincoln Square District, no accessory off-street parking is permitted as-of-right, but requires a Special Permit pursuant to Section 13-561 (Accessory off-street parking spaces).

Special Lower Manhattan District

Section 91-52, which provides that “the Commissioner of Buildings may approve a curb cut where there are no alternative means of access to off-street loading berths from other #streets# bounding the #zoning lot,” is ambiguous and requires significant interpretation by the Department of Buildings.

Special Clinton District

In the Preservation Area of the Special Clinton District, no accessory off-street parking is permitted as-of-right, but requires a Special Permit pursuant to Section 13-561 (Accessory off-street parking spaces), with added City Planning Commission findings specified in Section 96-111. Public parking garages and public parking lots are permitted by special permit pursuant to Section 13-562 (Public parking garages and public parking lots), with the same additional findings.

Special Little Italy District

In Area A, accessory off-street parking is permitted only pursuant to Section 109-16. In Area B, accessory off-street parking is permitted at the ratios of Article I, Chapter 3, but additional accessory off-street parking, beyond that permitted by the underlying ratios, is permitted only by the special permit provisions of Section 109-351. Additionally, in Area B, required accessory parking may be reduced in accordance with this special permit provision. Since the enactment of the Special Little Italy District in February 1977, no applications for either of these special permits have been submitted to the Department of City Planning.

ATTACHMENT B - Framework for Analysis

Manhattan Core Parking Text Amendment Environmental Assessment Statement CEQR No. 13DCP041M

I. PROJECTED DEVELOPMENT AND LIKELY EFFECTS

INTRODUCTION

The proposed zoning text amendment for off-street parking regulations in the Manhattan core would apply to all new and existing buildings after [DATE OF ADOPTION] within the applicable areas of Manhattan Community Districts 1 through 8. The full description of the proposed action is provided in Attachment A, "Project Description".

Consistent with *CEQR Technical Manual* guidelines, the proposed parking regulations are analyzed in this EAS as "generic actions," because there are no known specific developments that are projected at this time and it is difficult to predict the exact sites that would develop. According to the *CEQR Technical Manual*, generic actions are programs and plans that have wide application or affect the range of future alternative policies. Usually these actions affect the entire City or an area so large that site-specific description of analysis is not appropriate.

The *CEQR Technical Manual* also notes that for some actions, where the build-out depends on market conditions and other variables, the build year cannot be determined with precision. In these cases, a ten year build year is generally considered reasonable as it captures a typical cycle of market conditions and generally represents the outer timeframe within which predictions of future development may usually be made without speculation. Therefore, an analysis year of 2022 has been identified for this environmental review.

As described in the *CEQR Technical Manual*, generic analyses are conducted using the following methodology:

- Identify Typical Cases: provide several descriptions similar to those in a localized action for cases that can reasonably typify the conditions and impacts of the entire proposal.
- Identify a Range of Conditions: A discussion of the range of conditions or situations under which the action(s) may take place, so that the full range of impacts can be identified.

Because the proposed action is not expected to induce development where it would otherwise not occur in the future without the proposed action, development through the analysis year is projected based on trends of the previous decade, from roughly 2001 through 2011, accounting for an approximate one year lag time for data updates. All new buildings built since 2001 were looked at for components that would have been affected by the proposed action. The universe of developments with parking at-grade and without wrapping; the universe of developments triggering loading berth requirements; the universe of new residential buildings with DCA licensed parking; etc., were quantified in the aggregate and at a site-specific level in order to understand how the proposed actions would affect future development throughout the Manhattan Core, based on development trends of the previous decade. Building trends of the previous decade were looked at for the purposes of this analysis in order to consider development occurring over a full real estate cycle, with ups and downs. Therefore,

economic fluctuations occurring over the decade and affecting development are accounted for in the projected analysis. Accordingly, unless otherwise noted, development assumptions in the future with and without the action mirror recent historical development patterns.

The Future With-Action scenario therefore identifies the amount, type, and location of development that is expected to occur by 2022 as a result of the proposed action. The Future No- Action scenario identifies similar development projections for 2022 absent the proposed action. The incremental difference between the two scenarios serves as the basis for the impact analyses.

This environmental review will consider any potential impacts resulting from the cumulative changes in the Manhattan Core as a result of the proposed action (Attachment C), including those associated with the potential future use of the proposed Special Permits and Authorization, assessed as a conceptual analysis (Attachment D).

LIKELY EFFECTS OF PROPOSED ACTION

The proposed action would not result in any change to the underlying zoning, and would provide a more rational framework for off-street parking provision with new and existing developments, and a new set of findings for an Authorization and five Special Permits to provide parking beyond the levels permitted on an as-of-right basis. As the underlying zoning would remain the same under the proposed action, no changes to allowable floor area ratio (FAR) or height are anticipated as part of this action.

The proposed action would not induce new development or affect the overall amount or type of development throughout the Manhattan Core compared to what is currently permitted today, although the allocation of uses within each development may differ slightly. As noted, the individual sites to which proposed action would apply would be located throughout the Manhattan Core but cannot be specifically identified for analysis purposes.

There are 13 major components to this proposal including the provision for a new authorization and special permits. As such, the following components of the proposal will be considered for the future condition and comprise the analysis basis for this environmental review as outlined below.

Public and Accessory Parking

Off-street parking in the Manhattan Core is classified under zoning as accessory to the use for which it is permitted, or as public parking. In practice, accessory parking facilities often operate as open to the public – a result that would receive formal recognition under the proposal in the future with the proposed action. This environmental review quantifies the universe of off-street parking and assesses whether operations would change in the future with the proposed action versus the future without the proposed action.

Reservoir Spaces

The proposed action would change the formula by which reservoir space requirements are calculated, and apply reservoir space requirements to certain facilities, such as rental car establishments, where they do not exist currently. To understand any impacts in the future with the proposed action, the universe of off-street public parking facilities was quantified and existing and future reservoir space requirements were calculated in the with- and no-action scenarios. In the future with the proposed action, fewer overall reservoir spaces would be required. Reservoir spaces are commonly designated

along ramp space or other unusable floor area, but, for the purposes of a conservative analysis, all reservoir spaces were assumed to be designated in areas that might be otherwise allocated towards other uses. As a result of the changes, over 30,000 square feet of floor space required for reservoir space in the future with the proposed action would be freed up for other uses. This square footage would be distributed throughout the Manhattan Core, with no single project resulting more than 1,600 square feet of non-parking uses in the future with the proposed action over the future without.

Floor Area Exemption

The proposed action would modify the existing as-of-right floor area exemption, which allows for any parking built up to 23' above-grade to not count towards as floor area. Under the proposal, this exemption would apply only to above-grade parking square footage that is wrapped to a depth of 30 feet by other uses. The environmental review analysis will look at a sample of buildings that provided parking in the previous decade throughout the Manhattan Core, and observed the infrequency with which parking is provided above-grade and not wrapped by other uses. Under existing conditions and in the future without the proposed action, only approximately 2 percent of any new developments would provide parking that is above-grade and not wrapped by other uses. Based on the previous decade's development trend,, this equates to approximately 13 developments. The environmental review completed the most conservative analysis to quantify floor area that might be affected by the proposal by assuming that every above-grade, non-wrapped parking facility built in the future without the proposed action would occupy the entire standard 200' blockfront. With this conservative assumption, under the future with the proposed action, a total 71,300 square feet of parking area that would be exempt from floor area calculations in the future without the proposed action would have a wrapping requirement in the future with the proposed action. This square footage would be distributed throughout the Manhattan Core, with no single project resulting more than 5,400 square feet of non-parking uses in the future with the proposed action over the future without.

As of Right Retail Cap

The proposed action would limit the total number of parking spaces permitted as accessory to retail uses. Current regulations allow for parking to be provided in the Manhattan Core at a ratio of one space per 4,000 square feet of retail use. Under the proposal, this ratio would remain unchanged, but the total amount of parking permitted for retail would be capped at 10 spaces per development. With this calculation, developments with more than 40,000 square feet of retail uses would be limited to 10 spaces in the future with the proposed action, while they could continue providing parking per the ratio without a cap in the future without the proposed action.

Only 12 developments over the previous decade have been built in the Manhattan Core with more than 40,000 square feet of retail use. Of these 12, only 3 provided parking in excess of 10 spaces, providing a total of 96 spaces – 66 more than would be permitted in the future with the proposed action. Assuming a similar development pattern in the future with and without the action, three new developments would be affected by the proposed cap in retail parking. These developments would likely occur as buildings with a variety of parking-generating uses, so, while the parking built as accessory to the retail uses would be capped at 10, there would be no proposed additional restriction to the parking built as accessory to the other commercial and residential uses. The total 13,200 square feet of retail parking that would no longer be permitted would be allocated towards other uses, and the other parking associated with the development would likely remain available to retail shoppers, according to typical facility operations in the Manhattan Core.

Floor Space

Under present zoning, ramps and other square footage leading to the access point within an accessory off-street parking facility, before the car arrives at the actual parking area, count towards the overall square footage count of a parking facility. Because the number of parking spaces that may be designated within a facility is dependent on a square foot ratio based on the overall facility size, facilities with long ramps leading a car to the below-grade facility, for example, are penalized in that they may then not be allowed to fit as many parking spaces in the actual area designated for parking. Under the proposal, the square foot ratio that calculates parking capacity would no longer count areas of the parking facility leading from the street to the access point, where cars are usually dropped off with an attendant to be parked. As a result of the proposed action, a small number of additional parking spaces may be allowed in facilities, enabling more facilities to reach their as-of-right allowances before being stopped by the facility's square foot ratio.

Automated Parking

The vast majority of off-street parking facilities today are traditional in their format, with ramps, elevators and lifts where a car is manually moved to into a parking space. However, two automated facilities have been built in the Manhattan Core in the previous decade as technology and the automated parking industry advance around the world. Currently, there are no guidelines or standards in zoning for the provision of automated parking, making the development process more difficult for projects seeking to provide such facilities. Under the proposed action, guidelines would be in place to enable easier development of automated facilities. Some benefits associated with these facilities include reduced congestion, emissions, and smaller footprints than traditional facilities. This environmental review projects 8 additional automated parking facilities in the future with the proposed action over the future without. Assuming new facilities would follow the existing average capacity of 117 cars in garages in recently-built buildings, the smaller footprint of the automated facilities would result in a total 112,000 square feet that may be allocated towards non-parking uses throughout the Manhattan Core. This square footage would be distributed throughout the Manhattan Core, with the average single project resulting in 9,360 square feet of non-parking uses in the future with the proposed action over the future without. No additional parking would be projected as the as-of-right ratios for accessory parking would remain unchanged.

Design Requirements

There are currently no width requirements for curb cuts to ensure the safe passing of two cars as one exits and one enters, or to ensure the safe turning of a car from the street into the facility, nor are there maximum width allowances for curb cuts in R9 and R10 districts – the predominant residential zoning districts in the Manhattan Core. In the future with the proposed action, all of the existing curb cut location and width requirements will remain, and an additional requirement will be made for curb cuts in R9 and R10 districts. The proposal will extend the curb cut requirements in R6, R7 and R8 districts to include R9 and R10 districts. This will have a minimal effect on development, but will ensure that oversized curbs are not cut into residential districts in the Manhattan Core, resulting in an enhanced streetscape with improved pedestrian safety. The changes will improve maneuverability and safety for cars and pedestrians, but would not result in any additional development at individual discrete sites, and thus would not generate additional population or commercial square footage in any measurable amounts.

Storage of Rental Cars

Presently, rental car establishments without other uses, and public facilities where rental cars may be stored, are limited to zoning districts within what are considered the central business areas of the Manhattan Core. Rental cars are further limited to 10 percent of the total spaces in these facilities.

In the future with the proposed action, the zoning districts that may house rental cars would be expanded, and their permitted percentage would be increased to 40 percent in these facilities. The zoning districts that may house standalone rental car facilities would not change, but the maximum number of cars permitted in standalone rental car establishments would be increased in facilities in C2, C4 and C6 zoning districts, and would be capped at 225 spaces in C8 and CM districts.

The proposed changes could result in nearly 430 more parking facilities that allow rental cars throughout the Manhattan Core, allowing rental car companies to better meet the demands of non-car owning Manhattan households, while reducing congestion and emissions resulting from extreme peak-hour demand as cars wait to be picked up and returned. There is no expected change to the square footages of other uses as a result of this action.

Commercial Vehicle Parking in Public Parking Facilities

Under current zoning, commercial vehicles are permitted to occupy up to 10 percent of parking spaces in off-street parking facilities in limited zoning districts within the Manhattan Core. The proposed action would expand the zoning districts that permit commercial vehicle parking, and would increase their permitted capacity to 50 percent. As a result of the proposed increase in commercial vehicle capacity and expanded geography, the proposed action may result 25,000 parking spaces available to commercial vehicles overnight, enabling more commercial vehicles to park within the Manhattan Core each night. Although full utilization of these spaces is extremely unlikely given numerous factors, including the allocation of many of these spaces to other vehicles, and facility layouts, locations and costs not amenable to commercial vehicles, the net effect would be to reduce congestion and provide convenient parking for businesses.

Loading Dock Requirements

Under existing conditions, loading docks, measured at 12' wide x 33' deep, are required for all development in the Manhattan Core with more than a certain amount of commercial or retail square footage. This requirement may be waived by the Commissioner of Buildings; however, the guidelines for allowing such a waiver are unclear within the zoning resolution. In the future with the proposed action, the guidelines under which a loading dock requirement may be waived would be made more clear, and the depth of required loading docks would be increased to 37' in order to better accommodate modern truck lengths, and prevent spillover onto the sidewalk. Furthermore, garbage and recycling dumpsters would be required for all developments with a certain amount of commercial square footage, but their area up to 300 square feet would be exempt from floor area calculations.

There is no expected change in the number of loading berths developed in the future with the action over the future without the proposed action. Based on previous trends, 106 loading berths are expected to be required as a result of retail, office, hotel or court house development in the future with and without the proposed action. In the future with the proposed action, these loading berths are expected to occupy a combined total of approximately 47,000 square feet – an incremental increase of

5,000 square feet over the future without the proposed action, resulting from the additional 4' depth requirement.

Additionally, approximately 160 developments are expected in the future with the proposed action, as in the future without the proposed action, that would be large enough to trigger a requirement for providing a garbage or recycling dumpster. These 160 developments would each have 300 square feet exempt from floor area calculations for garbage dumpsters, amounting to a combined total 48,000 square feet.

The loading berth and dumpster regulations under the proposed action would result in an incremental increase of 53,000 square feet exempted over the future without the proposed action. This square footage would be distributed across larger developments throughout the Manhattan Core, with no single project resulting in more than 1,000 square feet of additional square footage allocated towards dumpsters and loading berths. Furthermore, because the square footage allocated towards these uses will be exempt from floor area calculations in the future with the proposed action, no incremental difference in the square footage of other uses as a result of this action would be expected.

Publicly-Assisted Housing

In the future with the proposed action, the existing zoning text containing obsolete references to inactive categories of public-assisted housing will be clarified, facilitating a better understanding of parking allowances by developers of other types of affordable housing. There is no expected change in the number, type, or location of affordable housing developed in the Manhattan Core.

Special Districts

In the future with the proposed action, most changes to the Special Districts involve updating cross-references or other language and either have no appreciable effect, or have the same effects as described above generally for the Manhattan Core. The following Special Districts would have substantive zoning text changes as part of the proposed action: Special Midtown, Lincoln Square, Lower Manhattan, Clinton, and Little Italy Districts.

The effects of the proposed action on the Special Midtown and Lower Manhattan Districts are described above under the heading "Loading Dock Requirements," and are assessed in Attachment C, "Impact Analysis of Proposed Action." The Special Lincoln Square, Clinton and Little Italy Districts would be uniquely affected by the proposed Special Permit regulations in the future with the proposed action.

The effects of the proposed action on these special districts are analyzed in further detail as part of this environmental review in Attachment D, "Conceptual Analysis".

ANALYSIS BASIS FOR THE PROPOSED ACTION

As noted above, this environmental review will consider any potential impacts resulting from the cumulative changes in the Manhattan Core as a result of the proposed action, as well as those associated with the proposed Special Permits and Authorization. The analysis basis for the assessment found in Attachment C, "Impact Analysis of Proposed Action," is described below.

A prototypical development has been defined based on the above discussion and based on actual development to quantify the effects of the proposed action on a site-specific development built

according to a reasonable worst-case scenario. This prototypical reasonable worst case development is sited on a 50,000 square foot lot in Manhattan Community District 7 or 8 in order to assess parking development with the highest as-of-right ratios in the Manhattan Core, allowing parking for 35 percent of dwelling units. This lot is considerably larger than the 16,000 square foot average lot size for new developments in Manhattan Community Districts 7 or 8, and would thus produce significantly larger increments than would be expected with most developments in this area.

Conservatively, a single development on a 50,000 square foot lot with in Manhattan Community District 7 or 8 may include 100,000 square feet of retail space, 100,000 square feet of other commercial space, and 380 dwelling units.

In the future with the proposed action, this prototypical development would result in: 3 loading berths occupying 444 square feet of exempted floor area and 300 square feet of exempted dumpster floor area, 10 retail parking spaces, 25 commercial parking spaces and 133 parking spaces, and 0 reservoir spaces. The parking spaces would reside within an automated parking facility footprint of 20,160 square feet (based on 168 parking spaces occupying only 60 percent of the footprint of a traditional facility) that operates as open to the public, and which may allocate up to 50 percent of its parking spaces towards commercial vehicles wishing to park in the Manhattan Core overnight, including up to 40 percent towards rental and car share vehicles and available for public use.

In the future without the proposed action, this development would result in 3 loading berths occupying 396 square feet of exempted floor area, no designated area for a dumpster, 25 retail parking spaces, 25 commercial parking spaces, 133 residential parking spaces, and 10 reservoir spaces within a traditional off-street parking facility of 38,600 square feet. The facility would likely obtain a DCA license and operate as open to the public. The facility might be built at-grade, with no wrapping of the use on the ground floor. Ten percent of the 183 parking spaces may be filled by commercial or rental vehicles and available for public use per the use of a DCA license.

The incremental differences in development at this site under the with-action scenario versus the no action scenario are:

- 5,400 square feet of additional ground floor retail and residential lobby space as a result of the wrapping requirement, occupying some portion of the reduced footprint afforded by the automated parking facility space needs.
- 13,040 square feet of additional ground floor residential commercial square footage as a result of the reduced footprint of the automated facility that is not already reallocated towards the wrapping requirement.
- 15 fewer parking spaces associated with the retail development and 10 fewer reservoir spaces.
- 348 additional square feet of exempted floor area associated with the loading berth and dumpster requirements.

SPECIAL PERMITS AND AUTHORIZATIONS

The proposed action includes the creation of five new Manhattan Core Special Permits. Four would replace the existing Special Permits in Section 13-561 (Accessory off-street parking spaces), 13-562 (Public parking garages and public parking lots) and 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas) of the Zoning Resolution for: 1) parking above as-of-right ratios for residential growth, 2) parking associated with the development of healthcare, arts, or public assembly uses, 3) parking associated with economic development uses, and, 4) parking associated with the development

of large sites (greater than 1.5 acres). The fifth new Special Permit is proposed under Section 13-45, for a Limited Increase of Parking Spaces in Existing Buildings or Parking Facilities. The proposed action also includes the creation of an authorization to reduce the number of required parking spaces for developments built prior to the 1982 regulations.

The proposed action will modify the Special Permit findings by adding a methodology that enables the applicants to demonstrate the need for the requested parking spaces. The proposed action would also add findings related to neighborhood character, and in certain cases would require an applicant to demonstrate that the proposed plan includes alternate transportation options in order to reduce automobile and parking demand on-site.

It is not possible to predict whether the special permits or authorization would be pursued on any given site in the future, and each action will be subject to its own discretionary approvals at the time an application is made to the CPC. The potential effects of these actions are analyzed on a conceptual basis to consider the potential range of effects in Attachment D, "Conceptual Analysis".

Since 2000, a total 91 applicants filed for public or additional accessory parking permits. Of these 91 applicants, 73 were approved. Of these 73 approved applications, 54 were for Special Permit 74-52, and 19 were for Special Permit 13-56. Of these 73, 16 approved would have likely qualified as special generators or economic development criteria of proposed Section 13-462 or 13-463. These include special generator or economic development applicants themselves, and projects in close proximity to these uses that might provide parking for these nearby uses. This data indicates that the special generator permit would be applied for relatively infrequently in the future. While it is impossible to predict specific opportunities for development that would result in the application of a proposed Special Permit, they are not expected to induce or deter development over the future without the proposed action. The conceptual analysis found in Attachment D will examine the potential for significant adverse impacts based on development prototypes defined for those instances where the Special Permits may be sought, and the analysis will demonstrate how the proposed findings might affect the application and approval for the development.

Previously Filed or Approved Special Permits or Authorizations

If, before [DATE OF ADOPTION], an application for an authorization or special permit relating to parking regulations in the Manhattan Core has been certified or referred by the City Planning Commission or has been filed with the Board of Standards and Appeals, such application may continue pursuant to the regulations in effect at the time such authorization or special permit was certified or referred by the Commission or filed with the Board. Such authorizations or special permits, once granted by the Commission or Board, may be started or continued, in accordance with the terms thereof, or as such terms may be subsequently modified, pursuant to the regulations in effect at the time such authorization or special permits were certified or referred by the Commission or filed with the Board.

II. FUTURE NO-ACTION

Under the no-action scenario, the built environment and provision of off-street parking with new development is expected to remain similar to conditions today. As the proposal does not seek to alter the underlying zoning or increase or decrease development potential for any property, no individual development sites have been identified for analysis in the Future No Action.

Public and Accessory Parking

In the future without the proposed action, the practice of obtaining DCA licenses for accessory residential and nonresidential parking facilities is expected to continue. While some residential developments will provide accessory parking for the exclusive use of building residents, in most cases it can be expected that parking spaces will also be made available to residents in the neighborhood, not just to the building to which they are accessory, and that spaces within the facilities will also be made available for public hourly use.

A small number of Special Permits for public parking facilities under Section 74-52 would be obtained each year for new residential buildings in the future without the action. In the previous decade, 29 such applications were filed. A similar number might be expected in the foreseeable future.

A small number of Special Permits for public parking facilities under Section 74-52 would be obtained each year for public parking garages in new buildings with commercial or mixed commercial and residential uses in the future without the action. In the previous decade, 20 such applications were filed. A similar number might be expected in the foreseeable future.

An additional small number of Special Permits under Section 13-561 would be obtained each year for accessory parking garages in new residential buildings exceeding their as-of-right parking ratios in the future without the action. In the previous decade, 45 such applications were filed for the Special Permit under 13-561 which didn't also apply for the public parking Special Permit under Section 74-52, analyzed above.

The three Authorizations related to off-street parking and loading in the Manhattan Core, Section 13-551, Accessory Off-Street Parking, Section 13-552, Public Parking Lots, and Section 13-553, Curb Cuts, would continue to be sought in the future without the proposed action. Ten applications were filed and approved in the previous decade under Section 13-551; two were filed and approved under Section 13-552; and four were filed and approved under Section 13-553. A similar number might be expected in the foreseeable future.

In the future without the proposed action, the overall supply of off-street parking is expected to continue the slow decline observed over the previous three decades, measured since 1980. Since off-street parking is permitted but not required throughout the Manhattan Core, most developers opt not to provide parking; as previously discussed, only about 20 percent of all new buildings provided parking during the previous decade, a trend that is expected to continue in the future without the proposed action. The number of spaces provided in these buildings is expected to be offset by parking lots and free-standing garages that would continue to provide development opportunities for new buildings, and only a fraction of the existing parking supply on these lots is expected to be replaced as of right or by Special Permit with off-street parking included in the new development.

Reservoir Spaces

In the future without the proposed action, small public parking facilities would continue to require a number of reservoir spaces above what is necessary. These required reservoir spaces would continue to consume square footage that could otherwise be allocated for other uses. Accessory off-street parking (even if effectively functioning as public parking) and rental car parking will not be required to provide any reservoir spaces, resulting in blocked sidewalks and street congestion due to queuing of vehicles.

As previously discussed under existing conditions (see Attachment A, "Project Description"), 4 DCA licensed facilities between 10 and 25 spaces, 16 DCA licensed facilities between 25 and 50 spaces, and 72 DCA licensed facilities over 50 spaces were built in the previous decade. These facilities in total required 910 reservoir spaces, amounting to a rough total 140,000 square feet total of dedicated reservoir space throughout the Manhattan Core. Facilities with capacities of 50 or fewer required a total 157 reservoir spaces, amounting to a rough total of 24,000 square feet. In the future without the proposed action a similar number of square feet would be expected to be allocated towards required reservoir space.

Floor Area Exemption

In the future without the proposed action, many developers will still often opt to not provide any parking, in order to better allocate square footage for more economically desirable uses, because the cost of providing parking is prohibitive, or because the site is too small or irregularly shaped. However, approximately half the time, developers on lots greater than 5,000 square feet will build parking along with the development. Based on existing trends over the previous decade, it would be expected that in the future without the proposed action approximately 2 percent of all new developments, (and 9 percent of new developments that provide parking), would be built to take advantage of the existing floor area exemption for parking facilities up to the second story, or 23 feet, whichever is less. The majority of developments that do provide parking would continue to build it below grade, or wrapped at-grade with other uses. However, the occasions where developers do build parking at-grade with no wrapping will continue to have a potential negative effect on the neighborhood character, with the blank wall of at- or above-grade parking facades disrupting the commercial or residential continuity.

As of Right Retail Cap

In the future without the proposed action, most retail developments will continue to be built without parking, or will provide ten or fewer spaces. Based on existing trends, one quarter of the few developments with more than 40,000 square feet of retail uses will continue to provide more than 10 parking spaces, based on the permitted ratio of 1 per 4000 square feet of floor area. In the future without the proposed action, a total of 3 developments with more than 40,000 square feet of retail use are expected to provide parking associated with the retail use, generating approximately 96 parking spaces. These spaces may have the undesirable effect of encouraging shoppers to drive to a retail destination in peak weekday periods, exacerbating congestion.

Floor Space

In the future without the action, some developers choosing to provide parking will be unable build the maximum amount permitted due to lot constraints that require lengthy ramps to bring cars below-grade. These ramps, counting towards the overall square footage permitted for parking facilities,

reduce the square footage available for actual parking spaces and result in parking facilities with less parking than permitted through as-of-right ratios. Alternatively, to reduce the square footage allotted to ramps rather than parking spaces, some parking facilities may be built close to the street level with little ramp space. Parking built close to or at street level interrupts the street wall and reduces opportunities for more active uses along the sidewalk. In other cases, parking facilities will be built with high ceilings to accommodate spaces located on mechanical lifts, to achieve compliance with floor space limitations.

Automated Parking

In the future without the action, automated parking facilities will continue to be developed. The current reservoir space requirements will be excessive in some cases for automated parking facilities, which are able to process incoming cars more quickly than attended facilities. The Department of Buildings will not have clear guidance on determining the capacity of an automated parking facility.

Design Requirements

In the future without the proposed action, curb cuts permitted in the Manhattan Core will continue to be built lacking minimum widths providing safe maneuverability and automobile-pedestrian interactions. Curb cuts permitted in R9 and R10 districts in the Manhattan Core will continue to be built with no maximum width imposed, facilitating curb cuts with widths beyond what is necessary for safe maneuverability and which unnecessarily disrupt the sidewalk and street wall. There will be no requirement for spacing between off-street parking facilities. Safety measures within parking facilities will be voluntary and may not be provided in all cases.

Storage of Rental Cars

In the future without the proposed action, car rental establishments will continue to be limited to 100 spaces in C2, C4 and C6 districts. To meet customer demand for weekend rentals, car rental companies will continue to need to shuttle large numbers of cars from locations outside the Manhattan Core on Thursday evening and Friday morning, and from Manhattan Core facilities to the peripheral locations on Sunday evening. Because they will continue to lack the space to store returned cars until off-peak hours, operators will continue to move cars to satellite storage facilities immediately upon return, often during times coinciding with the city's peak hours of congestion. Spillover of returned cars onto streets and sidewalks at the end of weekends will continue.

Commercial Vehicle Parking in Public Parking Facilities

In the future without the proposed action, some commercial vehicles and public utility vehicles conducting business in the Manhattan Core during daytime hours will continue to return to the other boroughs or elsewhere to park overnight, returning the next day for business. Particularly in nonresidential areas, available off-street parking will remain unused by commercial vehicles for overnight parking, even where the demand for such parking exists.

Loading Dock Requirements

In the future without the proposed action, loading berths will continue to be developed where required for commercial uses throughout the Manhattan Core. However, the minimum required depth of loading berths will continue to remain too shallow for the longer delivery trucks, which will be parked partially

on the sidewalk when pulled in to the loading dock. In addition, the Department of Buildings will lack clear guidelines for waiving required loading berths where providing such berths, or their associated curb cuts, would be impractical.

Publicly-Assisted Housing

In the future without the proposed action, the existing zoning text containing obsolete references to inactive categories of public-assisted housing will remain. This text will have no effect on future development, but will continue to confuse developers of other types of affordable housing who may be uncertain as to whether these requirements apply.

Special Districts

In the future without the proposed action, no change is anticipated in any of the Special Districts.

III. FUTURE WITH-ACTION

Public and Accessory Parking

Under the proposed action, all new accessory parking may be for public use, and all existing accessory parking facilities that hold a DCA license as of January 1, 2012 may file their DCA license with the Department of Buildings to indicate that public use is permitted. Under the Future with the Action, zoning would be consistent with existing conditions and, where desired by building owners off-street parking would be used as a shared community resource, serving not only the residents of the building to which it is accessory, but to residents of buildings in the neighborhood, as well as being available to the public on an hourly basis. Some buildings would continue to make accessory off-street parking available exclusively to building residents, employees, or other restricted groups.

In the future with the proposed action, operating conditions in accessory parking facilities will remain unchanged. The traffic patterns associated with accessory parking facilities that operate as open to the public in the future with the proposed action are expected to be the same to those of existing accessory facilities that operate as open to the public, and those that would be developed in the future without the action. Most developments would be expected to continue to be built without any parking, and those developments that do provide parking would continue to be limited to the existing parking caps of 20 and 35 percent of dwelling units in residential buildings, and one space per 4000 square feet in most nonresidential buildings. Therefore, no change in the type, location or quantity of accessory parking developed, or traffic associated with such development, is expected.

As previously discussed in Attachment A, "Project Description," public parking facilities, and accessory facilities that operate as open to the public, serve a large number of Manhattan residents and fill neighborhood needs for residential parking. In contrast with 1982, when most public parking was utilized by commuters and other business parkers, a large portion of spaces in public parking facilities were found to be utilized by Manhattan residents on a monthly basis. In facilities located in residential and mixed-use buildings, over 60 percent of spaces were occupied by residential monthly parkers. To a much greater extent than in 1982, the supply of public parking is serving neighborhood needs for long-term residential parking.

The findings of these utilization surveys both illustrate the demand for off-street parking by Manhattan residents, and illustrate the relative reduced demand for off-street parking among commuters into the Manhattan Core. This change has occurred alongside a reduction in the supply of off-street parking as a result of development over these lots and garages, and improvements in transit that have shifted commuters out of cars and into public transportation alternatives. This downward trend in the share of auto commuters into the Manhattan Core is expected to continue in both the future with and without the action. Therefore, the proposed action, which would recognize the current utilization of off-street parking facilities as open to the public, is not expected to affect transportation decisions among commuters into the Manhattan Core, nor alter the mix of vehicles parking off-street in these facilities.

Reservoir Spaces

In the future with the proposed action, reservoir space requirements would apply to attended accessory parking facilities and car rental establishments, which currently do not have reservoir space requirements. In addition, special permit applicants would be required to provide reservoir spaces. In contrast to the existing requirements for special permits under Section 74-52, these requirements

would be less for small public parking facilities, compared with current requirements, reflecting actual need for reservoir spaces.

In the future with the proposed action, Manhattan Core parking facilities with up to 25 spaces would not be required to provide any reservoir space. Facilities with between 26 and 50 spaces would provide reservoir spaces for at a rate of 5 percent of facility capacity; between 51 and 200 spaces at 10 percent, capped at 10 spaces; and facilities with over 200 spaces would provide reservoir spaces at a rate of 5 percent of facility capacity, up to 50 reservoir spaces. In self-park facilities, where a ticket dispensing machine is used at the entrance or exit, the ticket machine must be placed at least 20 feet from the street line, in order to prevent queuing of cars onto the street.

Under the proposed zoning, all off-street parking facilities would have required reservoir spaces, but the number of spaces would vary more in keeping with the size of the facility. This will ensure the adequate queuing control, while avoiding any excessive reservoir space requirements.

The effect of this change would be to rationalize the existing reservoir space requirement, while ensuring that all new off-street parking facilities in the Manhattan Core have sufficient space to queue arriving cars. The proposal would lift the burden placed on the smallest facilities and reduce the burden on medium sized facilities, while requiring attended accessory parking facilities and car rental facilities to provide adequate reservoir space.

In the future with the action, a facility with 70 accessory residential spaces that is operating as open to the public, with a parking attendant, would be required to provide reservoir spaces equal to 10 percent of facility capacity, or 7 spaces. In the future without the action, this facility would be required to provide no reservoir spaces. Were this facility a public parking garage, it would be required to provide ten spaces in the future without the action. The reduction in reservoir space requirements in the latter case reduces the reservoir space area footprint by about 460 square feet, which the developer may allocate towards other uses.

As previously discussed under existing conditions (see Attachment A, "Project Description"), 92 developments with DCA licensed facilities generated 910 reservoir parking spaces, amounting to an approximate total of 140,000 square feet, assuming 153 square feet per reservoir space. In the future with and without the proposed action, facilities with similar capacities are expected to be built at a similar rate. However, their reservoir space requirements will differ in the future with the proposed action. The expected 92 facilities developed in the future with the proposed action would instead generate 714 reservoir spaces, amounting to a total 109,200 square feet of reservoir space – an incremental decrease in 30,800 square feet of reservoir space under the with action as opposed to the no action. While it is impossible to calculate how this additional square footage will be allocated, a reasonable worst-case assumption may be that the space is allocated towards additional commercial square footage.

This square footage would be dispersed throughout the Manhattan Core.

Floor Area Exemption

In the future with the proposed action, it is expected that most developers will still often opt not to provide any parking. However, approximately 50 percent of the time on lots greater than 5,000 square feet (which represent just over half of all lots developed in the Manhattan Core in the previous decade), developers will build parking along with the development. In the future with the proposed action,

above-grade parking will continue to be exempt from floor area to the height of the second story, or 23 feet, whichever is less. However, under the future with the proposed action, this exempt floor area will be required to be wrapped by commercial or residential uses, ensuring that the ground floor streetscape remains active from the perspective on the sidewalk.

The proposed action is not expected to affect the amount, type, or location of development, as most new developments that provide parking provide it below grade, or wrapped with other uses, given the value of ground floor space in the Manhattan Core.

Based on field surveys, only 2 percent of the 660 new developments in the past ten years built parking with floor area that would no longer be exempt up to 23 feet without wrapping under the proposal. These developments provided parking at or above grade up to 23 feet in height with no wrapping of other uses, and represent only 9 percent of all developments that provided any parking. Given this pattern, only a very small amount of development is expected to be affected in the future with the proposed action.

Approximately 71,300 total square feet is expected to be developed throughout the Manhattan Core as ground-floor commercial or residential uses in the future with the proposed action that would have otherwise been developed as at-grade parking. This square footage, developed as a result of the wrapping requirement, is measured very conservatively by calculating a change in 5,400 square feet per development (30' of depth by an entire blockfront of 200', less the 600 square feet associated with the curb cut and entry) affected by the proposal. This square footage would not otherwise be developed as non-parking uses in the future without the proposed action. As a result, the proposal is expected to result in a reorganization of where parking is provided, with some increase in below-grade parking to offset the loss in above-grade spaces. In about half the cases, however, the reduction in required reservoir space will yield the square footage that is reallocated towards uses meeting the wrapping requirement.

Removal of the floor area exemption for above-grade parking up to a height of 23' would eliminate the incentive for above-grade parking and encourage other more active uses on the ground floor. The proposal would require the building to wrap above-grade parking with another use in order to encourage a more desirable streetscape. Those few developments that would be required to wrap in the future with the proposed action but which might not wrap in the future without the proposed action would contribute to an improved neighborhood character, with active uses fronting the sidewalk and a more pleasing streetwall for pedestrians. The effects of this wrapping requirement would be distributed throughout the Manhattan Core.

As of Right Retail Cap

In the future with the proposed action, most commercial developments in the Manhattan Core would continue to be built with no off-street parking facility. Retail projects would not be permitted to supply more than 10 parking spaces for developments greater than 40,000 square feet. Only three developments of the 12 developments built in the past ten years with more than 40,000 square feet of retail development provided public parking not limited to residents only without acquiring a Special Permit. It is expected that similar development patterns will continue in the future with or without the action. In the future with the proposed action, it is expected that a very small number, of mixed use developments with retail square footage exceeding 40,000 square feet will be developed and not permitted to provide more than 10 parking spaces for their retail uses as of right. However, other commercial square footage within the development will not be capped at 10 parking spaces.

Developments with other parking-generating uses will be permitted to operate those spaces publicly, ensuring that shoppers seeking to park while they shop will have a supply of spaces, particularly on weekends when commuters and business visitors are not present and residents vacate monthly spaces.

In the future with the proposed action, a small increment of parking will not be built accessory or by Special Permit with large retail developments. Only three developments in the previous decade were built with more than 40,000 square feet of residential use and with more than 10 parking spaces. Given the average retail square footage of these three developments, approximately 96 parking spaces were developed as accessory to the retail floor area – 66 more than would be allowed in the future with the proposed action, where parking associated with retail would be limited to 10 spaces per development. In most cases of large retail development, there is significant residential, commercial, and/or community facility square footage that generates parking and which may operate as public. As a result of the proposed action, 66 parking spaces would not be built accessory to new retail square footage in the future with the proposed action. This corresponds to an incremental difference of 13,200 square feet, which would be developed as parking in the future without the proposed action but would be allocated towards other uses in the future with the proposed action.

The effect of providing a modest limit on parking generated by retail square footage would be to hinder the development of auto-oriented shopping destinations, which are generally inappropriate for the Manhattan Core's built environment. As demonstrated, the proposal would be expected to result in a net decrease of 66 spaces associated with retail development throughout the Manhattan Core in the future with the proposed action over the future without the proposed action.

Floor Space Exemption

In the future with the proposed action, it is expected that most parking facilities would be built with similar dimensions to those built today. When parking is provided as part of a development, the permitted maximum number of spaces is often included. In some cases, developers choose not to provide the full number of spaces due to natural constraints in lot size or the desire to avoid digging an additional level underground. In a small number of cases, developers are unable to provide the full number of spaces permitted by as-of-right ratios because the current calculation to determine facility capacity biases against certain necessary layouts. Under the proposed action, developers of accessory parking will no longer have to factor ramp space into their square footage calculation for how many parking spaces can fit within the footprint of the parking facility. By exempting square footage allotted for parking facility ramps, the small subset of developers who were unable to fit their permitted parking given the 200-square-foot-per-parking space calculation will be able to do so. Additionally, the newly required reservoir spaces will not be factored into the 200-square-foot-per-space calculation. The proposed action is a modest fix to an unanticipated outcome of the ratio calculations created with the 1982 zoning.

The effect of these changes will be a more efficient and rational calculation of square footage for parking facilities. Facilities with long ramps leading to underground parking, a desirable arrangement that allows for other uses on the ground floor, will no longer be penalized in terms of parking capacity by providing such ramps. Facilities will no longer be required to include mechanical lifts to achieve the permitted capacity, reducing ceiling heights in the garage.

As a result of the proposed action, a very small number of developments may be able to achieve their permitted number of as of right parking spaces, in contrast with the number that could be achieved in the future without the action, since future facilities will be less constrained by the square footage per

space calculation that is currently used. It is impossible to determine the exact location or quantity of the changes, but previous development trends indicate the numbers would be low and dispersed throughout the Manhattan Core.

Automated Parking

In the future with the proposed action, some number of additional automated parking facilities would be expected to be built, in addition to the two that exist currently. Parking ratios and permitted maximums would not be changed for automated parking facilities, but layout and square footage requirements will be modified under the proposal. Automated parking facilities operate differently and in smaller spaces than traditional garages, so, while the overall number of parking spaces expected to be developed in the future with the proposed action is not expected to change, the footprint of the facilities in which the spaces are provided is expected to be reduced. Mechanical parking requires a high initial investment and the proposed action is not expected to result in a significant change in development trends, but the opportunity to build an automated facility instead of a traditional facility (which will continue to be permitted in the future with the proposed action) is an attractive development possibility because it takes up much less space than attended parking for the same number of cars, it requires no on-site staff, damage to parked vehicles is eliminated because each vehicle rests on an individual pallet, and there is no need to ventilate the parking facility.

Permitting full enclosure and eliminating mechanical ventilation systems would allow for more attractive streetscapes and street walls.

By permitting reduced reservoir spaces and an additional 17' in height exemption from the definition of floor area over traditional facilities, the proposed action would likely result in a small additional number of new facilities to be developed as automated facilities instead of traditional facilities, in comparison with the future without the action. Automated facilities occupy smaller footprints and might be expected to be developed on lots that are smaller than is typically seen with traditional parking facilities. However, the financial investment and square footage needs remain substantial, and the lot size threshold for automated parking development is expected to remain consistent with the 5,000 square foot lot size threshold assumed under existing conditions.

Design Requirements

In the future with the proposed action, all of the existing curb cut location and width requirements will remain, and an additional requirement will be made for curb cuts in R9 and R10 districts. The proposal will extend the curb cut requirements in R6, R7 and R8 districts to include R9 and R10 districts. This will have a minimal effect on development, but will ensure that oversized curbs are not cut into residential districts in the Manhattan Core. This will result in an enhanced streetscape with improved pedestrian safety.

The changes will improve maneuverability and safety for cars and pedestrians, and no incremental increase in the overall location or quantity of parking or other uses is expected in the future with the proposed action.

Storage of Rental Cars

In the future with the proposed action, the regulatory distinction between car share and car rental vehicles will be minimized in public parking lots and garages. This recognizes that increasingly, the same vehicles may be used by car rental company customers for both short- and long-duration rentals, depending on the day of the week and the season. Overall size and location of off-street parking facilities is not expected to be affected, but the allocation of vehicles parked within the facilities is expected to better meet the needs of local residents.

As previously discussed, under existing conditions (see Attachment A) and above in the future without the proposed action, standalone automobile rental establishments may store no more than 100 rental cars in C2, C4 and C6 districts in the Manhattan Core. No limits apply in C8 and M districts. There are approximately 80 free standing garages in these districts under existing conditions. Additionally, rental cars may be parked in no more than 10 percent of spaces in a public parking facility in most C5 and C6 zoning districts in the Manhattan Core and M1-6 districts that are available to small commercial vehicles. These are typically facilities in the Core's Central Business areas.

In the future with the proposed action, the current 100 space limit on vehicles in standalone rental car establishments would instead limit vehicles in standalone rental car establishments to 150 spaces in C2 districts, 225 spaces in C4, C6 and C8 districts, and 300 spaces in all M districts.

Incrementally, as a result of the proposed action, within standalone rental car facilities, 50 more vehicle rental cars would be allowed in C2 districts; 125 more would be allowed in C4 and C6 districts; and C8 and M districts would be limited to 225 in C8 and M districts.

In the future with the proposed action, in all Manhattan Core public parking lots and public parking garages, not just those within central business areas, rental car and car share vehicles would be permitted to occupy up to 40 percent of their spaces. Under existing conditions, only car share vehicles may occupy up to 40 percent of their spaces. These allowances are expected to be used at peak times, particularly overnight on Thursday and Sunday, to serve weekend car renter demand.

This relief from the 100 space cap and allowance of up to 40 percent of spaces in other parking facilities will enable facilities that experience high weekend demand for rental cars to store more cars during the week and to cope with high volumes of car returns after the weekend by having adequate space to store the cars off of the street. Both car rental and car sharing options are viewed as lower-impact alternatives to car ownership, encouraging households that use cars only occasionally to utilize options close to home without relying on personal vehicle ownership.

By permitting more storage at individual rental car locations, the effect of this change would be to reduce congestion during peak periods during which rental cars are shuttled to the Manhattan Core from remote locations, and to result in fewer on-street impacts experienced on Sunday nights when cars are returned. Since it would then be possible to store more vehicles, vehicles could be moved to their weekday satellite locations at off-hours, also reducing congestion during peak hours.

Increasing the permitted occupancy from 10 to 40 percent of capacity and allowing rental cars to be stored across a broader geography, will allow rental car companies to better meet the demands of non-car owning Manhattan households, while reducing congestion and emissions resulting from extreme peak-hour demand as cars wait to be picked up and returned. There is no expected change to the square footages of other uses as a result of this action.

Commercial Vehicle Parking in Public Parking Facilities

In the future with the proposed action, the percentage of small commercial vehicle parking allowed in public parking garages will be increased to 50 percent in C5, C6, C8 and all M districts. This would not apply to accessory parking facilities that operate as open to the public. The current regulations allow only 10 percent of spaces in public parking facilities in certain C5, as well as C6 and M1-6 districts to be occupied by commercial vehicles. In the future with the proposed action, approximately 64 additional existing public parking facilities will be permitted to accommodate commercial vehicles overnight in C8 and all M zones not including M1-6. These are found primarily in C8-4, M1-5 and M1-5B districts located in Soho and Midtown South. These 64 facilities have a total capacity of 10,773 spaces which, along with the existing 380 facilities with a total capacity of 50,503 spaces currently located in C5, C6, and M1-6 districts, and any facilities created in these districts in the future, would be permitted to allocate up to 50 percent of their spaces to small commercial vehicles, including car share and car rental vehicles as discussed above. This increase would encourage fleets or commercial vans to not drive back out of Manhattan with an empty vehicle in order to park, saving time, money, and reducing congestion and vehicle emissions.

As a result of the proposed increase in commercial vehicle capacity and expanded geography, the proposed action may result in a reduction of over 25,000 commercial vehicles leaving the city every evening for parking, assuming full utilization of the commercial vehicle allowance under the no action and with action scenarios. Full utilization is extremely unlikely given numerous factors, including the allocation of many of these spaces to other vehicles. Nevertheless, regardless of the ultimate increase in utilization by commercial vehicles, the effect of the change would be to reduce congestion and provide convenient parking for businesses, with no overall increase in the location or type of parking provided.

Loading Dock Requirements

In the future with the proposed action, minimum loading berth sizes will be increased from 12' x 33' to 12' x 37' where berths are required for commercial uses within a mixed-use or commercial building. This is expected to address the issue of trucks blocking the sidewalks in front of loading areas. The Commissioner of Buildings could permit sites with below-grade or infrastructure constraints that require that the ground floor be configured in a manner that precludes the extended loading dock to waive the additional 4' depth requirement. The proposed text would also clarify that the Buildings Commissioner could waive loading where a building either fronts only a street where curb cuts are prohibited, has a second frontage only on a street too narrow for loading, or has a second frontage entirely occupied by an existing building that will remain.

In the future with the proposed action, the additional floor space occupied by the extended loading docks, as well as any floor space used for dumpsters up to 25' x 12' or 300 square feet, would be excluded from floor area calculations. Dumpsters would be required for any development with at least 100,000 square feet of floor area.

Also in the future with the proposed action, there would be no provision that aggregates floor area for two commercial uses that, individually, waive out of loading berth requirements. As a result, in the future with the proposed action, loading berth requirements would be better suited to need for loading.

The effect of the change would be to reduce sidewalk congestion where new loading docks are provided. By recognizing special situations where loading docks can't be provided, the effect is to clarify

the authority of DOB to waive loading dock requirements. There would be no expected increase in the location or quantity of parking or truck loading space as a result of the action. In the future with the proposed action, every required loading berth would occupy an additional 48 square feet of space (4' x 12'), and an additional 300 square feet per building (25' x 12') would be occupied by a dumpster.

Publicly-Assisted Housing

In the future with the proposed action, the existing zoning text containing obsolete references to inactive categories of public-assisted housing will be clarified, facilitating a better understanding of parking allowances by developers of other types of affordable housing. There is no expected change in the number, type, or location of affordable housing developed in the Manhattan Core.

Special Districts

In the future with the proposed action, most changes to the Special Districts involve updating cross-references or other language and either have no substantive effect, or have the same effects as described above generally for the Manhattan Core. The Special Districts below have substantive changes that are specific to the respective Special District:

Special Midtown District

The conditions under which the Department of Buildings may waive the requirement for off-street loading berths will be clarified. The effects of this change are described above under the heading "Loading Dock Requirements".

Special Lincoln Square District

In the Special Lincoln Square District, no accessory off-street parking is permitted as-of-right, as in the future without the action, but the provision of accessory parking by Special Permit will be pursuant to the proposed new Section 13-46 provisions. Unlike the underlying Manhattan Core provisions applicable to the remainder of Community District 7, even small facilities providing not more than the amounts of accessory off-street parking permitted pursuant to proposed Section 13-10 (Permitted Off-Street Parking in the Manhattan Core) will be subject to special permit review. A conceptual analysis illustrating the impacts of development by Special Permit under Section 13-46 in the Special Lincoln Square District is detailed in Attachment D, "Conceptual Analysis".

Special Lower Manhattan District

The conditions under which the Department of Buildings may waive the requirement for off-street loading berths will be clarified. The effects of this change are described above under the heading "Loading Dock Requirements".

Special Clinton District

In the Preservation Area of the Special Clinton District, no accessory off-street parking is permitted as-of-right, as in the future without the action, but the provision of accessory parking by Special Permit will be pursuant to the proposed new Section 13-46 provisions supplemented by the additional findings of Section 96-111. Unlike the underlying Manhattan Core provisions applicable to the remainder of Community District 4, not within the Hudson Yards Parking Regulations Applicability Area, even small

facilities providing not more than the amounts of accessory off-street parking permitted pursuant to proposed Section 13-10 (Permitted Off-Street Parking in the Manhattan Core) will be subject to special permit review. A conceptual analysis illustrating the impacts of development by Special Permit under Section 13-46 and Section 96-111 in the Special Clinton District is detailed in Attachment D, "Conceptual Analysis."

Special Little Italy District

In Area A, no accessory off-street parking is permitted as-of-right, as in the future without the action, but the provision of accessory parking by Special Permit will be pursuant to the proposed new Section 13-46 provisions. There have been no Special Permit applications for accessory parking since 1977, and so there is not expected to be a significant number of new applications under Section 13-46 in the future with the proposed action.

In Area B, accessory parking beyond the as-of-right ratios of Section 13-10 will be permitted by the proposed Section 13-46 Special Permits. The effects are expected to be the same as those described in the Conceptual Analyses included in Attachment D.

ATTACHMENT C – Impact Analysis of Proposed Action

Manhattan Core Parking Text Amendment Environmental Assessment Statement CEQR No. 13DCP041M

A full description of the proposed action and the analysis framework for this EAS are provided in Attachment A, “Project Description” and Attachment B, “Framework for Analysis,” respectively.

In summary, a reasonable worst-case prototypical development under the proposed action would sit on a 50,000 square foot lot in Manhattan Community District 7 or 8 with a total of 8100,000 square feet of retail space, 100,000 square feet of other commercial space, and 380 dwelling units. The development’s parking related components would include 3 loading berths occupying 444 square feet of exempted floor area and 300 square feet of exempted dumpster floor area, 10 retail parking spaces, 25 commercial parking spaces and 133 parking spaces, and 0 reservoir spaces. The parking spaces would reside within an automated parking facility footprint of 20,160 square feet (based on 168 parking occupying only 60 percent of the footprint of a traditional facility) that operates as open to the public, and which may allocate up to 50 percent of its parking spaces towards commercial vehicles wishing to park in the Manhattan Core overnight, including up to 40 percent towards rental and car share vehicles and available for public use. The incremental differences in development at this prototypical site under the with-action scenario versus the no action scenario would be 18,440 additional ground floor commercial or residential square feet, 25 fewer parking and reservoir spaces, and 348 additional exempted square feet over development in the future without the proposed action. Additional capacity for commercial, rental or car share vehicles may also be made available from spaces within the facility based on operational decisions. Any additional capacity for these vehicles may result in reduced congestion from vehicles leaving the Manhattan Core to return the next day, and also in additional options for convenient personal vehicle access outside of household car ownership.

SCREENING ANALYSIS

As detailed in Attachment A, “Project Description,” the directly affected area of the proposed action consists of most of the area included in the Manhattan Core, comprised of Manhattan Community Districts 1 through 8. The proposed action consists of a series of zoning text amendments affecting off-street parking regulations in the Manhattan Core, the creation of new Special Permits to facilitate off-street parking, and the creation of an Authorization to reduce the amount of existing parking on-site for pre-1982 developments.

The text amendments include the following actions: the zoning allowance of accessory parking facilities to operate as open to the public; the reduction of required reservoir spaces for off-street parking facilities and the requirement of reservoir spaces for certain types of facilities; a wrapping requirement for any at-grade parking facility seeking a floor area exemption for parking up to 23’ in height; a cap on permitted parking associated with retail development; relief from certain floor space calculations for parking facility capacities; guidelines for automated parking facilities; design requirements, including curb cut requirements, for certain zoning districts that don’t currently have them; expanded permissions for the storage of rental and commercial vehicles throughout the Manhattan Core; and a modification to loading berth requirements and the requirement of garbage and recycling dumpsters, as well as a floor area exemption for these uses.

The text amendments further include provisions that would affect accessory and public parking facilities, the placement of curb cuts and other design and safety requirements, and loading berth and recycling and garbage dumpster requirements that would have no effect on the overall square footage of uses throughout the Manhattan Core. These amendments affect operational practices (i.e. the decision to allow accessory parking facilities to operate as open to the public), or include new requirements that affect square footage exempt from floor area calculations, and thus have no effect on the development of other uses on the zoning lot.

This Environmental Assessment Statement (EAS) has been prepared in accordance with the guidelines and methodologies presented in the *2012 City Environmental Quality Review (CEQR) Technical Manual*. For each technical area, thresholds are defined which if met or exceeded, require that a more thorough assessment of that impact category be undertaken. Using these guidelines, preliminary assessments were conducted for all aspects of the proposed action to determine whether detailed analysis of any impact category would be appropriate. Part II of the EAS Form identifies those impact categories that warrant additional assessment. For those impact categories that warranted a “Yes” answer in Part II of the EAS form, including Land Use, Zoning, and Public Policy, Open Space, Shadows, Historic and Cultural Resources, Urban Design, Hazardous Materials, Water and Sewer Infrastructure, Transportation, Air Quality (HVAC Screening), Noise, and Neighborhood Character supplemental screening is assessed as part of this environmental review. However, only the following impact categories: Land Use, Zoning and Public Policy; Urban Design, and Neighborhood Character prompted “Yes” answers in response to the proposed action, and will be discussed in further detail below as part of this Attachment. Socioeconomic Conditions; Open Space; Shadows; Historic and Cultural Resources; Natural Resources; Hazardous Materials; Water and Sewer Infrastructure; Transportation; Air Quality; Noise; and Construction are impact categories where thresholds might be exceeded as a result of approval of the proposed Authorization for a reduction of the required number of existing parking spaces (Section 13-443), since such Authorizations could in some cases facilitate new development on parking lots. As such, these eleven categories will be discussed in further detail as part of the Conceptual Analysis for the proposed Authorization in Attachment D.

The remaining impact categories detailed in the *2012 CEQR Technical Manual* were not deemed to require further assessment because they do not trigger CEQR thresholds and therefore, are unlikely to result in a potential for significant adverse impacts for those impact categories.

The proposed text amendment proposes five new Special Permits and one new Authorization. Each special permit and authorization would require its own land use and environmental review. As part of this environmental review, the potential effects of the future use of the proposed Special Permits and Authorization are assessed conceptually in Attachment D, “Conceptual Analysis.”

LAND USE, ZONING, AND PUBLIC POLICY

No adverse impacts related to land use, zoning or public policy are anticipated. In general, the proposed actions are expected to result in changes that are compatible with and supportive of the current land use trends, zoning and public policies. However, even though the defined prototypical development itself would not trigger environmental impacts on land use, zoning, or public policy under *CEQR Technical Manual* criteria, an assessment has been included in order to provide the contextual information necessary to understand the overall effects of the proposal.

Land Use

A land use survey of the area to which the off-street parking regulations would be applicable demonstrates the diversity of uses found within the Manhattan Core. In terms of both lot area (45%) and total number of lots (70%), residential uses are more prevalent than any other type of use.

| Land Use | Lot Area | Total Lots | % Lot Area | % Total Lots |
|----------------------------------|--------------------|---------------|-------------|--------------|
| One & Two Family | 4,370,521 | 2,437 | 2% | 8% |
| Multi-Family Walkup | 17,623,511 | 6,923 | 7% | 23% |
| Multi-Family Elevator | 42,777,079 | 3,617 | 17% | 12% |
| Mixed Commercial/Residential | 45,586,431 | 7,934 | 19% | 27% |
| Commercial/Office | 42,704,149 | 4,460 | 17% | 15% |
| Industrial/Manufacturing | 7,617,042 | 1,286 | 3% | 4% |
| Transportation/Utility | 23,076,619 | 260 | 9% | 1% |
| Public Facilities & Institutions | 24,685,949 | 1,531 | 10% | 5% |
| Open Space | 22,037,012 | 215 | 9% | 1% |
| Parking Facilities | 3,896,026 | 458 | 2% | 2% |
| Vacant Land | 6,911,722 | 489 | 3% | 2% |
| Other/ Unknown | 3,735,515 | 157 | 2% | 1% |
| Total | 245,021,576 | 29,767 | 100% | 100% |
| Source: PLUTO 2012 | | | | |

In total, there is approximately 776 million square feet of commercial space and over 623 million square feet of residential space, comprising over 639,000 residential units.

The proposed action would not introduce a substantially new or incompatible land use to the study area's mix of uses. Moreover, the proposed action is consistent with existing use and trends. Accordingly, no significant adverse impacts to land use are anticipated.

Zoning

According to the *CEQR Technical Manual*, an analysis considers the action's compliance with, and effect on, the area's zoning and applicable public policies. Both zoning and public policy assessments

accompany a land use assessment and consider whether, and where, land uses might change, as a result of the proposed action. An assessment is conducted when there is a change in zoning, or a change in land use regulations or policy controlling land use.

The proposed action would modify the off-street parking regulations within the Manhattan Core without changing the underlying zoning throughout the area, and would affect development in ways that are compatible with existing and planned uses in the area.

As previously discussed, the proposed action would likely result in incremental increases in retail, commercial, and residential square footage at individual sites dispersed throughout the Manhattan Core. However, no single development or cluster of developments is expected as a result of the proposed actions for which the incremental increases would result in any CEQR thresholds being met or exceeded. Recent development trends over the previous decade evidence dispersed patterns of new building construction, and alterations of existing buildings.

Public Policy

While the proposed regulations would not affect the underlying zoning of the area, they would update and rationalize the way off-street parking may be designed and operated, providing the first update since the existing regulations were enacted in 1982. These regulations have proven to be compatible with a growing, successful Manhattan Core. They have allowed limited amounts of off-street parking to be provided with new development and allow some developments to provide additional parking by special permit. In doing so, the 1982 regulations strike a balance between discouraging auto commuting in a highly traffic-congested part of the city where transit access and walkability are excellent while recognizing that a need for limited additional off-street parking continues to exist.

Since 1982, physical and demographic changes in the Manhattan Core and trends in CBD-bound travel have altered the overall supply of off-street parking and its utilization. While parking facilities have been built as part of new developments since 1982, more spaces have been eliminated – typically as public parking lots and garages have been redeveloped for other uses. The total off-street parking supply in the Manhattan CBD (i.e., CD's 1-6) has decreased from approximately 127,000 public parking spaces in 1978 to 102,000 spaces in 2010.

At the same time, there has been an increase in higher-income residents and families with children, characteristics highly correlated with car ownership. There are approximately 20,000 more cars owned by Manhattan Core households today than in 1980. The pressure this trend places on the off-street parking supply has been increased by changing land uses in formerly peripheral neighborhoods, such as Tribeca and the Far West Side, that have seen the rise of a significant amount of residential redevelopment. As a result, public parking facilities in the Manhattan Core are increasingly used by residents rather than Manhattan-bound commuters and other visitors, who are now more likely to choose public transit over cars than they did in 1982. The Manhattan Core has thrived during this time, and its distinction as the commercial, cultural, and residential center of the region is even stronger than it was.

With accessory parking facilities often functioning as shared community resources by operating as open to the public, and with public facilities meeting the demand of neighborhood households with cars, a market-based pricing for parking at all facilities minimizes incentives for the creation of additional public facilities. Were this widespread public use not the case, and were residential accessory garages used exclusively by the residents of the building in which a garage is located, the price of monthly off-street

parking would be less for building residents, but this situation would both encourage the construction of more public parking garages to meet the demand from other neighborhood residents living in buildings which do not provide parking and could also encourage more car ownership. Further, this situation would encourage more applications for public parking garage special permits to meet unmet demand.

DCP believes that the use of accessory parking spaces as a neighborhood resource for residential and commercial users which has occurred over time is appropriate: it allocates the supply of parking more efficiently while still preserving the ability for a residential building to maintain its off-street parking as available to residents only. Future buildings with parking wishing to limit access to residents will be permitted to do so under the proposal; however, the ability to operate as open to the public will be formally recognized through the proposed zoning regulations.

With the regulations now 30 years old, the Department of City Planning believes that fine-tuning the existing regulations can add more clarity and predictability, provide mobility improvements, continue to promote the shift away from commuter parking and better ensure that the City provides the right amount of parking spaces to support businesses, residents and visitors.

The proposed actions are consistent with the Department of City Planning's neighborhood objectives as set forth and promoted by recent proposals where land use policy has encouraged greater consideration of the goal of improving streetscape and neighborhood vitality. The proposed actions are also consistent with PlaNYC goals to balance the needs of neighborhoods while ensuring the reliability and quality of our transportation network

The proposed action would not result in any significant adverse public policy impacts.

URBAN DESIGN AND VISUAL RESOURCES

An area's urban components and visual resources together define the look and character of the neighborhood. The urban design characteristics of a neighborhood encompass the various components of buildings and streets in the area. These include building bulk, use and type; building arrangement; block form and street pattern; streetscape elements; street hierarchy; and natural features. An area's visual resources are its unique or important public view corridors, vistas, or natural or built features. For the CEQR analysis purposes, this includes only views from public and publicly accessible locations and does not include private residences or places of business.

An analysis of urban design and visual resources is appropriate if a proposed project would a) result in buildings that have substantially different height, bulk, form, setbacks, size, scale, use or arrangement than exists in an area; b) change block form, demap an active street or map a new street, or affect the street hierarchy, street wall, curb cuts, pedestrian activity or streetscape elements; or c) would result in above-ground development in an area that includes significant visual resources.

As discussed in Attachment B, "Framework for Analysis," the small amount of additional development at any individual discrete site would not result in buildings that have substantially different height, bulk, form, setbacks, size, scale, use or arrangement than exists in an area; change block form, demap an active street or map a new street; or would result in above-ground development in an area that includes significant visual resources. The small amount of additional development at any individual discrete site might affect the street hierarchy, street wall, curb cuts, pedestrian activity or streetscape elements through required curb cut widths and the façade wrapping. The proposed regulations would preserve and enhance the character of Manhattan Core neighborhoods by ensuring that ground floor space

within buildings continues to be occupied by engaging uses in a manner that is consistent with most new developments, and contributes to the existing lively and engaging pedestrian experience.

Changes in the urban design resulting from the proposed regulations and future development would be beneficial rather than adverse, and would reflect the longstanding streetscape character defined by the densely built Manhattan Core. Therefore, the proposed actions would not have the potential to cause significant adverse urban design impacts in the future with the proposed action.

NEIGHBORHOOD CHARACTER

As the proposed action required supplemental screening analyses of one or more categories that contribute to a neighborhood's character, a supplemental screening analysis is necessary to determine if detailed neighborhood character analysis is warranted.

Neighborhood character is an amalgam of various elements that give neighborhoods their distinct "personality." According to the *CEQR Technical Manual*, a preliminary assessment may be appropriate if a project has the potential to result in any significant adverse impacts on any of the following technical areas: land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; shadows; transportation; or noise.

Per the analyses provided in this EAS, although the proposed project required supplemental screening or detailed analyses of a number of these impact categories, there would be no significant adverse impacts as the result of the proposed action.

As indicated in Part II of the EAS Form and/or the individual impact assessments herein, the proposed action does not have the potential to result in significant adverse impacts to land use, zoning, and public policy, socioeconomic conditions, open space, historic and cultural resources, urban design and visual resources, shadows, transportation, or noise. Nor would the proposed action result in a combination of moderate effects to several elements that cumulatively may affect neighborhood character. Therefore, an assessment of neighborhood character is not warranted.

ANALYSIS CONCLUSION

None of the increments expected as a result of the future with the proposed action over the future without the proposed action would meet or exceed any CEQR thresholds at a site-specific location. Consistent with development patterns in the Manhattan Core in the previous decade, a concentration of new facilities in close geographic proximity sufficient to result in an exceedance of CEQR thresholds is highly unlikely. Accordingly, no significant adverse impacts are expected as a result of the above-discussed elements proposed action. Attachment D, "Conceptual Analysis", considers the potential for future use of the proposed Authorization and Special Permits to result in significant adverse impacts.

ATTACHMENT D – CONCEPTUAL ANALYSIS OF SPECIAL PERMITS AND AUTHORIZATION

Manhattan Core Parking Text Amendment Environmental Assessment Statement CEQR No. 13DCP041M

I. INTRODUCTION

The proposed action includes the creation of five new Manhattan Core Special Permits. Four would replace the existing Special Permits in Section 13-561 (Accessory off-street parking spaces), 13-562 (Public parking garages and public parking lots) and 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas) of the Zoning Resolution for: 1) parking above as-of-right ratios for Manhattan Core Residents, 2) parking associated with the development of healthcare, arts, or public assembly uses, 3) parking associated with economic development uses, and, 4) parking associated with the development of large sites (greater than 1.5 acres). The fifth Special Permit is proposed under Section 13-45, for a Limited Increase of Parking Spaces in Existing Buildings or Parking Facilities. The potential effects of future use of these mechanisms are analyzed conceptually in this attachment.

The proposed action also includes the creation of one new Manhattan Core Authorization for the reduction of the number of required existing parking spaces (Section 13-443). This Authorization has the potential to induce development in the future with the proposed action over the future without the action by allowing development to occur on existing parking lots and garages. While no specific development sites have been identified, it is possible that location-specific development which could occur as a result of an Authorization would result in square footage totals that exceed CEQR thresholds. The potential effects of future use of this authorization are analyzed conceptually in this attachment, within the limits of available information.

The analysis below concludes that future use of the proposed Special Permits is unlikely to lead to a potential for significant adverse impacts. The conclusions of the conceptual analysis do suggest, however, that the future use of the Authorization for the reduction of the number of required existing parking spaces (Section 13-443) has the potential to induce development that would not otherwise occur absent the proposed action and that, depending on the nature and size of that development, there is a potential for significant adverse impacts.

As with the Special Permits, any application for this Authorization would be subject to its own environmental review to ensure full analysis of the potential for environmental impacts resulting from any development induced as a result of the elimination of existing parking spaces.

II. ANALYSIS OF PROPOSED SPECIAL PERMITS

Section 13-461: Special Permits for additional parking spaces for residential growth; Section 13-462: Additional parking for healthcare, arts, or public assembly uses; Section 13-463 Additional parking for economic development uses; Section 13-464: Additional parking for large scale developments

The existing special permits allowing for additional parking spaces above as-of-right ratios (Section 13-561 and Section 74-52) do not allow for a meaningful evaluation of how many parking spaces beyond the as-of-right allowance are appropriate in a given location.

The proposed action would modify special permit findings to require a demonstration of the need for the requested parking spaces. The proposed action would also add findings related to neighborhood character, and in certain cases would require an applicant to demonstrate that the proposed plan includes alternate transportation options in order to reduce automobile and parking demand on-site.

Since 2000, a total 91 applicants filed for public or additional accessory parking permits. Of these 91 applicants, 73 were approved. Of these 73 approved applications, 54 were for Special Permit 74-52, and 19 were for Special Permit 13-56. Of these 73, 16 approved would have likely qualified as special generators or economic development criteria of proposed Section 13-462 (Additional parking spaces for health care, arts or public assembly uses) or 13-463 (Additional parking spaces for economic development uses), These include special generator or economic development applicants themselves, and projects in close proximity to these uses that might provide parking for these nearby uses. This data indicates that the special generator permit would be applied for relatively infrequently in the future.

Use of the proposed Special Permits, they are not expected to induce or deter development over the future without the proposed action. The following case studies reflect prototypical situations where the Special Permits may be applied for, and illustrate how the new findings under the proposed Special Permits might affect the numbers of spaces allowed above as of right ratios.

Site II-1a: 13-461: Special Permits for additional parking spaces for residential growth

Site II-1a is a 10,000 square foot lot in an R8B district, with 80 feet of street frontage in Manhattan Community District 6. The zoning allows for an FAR of 4.0 with 80 percent lot coverage under the mandatory Quality Housing bulk regulations. The developer seeks permission to build a six-story residential building with 50 dwelling units. Under existing and proposed regulations, the development would be permitted 10 accessory parking spaces as of right. The developer applies for Special Permit 13-461 to develop 60 parking spaces; 50 above the as of right ratio.

To meet the criteria for approval of this Special Permit, the applicant would need to demonstrate the findings of proposed Section 13-46 related to the flow of pedestrian and vehicular traffic and existing streetscape character. The applicant would also need to demonstrate that the proposed number of off-street parking spaces is reasonable and not excessive in relation to recent trends in close proximity to the proposed facility with regard to either the increase in the number of dwelling units, and the construction or reduction of nearby accessory and public parking facilities.

In this scenario, the applicant analyzes the number of dwelling units and the parking capacity in the vicinity, measured at one-third of a mile from the project site, over the previous decade. For purposes of this conceptual analysis, the following are assumed hypothetically: With regard to the number of dwelling units the applicant demonstrates that, over the previous decade, three new buildings with residential units were constructed, producing a total of 500 dwelling units. Further, that no other residential development is underway within the study area. The applicant also demonstrates that there has been one building conversion, from office to residential, resulting in an additional 100 dwelling units. With regard to parking capacity, the three new buildings with residential units within the one-third mile study area produced only 80 residential accessory parking spaces, although the as-of-right ratio would have permitted up to 100 parking spaces. The residential conversion produced no parking spaces accessory to the 100 additional dwelling units. Additionally, a commercial development on the same block was built on land that had previously operated as a public parking lot for 60 vehicles.

Based on the foregoing hypothetical data, the applicant can demonstrate that there exists a deficit in permitted parking in the neighborhood surrounding the development site. Recent residential development in the neighborhood could have generated up to 100 spaces as of right given the 20 percent ratio in Manhattan CD6, and only 80 spaces were built, thus creating a 20 parking space deficit. The residential conversion added 20 parking spaces to the deficit. With regard to the public parking lot that went out of operation, recent survey results show that approximately half of the spaces in public parking lots nearby are occupied by residential monthly parkers; applying this proportion to the former parking lot, approximately half of the spaces in this former lot were likely used by residential parkers. Accordingly, loss of the lot adds 30 spaces to the area's parking deficit. .

Given the above parking deficit of 70 spaces, and assuming the applicant also demonstrates that the traffic and neighborhood character findings applicable to all Special Permits under Section 13-46, are met, the applicant's request for 50 additional spaces above the 10 spaces permitted as of right, is granted.

Site II-1b: 13-461: Special Permits for additional parking spaces for residential growth

Site II-1b is a 62,000 square foot lot in an R10 zoning district in Manhattan Community District 8, currently occupied with a four story parking facility. The zoning allows for a FAR of 10.0, or up to 12.0 under the optional Inclusionary Housing program. The developer seeks permission to build an 18-story mixed use building, with, 86,800 square feet of commercial space occupying the first two floors, and 655,000 square feet of residential space, totaling 655 dwelling units. Under the proposed regulations, the development would be allowed parking for 35 percent of the dwelling units, up to 200 spaces (or 1000 units), and for commercial uses at a ratio of 1 space per 4000 square feet, with a cap of 10 spaces for parking generated by retail uses. The as-of-right ratios generate 229 residential accessory spaces, more than the 200 space cap allows, and 22 commercial accessory spaces. The developer seeks a Special Permit for additional parking spaces for residential growth under Section 13-461 of the zoning resolution to build parking for 35 percent of all residential units in an off-street, below grade facility with a capacity of 229 accessory spaces. The Special Permit is required to accommodate the 29 spaces beyond what would be permitted by the 200 space maximum facility capacity. No parking is being sought for the commercial uses.

To meet the criteria for approval of this Special Permit, the applicant would need to demonstrate that the proposed ratio of parking spaces to dwelling units in the proposed development does not exceed that for an as-of-right building developed under the provisions of Section 13-10 (Permitted Off Street Parking Spaces), and that the traffic and neighborhood character findings applicable to all Special Permits under Section 13-46, are met. In making this determination, the CPC may approve additional spaces without regard to applicable caps on the total number of permitted parking spaces.

In this scenario, the applicant is able to demonstrate that the 229 spaces requested do not exceed the 35 percent as of right ratio as applied to the proposed number of residential dwelling units. Assuming the applicant satisfies the traffic and neighborhood character findings under Section 13-46, a parking Special Permit is approved for 29 spaces in excess of the 200 space cap, for a total of 229 parking spaces.

Site II-2: 13-462: Special Permits for additional parking for healthcare, arts, or public assembly uses

Site II-2 is an existing hospital in Manhattan Community District 8 that is seeking to expand its square footage and add a specialized treatment wing. The hospital currently has 80,000 square feet of floor area and 100 parking spaces – the maximum it is permitted as of right. An application under Section 13-

462, the Special Permit for additional parking for healthcare, arts, or public assembly uses, is sought to expand the existing parking facility as part of the overall project and add 20 parking spaces to the facility's capacity.

To meet the criteria for approval of this Special Permit, the applicant would also need to demonstrate that an increase in the number of permitted off-street parking spaces in such proposed parking facility is essential to the operation of the proposed or expanding use. The applicant would also need to demonstrate that reasonable measures to minimize parking demand have been identified. For the existing health care facility that seeks an enlargement, the measures to minimize parking demand have been implemented, and a commitment by the applicant has been made to continue such measures. Finally, the applicant must also demonstrate that the traffic and neighborhood character findings applicable to all Special Permits under Section 13-46, are met.

For purposes of this conceptual analysis, the following are assumed hypothetically : the applicant is able to demonstrate that the additional patient population expected with the new specialized treatment wing will largely travel by automobile, given trip origins throughout the metropolitan area and limitations on use of public transit due to medical condition. The applicant commits to an on-call shuttle service that will provide private transportation from public transit nodes to reduce demand for off-street parking as much as is reasonable.

Because the applicant can demonstrate that the additional parking spaces are essential to the operation of the health care use, and because the applicant has also demonstrated a commitment to minimize parking demand, the parking Special Permit is granted for 20 additional parking spaces in the expanded facility, for a total of 120 parking spaces.

Site II-3: 13-463: Special Permits for additional parking for economic development uses

Site II-3 is 10,000 square foot lot in a C5-5 zoning district, with 300 feet of street frontage in Manhattan Community District 1. The development site is an existing building with over one million square feet of commercial space, vacant ground floor space previously used for mail intake and storage, two curb cuts for loading that provide direct access to the vacant space, and no on-site parking. The applicant seeks permission to convert the vacant ground floor space to a 50-space parking facility to meet the needs of a new tenant. The tenant is a significant news and media company based in New York City, relocating to this location for additional square footage and the opportunity to expand its operations. The tenant requires 42 on-site parking spaces for its vans that travel around the city for breaking news stories, and an additional 8 spaces for executive parking.

To meet the criteria for approval of this Special Permit, the applicant would need to demonstrate the traffic and streetscape character findings of Section 13-46. The applicant would also need to demonstrate that an increased number of permitted off-street parking spaces in the proposed parking facility would alleviate a parking deficit associated with the operation of the commercial use which is of significant importance to the economic well-being of the City of New York; and that reasonable measures to minimize parking demand have been identified and implemented with a commitment to continue such measures.

For purposes of this conceptual analysis, the following are assumed hypothetically: the applicant is able to demonstrate that 50 parking spaces are required for the operations of the use, by allowing the vehicles necessary for the tenant's daily operations (e.g., daily dispatch of sound trucks to sites with breaking news) to park on-site. The applicant also creates a plan to provide car service before and

after regular business hours which allows for 8 parking spaces only dedicated to the firm's executives. Finally, the applicant would need to demonstrate that the traffic and neighborhood character findings applicable to all Special Permits under Section 13-46, are met.

Under this scenario, the applicant demonstrates that the additional parking spaces are essential to the operation of the tenant, and also demonstrates a commitment to minimize parking demand. Based on the foregoing, a parking Special Permit is approved for 50 off-street parking spaces may be created in the vacant ground floor space and approves the application.

Site II-4: 13-464: Special Permits for additional parking for large scale developments

Site II- 4 is a two acre site in Manhattan Community District 7 and within a half mile of two subway lines. The development site is currently occupied by an automobile and truck surface parking lot with a capacity for 1200 cars, and a public parking garage with a capacity of 500 spaces. The applicant is a developer who has plans to build a 2.2 million square foot residential development with 2000 dwelling units, a public elementary school, and approximately 800,000 square feet of commercial space, 300,000 square feet of which would be for retail uses. The applicant seeks permission to develop 3 separate below grade parking facilities: a 700 parking garage accessory to the residential use, a 200 space parking garage accessory to the commercial uses, and a 600 space public parking garage. The applicant applies for a Special Permit for additional parking for large scale developments under zoning section 13-464. While the development is planned to occur in two phases, the existing parking on the development site would remain in place until the second phase, at which point it would be built over.

To meet the criteria for approval of this Special Permit, the applicant would need to demonstrate the traffic and streetscape character findings of Section 13-46. The applicant would also need to demonstrate that such additional spaces will be needed to accommodate potential parking users associated with the large-scale development; that the availability of off-street parking in close proximity to the proposed development will be of insufficient capacity to accommodate such potential parking users or that parking users from existing off-street parking spaces that will be eliminated through the proposed development may be relocated to replacement parking on-site. The applicant would also need to demonstrate that measures to minimize parking demand have been evaluated, and to the extent feasible, a commitment has been made by the applicant to utilize such measures prior to the application for this special permit. Furthermore, because the development is proposed to occur in phases, the applicant would need to demonstrate that a phased parking plan has been provided, demonstrating that a reasonable amount of parking is provided in the proposed parking facility in relation to the amount of completed construction.

For purposes of this conceptual analysis, the following are assumed hypothetically: the applicant demonstrates that the 700 proposed accessory residential spaces are appropriate and equivalent to the residential as of right parking ratio of 35%; the 135 proposed spaces accessory to the commercial square footage is consistent with the as of right ratio of 1 space per 4000 square feet ratio allowed for commercial uses with a cap at 10 spaces accessory to retail square footage; and the public parking garage with a capacity for 600 parking spaces is demonstrated to be needed as replacement parking for the parking facilities lost through the site's redevelopment. The applicant also demonstrates that the proposed 600 space public facility is large enough to accommodate the entirety of users displaced by the development. Some of the current vehicles parking on-site will relocate to other nearby facilities permanently during the second phase of construction and will not need replacement parking; trucks will no longer require nearby parking upon completion of the project, and additional demand will be met by

the proposed accessory residential parking facility, which will operate as open to residents of the surrounding neighborhood.

Based on the foregoing, it is assumed hypothetically that a parking Special Permit is approved for 600 public parking spaces, in addition to the 700 residential accessory spaces and the 135 spaces accessory to the commercial and retail uses.

Site II-5: 13-45: Special Permit for Limited Increase of Parking Spaces in Existing Buildings or Parking Facilities

Site II-5 is a 10,000 square foot lot in Manhattan Community District 6. The development site is currently a cooperative apartment building with 700 dwelling units and 100 parking spaces in a below-grade accessory parking facility. The applicant is the building's coop board, which is seeking permission to expand the building's below-grade parking facilities by 4,000 square feet, to occupy space formerly used as building maintenance storage but now no longer needed. The expansion into the now-vacant space would facilitate the creation of 13 additional parking spaces, bringing the building's total parking capacity to 113 spaces, or 16 percent of dwelling units, still below the permitted 20 percent parking allowance permitted in Manhattan Community District 6. The applicant applies for a Special Permit for a limited increase of parking spaces in an existing building under Section 13-45.

To meet the criteria for approval of this Special Permit, the applicant would need to demonstrate the proposed parking would not exceed the number of parking spaces permitted on the zoning lot if the lot were vacant and developed with a new building, and that the increased number of spaces would not result in a conflict between pedestrians and vehicles, that the location of the facility entrance would not interfere with the efficient functioning of the street, and that the parking will not be inconsistent with the character of the existing streetscape., .

For purposes of this conceptual analysis, it is assumed hypothetically that the applicant is able to demonstrate that the additional parking meets the above findings.

Based on the foregoing, it is assumed hypothetically that a parking Special Permit is approved for the 13 additional parking spaces in the expanded facility, for a total of 113 parking spaces.

Potential Impacts under the Special Permits (Sites II-1 through II-5)

Based on the above analysis, it is expected that use of the proposed Special Permits is unlikely to change the overall amount, type, or location of off-street parking throughout the Manhattan Core on the whole as a result of the action. The new findings proposed with the Special Permits would result in a more logical and rational provision of parking, taking into consideration factors such as area-wide parking availability, development phasing, and as of right ratios, to better enable applicants and the CPC to determine the appropriate amount of parking to be provided with a development.

Currently, there is no limit on the amount of spaces that may be asked for and approved by Special Permit. While there would continue to be no prescribed limit under the new Special Permits, the analysis required to meet the new findings could result in some cases in fewer spaces being approved than under the current Special Permits. Absent the ability to identify specific sites and development proposals to which the new Special Permits would apply, however, a conservative assumption is that there would be no change in the overall number spaces throughout the Manhattan Core as a result of the new Special Permit provisions. Nevertheless, it can be expected that use of the new Special Permits

would result in improved decisions regarding the numbers of additional spaces appropriate to individual locations.

Future applications can be expected to have site specific effects, ranging from archaeology to air quality, to the same extent as under the existing Special Permits framework, without any overall change in the nature or extent of the impacts.

III. ANALYSIS OF PROPOSED SPECIAL PERMITS WITHIN EXISTING SPECIAL DISTRICTS

As previously discussed, there are twelve Special Districts within the Manhattan Core. In the future with the proposed action, most changes to the Special Districts involve updating cross-references or other language and either have no substantive effect, or have the same effects as described above generally for the Manhattan Core. However, the proposed changes will affect two Special Districts, the Special Clinton District and the Special Lincoln Square District, by affecting the way developments in these districts provide accessory parking. Currently any accessory parking is only allowed by Special Permit, in the future with the proposed action, developments in these districts will be subject to the proposed Special Permit under Section 14-61, for Additional parking spaces for Manhattan Core residents. A conceptual analysis detailing how this might work in these districts follows here.

Site III-1: Apartment building in the Special Clinton District with 180 dwelling units and 36 accessory off-street parking spaces in a below-grade garage.

Site III-1 is a 35,000 square foot lot formerly occupied by a 225-space surface parking lot. The applicant proposes to develop the site as a 180-unit residential building with a 36 space accessory parking facility in the ground floor and basement level in Manhattan Community District 4. The proposed parking would comply with the 20 percent parking allowance for the area. Because the regulations for the Special Clinton District require that even small facilities providing not more than the amounts of accessory off-street parking permitted pursuant to proposed Section 13-10 (Permitted Off-Street Parking in the Manhattan Core) are subject to special permit review, the applicant applies for Special Permit under Section 13-461 (Additional parking spaces for residential growth), supplemented by the additional findings of Section 96-111 as required under existing conditions, in order to complete the project.

To meet the criteria for approval of this Special Permit, the applicant would need to demonstrate that the proposed ratio of parking spaces to dwelling units in the proposed development does not exceed that for an as-of-right building developed, along with the findings related to the flow of pedestrian and vehicular traffic and existing streetscape character associated with Section 13-46 (Special Permits for Additional Parking).

The Special Clinton District further requires that findings from Section 96-111 be met, that (a) the property has been or will be vacated pursuant to the provisions of Section 96-108 (Demolition of Buildings); and, (b) the applicant has followed the relocation procedures set forth in Section 96-23 (Special Permit for Modification of Height and Setback Regulations).

For purposes of this conceptual analysis, the following are assumed hypothetically: the applicant is able to demonstrate that the 36 accessory parking spaces requested as part of a residential development, meet the findings under the proposed Special Permit 13-461. Furthermore, because no building would be demolished on site to facilitate the project, nor would existing height and setback regulations be modified as part of the proposal, the applicant is able to demonstrate that the project meets the

additional findings of Section 96-111. Based on the foregoing, a parking Special Permit is approved for the 210 spaces.

Site III-2: Apartment building in the Special Lincoln Square District with 700 dwelling units and 180 accessory off-street parking spaces in an at-grade parking garage.

Site III-2 is an 8,000 square foot lot with 700 dwelling units and 150 accessory off-street parking spaces in an at-grade parking facility in the Special Lincoln Square District in Manhattan Community Board 7. The applicant is the building's coop board, which is seeking permission to expand the building's parking facility by 9,000 square feet, to occupy space formerly used as building maintenance storage but now no longer needed. The expansion into the now-vacant space would facilitate the creation of 30 additional parking spaces to be used exclusively by the building's residents, bringing the building's total parking capacity to 210 spaces, or 30 percent of dwelling units, as permitted by the parking regulations in Manhattan Community Board 7. Because the regulations for the Special Lincoln Square District require that even small facilities providing not more than the amounts of accessory off-street parking permitted pursuant to proposed Section 13-10 (Permitted Off-Street Parking in the Manhattan Core) are subject to special permit review, the applicant applies for Special Permit under Section 13-461 (Additional parking spaces for residential) in order to complete the project.

To meet the criteria for approval of this Special Permit, the applicant would need to demonstrate that the proposed ratio of parking spaces to dwelling units in the proposed development does not exceed that for an as-of-right building developed, along with the findings related to the flow of pedestrian and vehicular traffic and existing streetscape character associated with Section 13-46 (Special Permits for Additional Parking).

For purposes of this conceptual analysis, the following are assumed hypothetically: the applicant is able to demonstrate that the 30 additional spaces requested, resulting in a facility with a capacity of 210 cars, do not exceed what is permitted with the 35 percent as of right ratio for the proposed residential dwelling units. Based on the foregoing, a parking Special Permit is approved for the 210 spaces.

Potential Impacts under the Special Permits (Sites III-1 & III-2)

Based on the above analysis, it is expected that while the proposed Special Permits may affect the development of projects in the Special Lincoln Square and Clinton Districts on a case by case basis, as they would on projects throughout the Manhattan Core, there would be no overall change in the amount, type, or location of off-street parking throughout these districts as a result of the action.

Only three Special Permits for accessory parking have been sought under Section 96-111 in the Special Clinton District in the previous decade, and only three Special Permits for accessory parking have been sought in the Special Lincoln Square District (all associated with Fordham University) under Section 13-561 in the previous decade. Few are expected under the proposed Special Permits in the future with the proposed action.

Each Special Permit in the future with the proposed action would be subject to its own environmental review, and any site-specific impacts would be considered as part of that environmental review. The new findings proposed with the Special Permits would result in a more logical and rational provision of parking, taking into consideration factors such as area-wide parking availability, development phasing, and as of right ratios, to better enable applicants and the CPC to determine the appropriate amount of

parking to be provided with a development. They would not affect the underlying regulations of these Special Districts.

Currently, there is no limit on the amount of spaces that may be asked for and approved by Special Permit. Under the proposal, there will be no defined limit, but conditions at specific sites will be considered through new findings that may result in fewer spaces being approved at that site. However, it is conservatively assumed that there would be no change in the overall number spaces throughout the Manhattan Core as a result of the proposed changes to the Special Permit process.

Future applications can therefore be expected to have site specific effects, ranging from archaeology to air quality, to the same extent as under the existing Special Permits framework, without any overall change in the nature or extent of the impacts.

IV. ANALYSIS OF PROPOSED AUTHORIZATION

Section 13-443: Authorization for the reduction of the number of required existing parking spaces

Prior to 1982, parking was required for most residential and commercial developments in the Manhattan Core. As a result, sites containing residential towers with substantial surface parking, or with large enclosed parking facilities, exist throughout the Manhattan Core. Parking is no longer required, but parking that was required pre-1982 cannot be removed under current regulations.

The following are two prototypical examples of instances where the authorizations could be sought to develop in the future over parking spaces that exist as a result of a requirement prior to 1982. Site IV-1 is located in Community District 3 and consists of a large housing development with an accessory surface parking lot. Site IV-2 is located in Community District 4 and consists of a large housing development with an enclosed above-ground parking facility. These sites were selected to illustrate the potential use of the authorization and do not reflect any actual proposal under consideration.

Site IV-1: Public Housing development in Manhattan Community Board 3 with 600 residential units and 100 accessory parking spaces in surface parking lot

Site IV-1, built in 1944 with 600 residential units retains an existing parking ratio of 12 percent, or 72 spaces. Under the proposal, there would be no required parking, and the authorization for the reduction of the number of required existing parking spaces would be available.

In this scenario, the operators of the housing development seek the authorization to build 100 new units of moderate-income housing in a 60 foot tall building that would occupy an area currently used for 50 parking spaces. There would be no replacement parking provided.

For purposes of this conceptual analysis, the following are assumed hypothetically: the applicants are able to demonstrate that the parking lot is underutilized, used only partially by current residents, with the remainder of spaces used by staff. As part of the authorization, the operators of the housing development will implement a carpool system to accommodate staff whose spaces are lost upon the site being redeveloped. The authorization includes findings to ensure that such reduction will not have undue adverse effects on residents, businesses or community facilities in the surrounding area.

It is further assumed hypothetically that : the environmental analysis conducted as part of the application for the Authorization concludes that the new development made possible by the

Authorization would have a shadows impact; and that the applicant modifies the massing of the building to reduce or eliminate the shadow impact.

Site IV-2: Large housing cooperative in Manhattan Community Board 4 with 350 residential units built above a two story parking garage with 150 public and 150 accessory parking spaces. Lot size: 15,000 sq ft; built FAR: 5.0; allowable FAR: 6.02.

Site IV-2, built in 1953 with 350 residential units built above a two-story parking garage with 300 parking spaces had a parking requirement of 20 percent, but no maximum, when built.

In this scenario, the building's co-op board has voted in favor of converting a portion of the ground floor, currently built with 60 parking spaces, into ground floor retail. This would add 0.4 FAR to the site's 5.0 FAR, and the site would remain below its maximum allowable FAR of 6.02. The remaining portion of the parking facility would continue to operate as both a public and accessory facility, with 250 spaces, 150 of which will remain dedicated for use by the coop residents and 90 of which would operate publicly. A total 6,000 square feet of retail use would be added to the site.

For purposes of this conceptual analysis it is assumed hypothetically that the applicant meets the findings of the Authorization that the reduction in the number of off-street parking spaces will not have undue adverse affects on residents, businesses or community facilities in the surrounding area.

Potential Impacts under the Authorization (Sites IV-1 & IV-2)

SOCIOECONOMIC CONDITIONS

The socioeconomic character of an area is comprised of the area's population, housing and economic activity. A preliminary assessment pursuant to the *CEQR Technical Manual* identifies whether a proposed project may adversely affect the socioeconomic character of the area by directly or indirectly changing any of these elements. The proposed action, as detailed in Attachment A, "Project Description" would maintain the existing land use and the underlying zoning, and it would not change the type, location, or amount of development throughout the Manhattan Core.

Pursuant to the *CEQR Technical Manual*, the preliminary assessment of socioeconomic conditions focuses on whether the proposed project could:

- 1) generate a net increase of 200 or more residential units;
- 2) generate a net increase of 200,000 or more square feet of commercial space;
- 3) directly displace more than 500 residents;
- 4) directly displace more than 100 employees; or
- 5) affect conditions in a specific industry.

The proposed Authorization for a reduction of the required number of existing parking spaces (Section 13-443) could facilitate development that would generate a net increase of 200 or more residential units, or a net increase of 200,000 or more square feet of commercial space. It is not possible to predict the size, nature and location of development that could be induced by the Authorization. The Authorization approval requires the completion of its own environmental review, specific to the proposed development. That review would consider the possibility of any significant adverse socioeconomic impacts, including those related to a net increase in residential units or commercial square footage, resulting from use of the Authorization. In some instances, the development induced by

the Authorization would be subject to other discretionary approvals also subject to environmental review. The environmental assessment of any induced development would identify any impacts and mitigation measures, consistent with SEQRA requirements.

OPEN SPACE

Open space is defined as publicly or privately owned land that is publicly accessible and has been designated for leisure, play or sport, or conservation land set aside for protection and/or enhancement of the natural environment. An open space assessment may be necessary if a proposed action could potentially have a direct or indirect effect on open space resources in the project area. A direct impact would “encroach on, or cause a loss of, open space,” affect the facilities within an open space so that the open space no longer serves the same user population, or limit public access to an open space. Other direct effects include the imposition of noise, air pollutant emissions, odors, or shadows on public open space that may alter its usability. Use of the Authorization would not directly affect any existing public open space or recreational resources in the area.

An indirect effect may occur when the population generated by a proposed action would be sufficient to noticeably diminish the ability of an area’s open space to serve the existing or future population. According to the guidelines established in the *CEQR Technical Manual*, an action that would add fewer than 200 residents or 500 employees, or a similar number of other users to an area is typically not considered to have indirect effects on open space.

The proposed Authorization for a reduction of the required number of existing parking spaces (Section 13-443) could facilitate development that would indirectly affect open space. It is not possible to predict the size, nature and location of development that could be induced by the Authorization. The Authorization approval requires the completion of its own environmental review, specific to the proposed development. That review would consider the possibility of any significant adverse impacts to open space resources, including those related to a net increase in residential or non-residential population, resulting from use of the Authorization. In some instances, the development induced by the Authorization would be subject to other discretionary approvals also subject to environmental review.

SHADOWS

A shadow assessment considers actions that result in new shadows long enough to reach a publicly accessible open space or historic resource (except within an hour and a half of sunrise or sunset). For actions resulting in structures less than 50 feet high, a shadow assessment is generally not necessary unless the site is adjacent to a park, historic resource, or important natural feature (if the features that make the structure significant depend on sunlight). According to the *CEQR Technical Manual*, some open spaces contain facilities that are not sunlight sensitive, and do not require a shadow analysis including paved areas (such as handball or basketball courts) and areas without vegetation.

The proposed Authorization for a reduction of the required number of existing parking spaces (Section 13-443) could facilitate development that would cast sufficient shadows to impact sun-sensitive resources. It is not possible to predict the size, nature and location of development that could be induced by the Authorization. The Authorization approval requires the completion of its own environmental review, specific to the proposed development. That review would consider the possibility of any significant adverse shadows impacts, including those related to a net increase in building height and/or bulk, resulting from use of the Authorization. In some instances, the

development induced by the Authorization would be subject to other discretionary approvals also subject to environmental review.

HISTORIC AND CULTURAL RESOURCES

Historic resources are defined as districts, buildings, structures, sites and objects of historical, aesthetic, cultural and archaeological importance. This includes properties that have been designated or are under consideration as New York City Landmarks or Scenic Landmarks or are eligible for such designation; properties within New York City Historic Districts; properties listed or formally determined eligible for the State and/or National Register of Historic Places; and National Historic Landmarks. According to the *CEQR Technical Manual* guidelines, a study area defined by a radius of 400 feet from the boundaries of the project site is typically adequate to assess potential impacts on historic/architectural resources.

The proposed Authorization for a reduction of the required number of existing parking spaces (Section 13-443) could facilitate development that would affect historic and cultural resources. It is not possible to predict the size, nature and location of development that could be induced by the Authorization. The Authorization approval requires the completion of its own environmental review, specific to the proposed development. That review would consider the possibility of any significant adverse impacts to historic resources, including those related to the exterior appearances or context of architectural resources or new ground disturbance in archeological sensitive areas, resulting from use of the Authorization. In some instances, the development induced by the Authorization would be subject to other discretionary approvals also subject to environmental review.

URBAN DESIGN AND VISUAL RESOURCES

An area's urban components and visual resources together define the look and character of the neighborhood. The urban design characteristics of a neighborhood encompass the various components of buildings and streets in the area. These include building bulk, use and type; building arrangement; block form and street pattern; streetscape elements; street hierarchy; and natural features. An area's visual resources are its unique or important public view corridors, vistas, or natural or built features. For the CEQR analysis purposes, this includes only views from public and publicly accessible locations and does not include private residences or places of business.

An analysis of urban design and visual resources is appropriate if a Proposed Project would a) result in buildings that have substantially different height, bulk, form, setbacks, size, scale, use or arrangement than exists in an area; b) change block form, demap an active street or map a new street, or affect the street hierarchy, street wall, curb cuts, pedestrian activity or streetscape elements; or c) would result in above-ground development in an area that includes significant visual resources.

The proposed Authorization for a reduction of the required number of existing parking spaces (Section 13-443) could facilitate development that would affect the pedestrian perspective of an area's urban design and visual resources. It is not possible to predict the size, nature and location of development that could be induced by the Authorization. The Authorization approval requires the completion of its own environmental review, specific to the proposed development. That review would consider the possibility of any significant adverse urban design and visual resources impacts, including those related to building form, streetscape, and/or views as experienced by pedestrians, resulting from use of the Authorization. In some instances, the development induced by the Authorization would be subject to other discretionary approvals also subject to environmental review.

NATURAL RESOURCES

A natural resources assessment is conducted when a natural resource is present on or near the project site and when an action involves the disturbance of that resource. The CEQR Technical Manual defines natural resources as water resources, including surface water bodies and groundwater; wetland resources, including freshwater and tidal wetlands; upland resources, including beaches, dunes, and bluffs, thickets, grasslands, meadows and old fields, woodlands and forests, and gardens and other ornamental landscaping; and built resources, including piers and other waterfront structures. The proposed action would affect almost the entirety of Manhattan Community Districts 1-8, each of which, except for CD5, includes some shoreline

In addition, CD5, CD7, and CD8 are immediately adjacent to Central Park, the largest park within New York City containing a variety of natural resources and habitats. The directly affected area is mostly paved and developed with shoreline protection measures. Moreover, it is not anticipated that the proposed development would entail any in-water disturbance, and no new outfalls are proposed as part of the proposed action (i.e., existing outfalls will be used).

The proposed Authorization for a reduction of the required number of existing parking spaces (Section 13-443) could facilitate development that would potentially affect natural resources. It is not possible to predict the size, nature and location of development that could be induced by the Authorization. The Authorization approval requires the completion of its own environmental review, specific to the proposed development. That review would consider the possibility of any significant adverse impacts to natural resources, including development-related activities that could disturb areas along the Manhattan shoreline and/or Central Park, resulting from use of the Authorization. In some instances, the development induced by the Authorization would be subject to other discretionary approvals also subject to environmental review.

HAZARDOUS MATERIALS

A hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semi volatile organic compounds, methane, polychlorinated biphenyls and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic). According to the *CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when: a) hazardous materials exist on a site, and b) an action would increase pathways to their exposure; or c) an action would introduce new activities or processes using hazardous materials.

In addition, in connection to previous rezoning actions, (E) designations have been placed related to Hazardous Materials in many parts of the directly affect area.

The proposed Authorization for a reduction of the required number of existing parking spaces (Section 13-443) could facilitate development that would have the potential to disturb existing hazardous materials and/or increase pathways to their exposure. It is not possible to predict the size, nature and location of development that could be induced by the Authorization. The Authorization approval requires the completion of its own environmental review, specific to the proposed development. That review would consider the possibility of any significant adverse impacts due to hazardous materials, including those related to new ground disturbance, resulting from use of the Authorization. In some instances, the development induced by the Authorization would be subject to other discretionary approvals also subject to environmental review.

WATER AND SEWER INFRASTRUCTURE

New York City's water and sewer network is fundamental to the operation, health, safety, and quality of life of the City and its surrounding environment, and it must be sized to fit the users and the surface conditions in order to function adequately. Therefore, a preliminary assessment pursuant to the *CEQR Technical Manual* identifies whether a proposed project may adversely affect the City's water distribution or sewer system, and if so, assesses the effects of such projects in a detailed assessment in order to determine whether their impact is significant.

The *CEQR Technical Manual* outlines thresholds for analysis of a project's water demand and its generation of wastewater and stormwater. A preliminary analysis of a project's effects on the water supply system is warranted if a project would result in an exceptionally large demand for water (e.g., those that would use more than 1 million gallons per day), or would be located in an area that experiences low water pressure (e.g., Rockaway Peninsula or Coney Island). A preliminary analysis of a project's effects on wastewater or stormwater infrastructure is warranted depending on a project's proposed density, its location, and its potential to increase impervious surfaces.

The proposed Authorization for a reduction of the required number of existing parking spaces (Section 13-443) could facilitate development that would impact sewer (wastewater or stormwater) infrastructure in the area serving the development. However, it is very unlikely that the proposed Authorization could facilitate development of sufficient size or of an use that would need an exceptionally large demand for water; and, in addition, the Manhattan Core does not routinely experience low water pressure. It is not possible to predict the size, nature and location of development that could be induced by the Authorization. The Authorization approval requires the completion of its own environmental review, specific to the proposed development. That review would consider the possibility of any significant adverse impacts to the water and sewer infrastructure, including those related to an increase density and impervious surfaces, resulting from use of the Authorization. In some instances, the development induced by the Authorization would be subject to other discretionary approvals also subject to environmental review.

SOLID WASTE AND SANITATION SERVICES

A solid waste assessment is warranted if a proposed action would cause a substantial increase in solid waste production that would overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan (SWMP) or with state policy related to the City's integrated solid waste management system. According to the *CEQR Technical Manual*, few projects have the potential to generate substantial amounts of solid waste (defined as 50 tons [100,000 pounds] per week or more), thereby resulting in a significant adverse impact.

The proposed Authorization for a reduction of the required number of existing parking spaces (Section 13-443) could facilitate development that would generate an increase demand on solid waste and sanitation services. It is not possible to predict the size, nature and location of development that could be induced by the Authorization. The Authorization approval requires the completion of its own environmental review, specific to the proposed development. That review would consider the possibility of any significant adverse impacts to solid waste and sanitation services, including those related to a net increase in residential units or commercial square footage, resulting from use of the Authorization. In some instances, the development induced by the Authorization would be subject to other discretionary approvals also subject to environmental review.

TRANSPORTATION

The objective of the transportation analysis is to determine whether a proposed action may have a potential significant impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, safety of all roadway users (pedestrians, bicyclists, and vehicles), on-and off-street parking or goods movement.

The CEQR Technical Manual identifies minimum development densities that have the potential to result in significant adverse impacts to traffic conditions and therefore require a detailed traffic analysis. As shown in Table 16-1 of the *CEQR Technical Manual*, actions with a single or multiple land uses which may result in fewer than 50 peak hour vehicle trips are generally unlikely to cause significant adverse impacts. For development in Zone 1 (which includes the entirety of the Manhattan Core) the development threshold requiring trip generation analysis to determine the volume of vehicular trips during the peak hours is 240 residential dwelling units, 115,000 square feet of office space, 30,000 square feet of retail space, 20,000 square feet of restaurant space, 25,000 square feet of community facility space, or 85 off street parking spaces.

According to the general thresholds used by the MTA New York City Transit (NYCT) specified in the *CEQR Technical Manual*, detailed transit analysis is not required if a proposed action would result in less than 200 peak hour rail or bus transit riders at a particular facility. In addition, a detailed pedestrian analysis is not required if a proposed action would result in less than 200 peak hour pedestrian trips.

The proposed Authorization for a reduction of the required number of existing parking spaces (Section 13-443) could facilitate development that would generate an increase of 50 peak hour vehicle trips, 200 peak hour rail or bus transit riders, and/or 200 peak hour pedestrian trips. It is not possible to predict the size, nature and location of development that could be induced by the Authorization. The Authorization approval requires the completion of its own environmental review, specific to the proposed development. That review would consider the possibility of any significant adverse transportation impacts, including those related to an increase in residential units or commercial square footage, resulting from use of the Authorization. Under the proposed new authorization, the CPC may authorize a reduction of off-street parking spaces only if such a reduction would not have undue adverse effects on residents, businesses or community facilities in the surrounding area. The environmental review conducted in support of such a reduction would also have to consider the development that would be facilitated by such a reduction. If the environmental review finds a potential for adverse impacts that could, individually or in combination, be considered significant, the CPC would have the authority to prescribe the necessary mitigation to offset and/or minimize those adverse effects including those that would address impacts that contribute to serious traffic congestion or would unduly inhibit vehicular and pedestrian movement.

In some instances, the development induced by the Authorization would be subject to other discretionary approvals also subject to environmental review.

AIR QUALITY

According to the guidelines provided in the *CEQR Technical Manual*, air quality analyses are conducted in order to assess the effect of an action on ambient air quality (i.e., the quality of the surrounding air), or effects on the project because of ambient air quality. Air quality can be affected by “mobile sources,” pollutants produced by motor vehicles, and by pollutants produced by fixed facilities, i.e., “stationary

sources.” As per the *CEQR Technical Manual*, an air quality assessment should be carried out for actions that can result in either significant mobile source or stationary source air quality impacts.

The proposed Authorization for a reduction of the required number of existing parking spaces (Section 13-443) could facilitate development that would substantively increase the number of motor vehicles and/or introduce fixed emission sources to sensitive receptors. It is not possible to predict the size, nature and location of development that could be induced by the Authorization. The Authorization approval requires the completion of its own environmental review, specific to the proposed development. That review would consider the possibility of any significant adverse impacts to ambient air quality, including those related to motor vehicles and/or new or existing stationary sources, resulting from use of the Authorization. In some instances, the development induced by the Authorization would be subject to other discretionary approvals also subject to environmental review.

NOISE

The purpose of a noise analysis is to determine both (1) a proposed action’s potential effects on sensitive noise receptors, including the effects on the level of noise inside residential, commercial, and institutional facilities (if applicable) and (2) the effects of ambient noise levels on new sensitive uses introduced by the proposed action. The principal types of noise sources affecting the New York City environment are mobile sources (primarily motor vehicles), stationary sources (typically machinery or mechanical equipment associated with manufacturing operations or building heating, ventilating and air conditioning systems) and construction noise.

The proposed Authorization for a reduction of the required number of existing parking spaces (Section 13-443) could facilitate development that would introduce noise sources to sensitive receptors. It is not possible to predict the size, nature and location of development that could be induced by the Authorization. The Authorization approval requires the completion of its own environmental review, specific to the proposed development. That review would consider the possibility of any significant adverse noise impacts, including those related to new noise sources and/or sensitive receptors such as residential uses, resulting from use of the Authorization. In some instances, the development induced by the Authorization would be subject to other discretionary approvals also subject to environmental review.

NEIGHBORHOOD CHARACTER

Neighborhood character is an amalgam of various elements that give neighborhoods their distinct “personality.” According to the *CEQR Technical Manual*, a preliminary assessment may be appropriate if a project has the potential to result in any significant adverse impacts on any of the following impact categories: land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; shadows; transportation; or noise.

The proposed Authorization for a reduction of the required number of existing parking spaces (Section 13-443) could facilitate development that would affect neighborhood character. It is not possible to predict the size, nature and location of development that could be induced by the Authorization. The Authorization approval requires the completion of its own environmental review, specific to the proposed development. That review would consider the possibility of any significant adverse impacts to neighborhood character resulting from use of the Authorization. Under the proposed new authorization, the CPC may authorize a reduction of off-street parking spaces only if such a reduction

would not have undue adverse effects on residents, businesses or community facilities in the surrounding area. This allows the CPC, when appropriate, to prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

In some instances, the development induced by the Authorization would be subject to other discretionary approvals also subject to environmental review.

CONSTRUCTION

According to the guidelines of the *CEQR Technical Manual*, construction activities not involving any in-ground disturbance and of short-term duration (less than 2 years) do not generally warrant a detailed analysis.

All construction work would be undertaken in accordance with applicable city, state, and federal laws, regulations, and codes. All construction activity is required and expected to occur only during periods permitted by relevant NYC laws and regulations.

The proposed Authorization for a reduction of the required number of existing parking spaces (Section 13-443) could facilitate development that would require substantial construction activities to complete. It is not possible to predict the size, nature and location of development that could be induced by the Authorization. The Authorization approval requires the completion of its own environmental review, specific to the proposed development. That review would consider the possibility of any significant adverse construction-related impacts, including those related to new ground disturbance and any extended period of construction, resulting from use of the Authorization. In some instances, the development induced by the Authorization would be subject to other discretionary approvals also subject to environmental review.

Conclusion

Under the proposed new authorization, the CPC may authorize a reduction of off-street parking spaces only if such a reduction would not have undue adverse effects on residents, businesses or community facilities in the surrounding area. This allows the CPC, when appropriate, to prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area. As a result, it is not expected that a reduction in parking allowed under the Authorization is itself going to result in any significant adverse impacts.

Use of the Authorization may induce new development, the location, nature and size of which cannot be predicted. This development could result in a potential for significant adverse impacts. Any induced development would be considered in the environmental review of an individual Authorization application, and impacts and mitigations would be identified therein.

**Environmental Assessment Statement
for
Manhattan Core Parking Text Amendment**

**Appendix A:
Proposed Zoning Text Amendment**

Proposed Manhattan Core Parking Text Amendment

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

Matter with # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

Article I: General Provisions

* * *

Chapter 3

Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core

~~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~~

13-00

GENERAL PURPOSES

(Sections 13-00 through 13-562 are to be deleted and re-written as new text, as follows.
Long Island City regulations to be moved to Article I, Chapter 6)

The provisions of this Chapter establish special comprehensive regulations for off-street parking in the #Manhattan Core#, as defined in Section 12-10 (DEFINITIONS).

These regulations reflect best practices to address sustainability goals, while accommodating the parking needs of residents and businesses in a more rational manner.

13-01

General Provisions

Except as modified by the express provisions of this Chapter, the regulations of the underlying zoning districts or special purpose districts shall remain in effect.

13-02

Definitions

Access zone

For the purposes of this Chapter, an “access zone” shall refer to the portion of an #accessory# off-street parking facility, #public parking garage# or an automobile rental establishment, occupied by:

- (a) vehicular ramps between parking levels, or between a parking level and a vehicular entrance or exit, provided that such ramps are not used as parking spaces or associated maneuvering space;
- (b) vehicular elevators;
- (c) required reservoir spaces;
- (d) portions of required accessible pedestrian egress routes, including any associated ramps or elevators; or
- (e) bicycle parking spaces.

Automated parking facility

For the purposes of this Chapter, an “automated parking facility” shall refer to an #accessory# off-street parking facility or #public parking garage# where vehicular storage and retrieval within such facility is accomplished entirely through a mechanical conveyance system. A parking facility with parking lift systems that require an attendant to maneuver a vehicle that is to be parked shall not be considered an #automated parking facility#.

Parking zone

For the purposes of this Chapter, a “parking zone” shall refer to the portion of an #accessory# off-street parking facility, #public parking garage# or an automobile rental establishment, occupied by permitted off-street parking spaces and associated maneuvering space, and any other portion of such parking facility not included in the #access zone#. In attended parking facilities with parking lift systems, the #parking zone# shall also include the lifted tray a vehicle is stored upon.

13-03

Maps

Maps are located in Appendix A of this Chapter and are hereby incorporated and made an integral part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements set forth in this Chapter apply.

Map 1 – Locations where #public parking lots# are not permitted in the Midtown #Manhattan Core#

Map 2 – Locations where #public parking lots# are not permitted in the Downtown #Manhattan Core#

13-04

Applicability

13-041

Applicability of parking regulations within the Manhattan Core

The provisions of this Chapter shall apply to #accessory# off-street parking facilities, #public parking lots#, #public parking garages# and automobile rental establishments, as listed in Use Group 8, in the #Manhattan Core#, as follows:

- (a) for #accessory# off-street parking facilities, #public parking garages# and #public parking lots# constructed prior to (date of adoption), the number of parking spaces required or permitted shall be as set forth in Section 13-07 (Existing Buildings and Off-Street Parking Facilities in the Manhattan Core).
- (b) for #accessory# off-street parking facilities, automobile rental establishments and #public parking lots developed# or #enlarged# after (date of adoption), the as-of-right number of parking spaces permitted in a parking facility shall be as set forth in Section 13-10 (PERMITTED OFF-STREET PARKING IN THE MANHATTAN CORE) .

Special rules shall apply to all such #accessory# off-street parking spaces, automobile rental establishments and #public parking lots#, as set forth in Section 13-20 (SPECIAL RULES FOR MANHATTAN CORE PARKING FACILITIES).

- (c) Any increase in the number of off-street parking spaces in an #accessory# off-street parking facility or #public parking lot# resulting in a capacity not otherwise allowed under the applicable regulations of Section 13-10; or a new #public parking lot# in a location not permitted by Section 13-14 (Permitted Parking for Public Parking Lots), shall only be permitted by the City Planning Commission pursuant to the applicable special permit in Section 13-46 (Special Permits for Additional Parking Spaces).

- (d) #Public parking garages developed# or #enlarged# after (date of adoption) shall not be permitted as-of-right. Any #development# or #enlargement# of such #public parking garages# shall only be permitted in C1-5, C1-6, C1-7, C1-8, C1-9, C2, C4, C5, C6, C8, M1, M2 or M3 Districts by the City Planning Commission pursuant to the applicable special permit in Section 13-46. Commercial vehicles may occupy spaces in permitted #public parking garages# in accordance with the provisions of Section 13-16 (Permitted Parking for Car Sharing Vehicles and Commercial Vehicles).

13-042

Applicability of special permits within the Manhattan Core

The following special permits shall not be applicable within the #Manhattan Core#:

- (a) Section 73-48 (Exceptions to Maximum Size of Accessory Group Parking Facilities);

- (b) Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas), except as set forth in Section 13-06 (Previously Approved Special Permits and Authorizations); and

- (c) Section 74-53 (Accessory Group Parking Facilities for Uses in Large-Scale Residential Developments or Large-Scale Community Facility Developments or Large-Scale General Developments).

13-043

Applicability of loading regulations within the Manhattan Core

The provisions of Section 13-30 (OFF-STREET LOADING REGULATIONS IN THE MANHATTAN CORE), inclusive, shall apply to all #accessory# off-street loading berths provided in #developments# and #enlargements# within the #Manhattan Core# after (date of adoption).

13-05

Exceptions

The provisions of this Chapter shall not apply to Roosevelt Island, in Community District 8 in the Borough of Manhattan. In the #Hudson Yards parking regulations applicability area#, as defined in Section 93-81, the provisions of this Chapter shall apply as specified in Section 93-80 (OFF-STREET PARKING REGULATIONS).

Additional modifications to the provisions of this Chapter are found in the following Special Purpose Districts:

- (a) the #Special Midtown District#, as set forth in Section 81-30 (OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS), inclusive, Section 81-44 (Curb Cut Restrictions) and paragraph (c) of Section 81-84 (Mandatory Regulations and Prohibitions);
- (b) the #Special Lincoln Square District#, as set forth in Section 82-50 (OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS);
- (c) the #Special Battery Park City District#, as set forth in Section 84-14 (Parking Regulations and Curb Cuts), inclusive;
- (d) the #Special United Nations Development District#, as set forth in Section 85-03 (Modifications of Use Regulations);
- (e) the #Special Lower Manhattan District#, as set forth in Section 91-50 (OFF-STREET PARKING, LOADING AND CURB CUT REGULATIONS), inclusive;
- (f) the #Special Park Improvement District#, as set forth in Section 92-05 (Maximum Number of Accessory Off-Street Parking Spaces);
- (g) the #Special Transit Land Use District#, as set forth in Section 95-09 (Special Regulations for Accessory Off-Street Parking and Curb Cuts);

- (h) the #Special Clinton District#, as set forth in Section 96-111 (Off-Street Parking Regulations);
- (i) the #Special Madison Avenue Preservation District#, as set forth in Section 99-06 (Off-Street Parking Regulations); and
- (j) the #Special Little Italy District#, as set forth in Sections 109-16 (Parking Regulations); 109-351 (Parking regulations), 109-352 (Curb cut regulations) and 109-521 (Modification of accessory off-street parking facilities).

13-06

Previously Filed or Approved Special Permits or Authorizations

If, before (date of adoption), an application for an authorization or special permit relating to parking regulations in the #Manhattan Core# has been certified or referred by the City Planning Commission or has been filed with the Board of Standards and Appeals, such application may continue pursuant to the regulations in effect at the time such authorization or special permit was certified or referred by the Commission or filed with the Board. Such authorizations or special permits, if granted by the Commission or Board, may be started or continued, in accordance with the terms thereof, or as such terms may be subsequently modified, pursuant to the regulations in effect at the time such authorization or special permits were certified or referred by the Commission or filed with the Board.

Any authorization or special permit relating to parking regulations in the #Manhattan Core# granted by the City Planning Commission or Board of Standards and Appeals prior to (date of adoption) may be started or continued, in accordance with the terms thereof, or as such terms may be subsequently modified, pursuant to the regulations in effect at the time such authorization or special permit was granted.

All such authorizations or special permits shall be subject to the provisions of Sections 11-42 (Lapse of Authorization of Special Permit Granted by the City Planning Commission) and 11-43 (Renewal of Authorization or Special Permit).

Notwithstanding the foregoing, any subsequent modifications to such authorizations or special permits that involve an increase in the number of off-street parking spaces provided shall only be as permitted by the applicable special permit provisions of Section 13-46 (Special Permits for Additional Parking Spaces).

13-07

Existing Buildings and Off-Street Parking Facilities

The provisions of this Section shall apply to existing required or permitted #accessory# off-street parking spaces, #public parking lots# and #public parking garages# established prior to (date of adoption) in the #Manhattan Core#, as applicable, and to existing #buildings developed# without the provision of parking.

Existing required or permitted #accessory# off-street parking spaces, #public parking lots# and #public parking garages# established prior to (date of adoption) shall continue to be subject to the applicable zoning district regulations in effect prior to (date of adoption), except that:

- (a) any reduction or elimination of existing #accessory# off-street parking spaces that were required under the applicable provisions in effect prior to April 29, 1982, or for public or publicly-assisted housing under the applicable provisions in effect prior to (date of adoption), shall be allowed only by authorization of the City Planning Commission pursuant to Section 13-443 (Reduction of the number of required existing parking spaces);
- (b) #enlargements#, #extensions# or any increase in the number of off-street parking spaces within such off-street parking facilities shall be allowed by the City Planning Commission as follows:
 - (1) where the proposed increase in off-street parking spaces occurs in a #building developed# without the provision of parking, the Commission may authorize up to 15 off-street parking spaces pursuant to the provisions of Section 13-442 (Limited increase in parking spaces for existing buildings without parking);
 - (2) where the proposed increase occurs in an existing off-street parking facility, and such proposed increase:
 - (i) does not exceed the number of parking spaces that would be permitted on the #zoning lot# if such #zoning lot# were vacant and #developed# with a new #building# pursuant to the applicable regulations of Section 13-10 (PERMITTED OFF-STREET PARKING IN THE MANHATTAN CORE), the Commission may permit such an increase pursuant to the provisions of Section 13-45 (Special Permit for Limited Increase of Parking Spaces in Existing Buildings or Parking Facilities); or
 - (ii) results in a capacity not otherwise allowed under the applicable regulations of Section 13-10, the Commission may permit such an

increase, pursuant to the applicable provisions of Section 13-46 (Special Permits for Additional Parking Spaces);

- (c) #conversions# shall be permitted to retain all spaces in existing parking facilities. Additional #accessory# off-street parking spaces shall be permitted by the City Planning Commission pursuant to the applicable special permit provisions of Section 13-46.
- (d) an #accessory# off-street parking facility in possession of a license issued by the Department of Consumer Affairs pursuant to Section 20-321 of the New York City Administrative Code to maintain, operate or conduct a garage or parking lot (as defined therein) prior to January 1, 2012 may make #accessory# parking spaces available for public use in accordance with the provisions of Section 13-21 (Public Use and Off-Site Parking), provided that a copy of such license is filed with the Department of Buildings. However, any increase in the number of spaces in such a facility shall only be permitted in accordance with the applicable provisions of paragraph (b) of this Section.

13-10

PERMITTED OFF-STREET PARKING IN THE MANHATTAN CORE

As-of-right off-street parking spaces located within #accessory# off-street parking facilities, automobile rental establishments and #public parking lots# in the #Manhattan Core# shall be permitted as set forth in this Section, inclusive.

13-101

Calculating parking spaces in automated parking facilities

For the purpose of calculating parking spaces in #automated parking facilities#, each tray upon which a vehicle is stored shall constitute one off-street parking space. However, auxiliary parking trays 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#.

13-11

Permitted Parking for Residences

#Accessory# off-street parking spaces are permitted for #residences# in #developments# or #enlargements#, as follows:

- (a) for Community Districts 1, 2, 3, 4, 5, and 6, #accessory# off-street parking spaces may be provided for not more than 20 percent of the total number of new #dwelling units# contained in the #development# or #enlargement#, or 200 spaces, whichever is less.
- (b) for Community Districts 7 and 8, #accessory# off-street parking spaces may be provided for not more than 35 percent of the total number of new #dwelling units# contained in the #development# or #enlargement#, or 200 spaces, whichever is less.

13-12

Permitted Parking for Non-Residential Uses

#Accessory# off-street parking spaces are permitted for non-#residential uses# in #developments# or #enlargements#, as follows:

- (a) #Transient hotels#

For #transient hotel developments# or #enlargements#, a maximum of 225 #accessory# off-street parking spaces shall be permitted. In no event may the number of parking spaces exceed 15 percent of the number of new #transient hotel# rooms.

- (b) Hospitals

For hospital #developments# or #enlargements#, a maximum of 100 #accessory# off-street parking spaces are permitted.

- (c) Retail #uses#

For #developments# or #enlargements# comprising #commercial uses# listed in Use Groups 6A, 6C, or 10A, the maximum number of #accessory# off-street parking spaces permitted shall not exceed one space per 4,000 square feet of #floor area#, or 10 spaces, whichever is less.

- (d) Other #commercial#, #community facility# and #manufacturing uses#

For #developments# or #enlargements# comprising #community facility uses# other than hospitals, #commercial uses# other than those listed in paragraphs (a) and (c) of this Section, and #manufacturing uses#, the maximum number of #accessory# off-street parking spaces permitted shall not exceed one space per 4,000 square feet of such

#community facility#, #commercial# or #manufacturing floor area#, or 100 spaces, whichever is less.

13-13

Permitted Parking for Zoning Lots with Multiple Uses

Where a #development# or #enlargement# contains a combination of #uses# for which parking regulations are set forth in Sections 13-11 (Permitted Parking for Residences), and 13-12 (Permitted Parking for Non-Residential Uses), the number of #accessory# off-street parking spaces for all such #uses# shall not exceed the number of spaces permitted for each #use# in accordance with the provisions of such Sections. However, in no event shall the maximum number exceed 225 #accessory# off-street parking spaces.

13-14

Permitted Parking in Public Parking Lots

#Public parking lots#, with a maximum capacity of 150 spaces, are permitted in C2, C4, C6, C8, M1-5, M1-6, M2 and M3 Districts, except that:

- (a) no #public parking lots# shall be permitted:
 - (1) within the area designated on Map 1 (Locations where #public parking lots# are not permitted in the Midtown #Manhattan Core#) in Appendix A of this Chapter;
 - (2) within the area designated on Map 2 (Locations where #public parking lots# are not permitted in the Downtown #Manhattan Core#) in Appendix A of this Chapter; and
 - (3) within the Preservation Area of the #Special Clinton District, as shown on the map in Appendix A of Article IX, Chapter 6; and
- (b) for M1-5 Districts and M1-6 Districts, #public parking lots# shall only be permitted in the following locations:
 - (1) in M1-5 and M1-6 Districts north of 42nd Street and west of 10th Avenue;
 - (2) in the M1-5 Districts west of Ninth Avenue between 17th Street and 30th Street;

and

- (3) in the M1-5 District south of Canal Street.

In such districts, the City Planning Commission may permit a #public parking lot# in a location not allowed by this Section pursuant to the applicable special permit in Section 13-46 (Special Permits for Additional Parking Spaces). Any such proposed #public parking lots# located in the Preservation Area of the #Special Clinton District# shall also be subject to the additional findings set forth in Section 96-111 (Off-street parking regulations).

13-15

Permitted Parking for Automobile Rental Establishments

Automobile rental establishments, as listed in Use Group 8, are permitted, provided that:

- (a) in C2 Districts, the number of automobiles that may be stored in such establishments shall not exceed 150 spaces;
- (b) in C4, C6, and C8, the number of automobiles that may be stored in such establishments shall not exceed 225 spaces; and
- (c) in M1, M2, and M3 Districts, the number of automobiles that may be stored in such establishments shall not exceed 300 spaces.

13-16

Permitted Parking for Car Sharing Vehicles and Commercial Vehicles

#Car sharing vehicles# and commercial vehicle parking for motor vehicles not exceeding a length of 20 feet shall be permitted within #accessory# off-street parking facilities, #public parking garages# and #public parking lots#, as follows:

- (a) #Accessory# off-street parking facilities
- #Car sharing vehicles# may occupy parking spaces in an #accessory# off-street parking facility, provided that such #car sharing vehicles# shall not exceed 20 percent of all parking spaces in such facility, or five spaces, whichever is greater.
- (b) #Public parking garages# and #public parking lots#

- (1) In C1-5, C1-6, C1-7, C1-8, C1-9, C2 and C4 Districts, vehicles stored by automobile rental establishments and #car sharing vehicles# shall be permitted, provided such vehicles do not exceed, in total, 40 percent of the total number of parking spaces permitted within the #public parking garage# or #public parking lot#.
- (2) In C5, C6, C8, M1, M2 and M3 Districts, vehicles stored by automobile rental establishments and #car sharing vehicles# shall be permitted, provided such vehicles do not exceed, in total, 40 percent of the total number of parking spaces permitted within the #public parking garage# or #public parking lot#. In addition, commercial vehicle parking for motor vehicles not exceeding a length of 20 feet shall be permitted, provided that the total amount of parking spaces occupied by commercial vehicles, including any #car sharing vehicles# and automobile rental establishment vehicles, shall not exceed, in total, 50 percent of the total number of parking spaces permitted within the #public parking garage# or #public parking lot#.

13-20

SPECIAL RULES FOR MANHATTAN CORE PARKING FACILITIES

All #accessory# off-street parking facilities, automobile rental establishments, and #public parking lots developed#, #enlarged# or #extended# in the #Manhattan Core# after (date of adoption) shall comply with the applicable provisions of this Section, inclusive.

13-21

Public Use and Off-Site Parking

All #accessory# off-street parking spaces may be made available for public use. However, any such space shall be made available to the occupant of a #residence# to which it is #accessory# within 30 days after written request therefor is made to the landlord.

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#.

13-22

Enclosure and Screening Requirements

(a) #Accessory# off-street parking facilities

All #accessory# off-street parking spaces shall be located within a #completely enclosed building#, with the exception of parking spaces #accessory# to a hospital, as listed in Use Group 4, and as provided in Section 13-46 (Special Permits for Additional Parking Spaces). In addition, such parking facilities shall comply with the following provisions:

(1) Screening

Any portion of an #accessory# off-street parking facility, except for entrances and exits, that is located above #curb level# shall be located behind permitted #commercial#, #community facility# or #residential floor area# so that no portion of such facility is visible from adjacent public sidewalks or #publicly accessible open areas#. Such #floor area# shall have a minimum dimension of 30 feet, as measured perpendicular to the #street wall# of the #building#.

Alternatively, for parking facilities or portions thereof, fronting upon a #narrow street# within a #Residence District#, off-street parking facilities may be screened by a densely-planted buffer strip, with a depth of at least 10 feet.

(2) Transparency

Portions of ground floor #commercial# and #community facility uses# screening the parking facility shall comply with the transparency provisions of Section 132-32 (Ground Floor Level Transparency Requirements). However, where the #base flood elevation# is higher than the level of the #building's# adjoining sidewalk, such transparency requirement shall be measured from a height of one foot above the height of the #base flood elevation#, instead of the level of the adjoining sidewalk.

(b) Automobile rental establishments

All off-street parking within an automobile rental establishment shall be located within a #completely enclosed building# and shall comply with the screening provisions of paragraph (a) of this Section. #Accessory# office space and customer waiting areas associated with such establishments shall constitute #commercial floor area# for the purposes of such screening requirement.

(c) #Public parking lots# and certain permitted #accessory# parking lots

#Public parking lots# and open parking spaces #accessory# to a hospital shall provide screening in accordance with the provisions of 37-921 (Perimeter landscaping).

13-23

Floor Area

The definition of #floor area# in Section 12-10 shall be modified as follows for purposes of this Chapter:

(a) Attended parking facilities with parking lift systems

For portions of an attended parking facility with parking lift systems, individual lifted trays upon which a vehicle is stored which, in operation, rise to a height in excess of 23 feet, as measured above #curb level#, shall be considered #floor area# in an amount of 153 square feet, or the size of such lifted tray, whichever is greater.

(b) #Automated parking facilities#

Floor space used for off-street parking spaces in an #accessory automated parking facility# up to a height of 40 feet above #curb level# shall be exempt from the definition of #floor area# upon certification of the Chairperson of the City Planning Commission, pursuant to the provisions of Section 13-432 (Floor area exemption for automated parking facilities).

For portions of an #automated parking facility#, each tray upon which a vehicle is stored at a height in excess of 40 feet in parking facilities certified pursuant to 13-432, or 23 feet in all other #automated parking facilities#, shall be considered #floor area# in an amount of 153 square feet, or the size of such lifted tray, whichever is greater.

13-24

Curb Cut Restrictions

In addition to the provisions of this Section, inclusive, additional restrictions on curb cuts in the #Manhattan Core# are found in the following Special Purpose Districts:

(a) the #Special Midtown District#, as set forth in Section 81-44 (Curb Cut Restrictions);

- (b) the #Special Lincoln Square District#, as set forth in paragraph (b) of Section 82-50 (OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS) ;
- (c) the #Special Battery Park City District#, as set forth in Section 84-144 (Location of curb cuts);
- (d) the #Special Lower Manhattan District#, as set forth in Section 91-52 (Curb Cut Regulations);
- (e) the #Special Park Improvement District#, as set forth in Section 92-05 (Maximum Number of Accessory Off-Street Parking Spaces);
- (f) the #Special Transit Land Use District#, as set forth in Section 95-09 (Special Regulations for Accessory Off-Street Parking and Curb Cuts);
- (g) the #Special Clinton District#, as set forth in paragraph (f) of Section 96-21 (Special Regulations for 42nd Street Perimeter Area);
- (h) the #Special Madison Avenue Preservation District#, as set forth in Section 99-06 (Off-street Parking Regulations); and
- (i) the #Special Little Italy District#, as set forth in Section 109-352 (Curb cut regulations).

13-241

Location of curb cuts

For #accessory# off-street parking facilities, automobile rental establishments and #public parking lots#, curb cuts are required for entry and exit to such parking facilities. Such curb cuts:

- (a) shall not be permitted within 50 feet of the intersection of any two #street lines#, except where the Commissioner of Buildings certifies that such location is not hazardous to traffic safety, is not likely to create traffic congestion and will not unduly inhibit surface traffic or pedestrian flow. The Commissioner of Buildings may refer such matter to the Department of Transportation, or its successor, for a report;
- (b) shall not be located within two and one-half feet of any #side lot line# of the #zoning lot#, or prolongation thereof;

- (c) for #accessory# off-street parking facilities and automobile rental establishments, shall not be located on a #wide street#, except where authorized pursuant to Section 13-441 (Curb cuts); and
- (d) for #public parking lots#, shall not be permitted on the following #wide streets#, except where authorized pursuant to Section 13-441 (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.

13-242

Maximum width of curb cuts

- (a) #Accessory# off-street parking facilities

For curb cuts accessing off-street parking spaces #accessory# to #residences# in the #Manhattan Core#, the provisions of Sections 25-631 (Location of curb cuts in certain districts), and 36-532 (Location and width of curb cuts accessing residential parking spaces in certain districts) shall apply, as applicable.

In addition, the maximum width of a curb cut shall be 22 feet for curb cuts accessing off-street parking spaces #accessory# to #residences# in R9 or R10 Districts, C1 and C2 Districts mapped within R9 and R10 Districts, and in all other #Commercial Districts# where, as set forth in the tables in Section 34-112 or 35-23, as applicable, the equivalent #Residential District# is R9 or R10. This maximum curb cut width of 22 feet shall also apply to curb cuts accessing off-street parking spaces #accessory# to #commercial# or

#community facility uses#, and to curb cuts accessing off-street parking facilities with parking spaces #accessory# to a mix of #uses#.

(b) Automobile rental establishments

For curb cuts accessing automobile rental establishments, the maximum width of a curb cut shall be 22 feet.

(c) #Public parking lots#

For curb cuts accessing #public parking lots#, the curb cut provisions of paragraph (c) of Section 36-58 (Parking Lot Maneuverability and Curb Cut Regulations) shall apply.

13-25

Reservoir Spaces

For the purpose of determining required reservoir spaces, fractions equal to or greater than one-half resulting from the calculations in this Section shall be considered to be one reservoir space.

(a) Attended parking facilities

For attended #accessory# off-street parking facilities or #public parking lots# with more than 25 off-street parking spaces, off-street reservoir space at the vehicular entrance shall be provided to accommodate:

- (1) five percent of the total number of parking spaces provided in parking facilities with more than 25 parking spaces and up to 50 parking spaces;
- (2) ten percent of the total number of parking spaces provided in parking facilities with more than 50 parking spaces and up to 100 parking spaces;
- (3) ten parking spaces in parking facilities with more than 100 off-street parking spaces and up to 200 parking spaces; and
- (4) five percent of the total number of parking spaces provided in parking facilities with more than 200 off-street parking spaces. However such number of reservoir spaces need not exceed 50.

(b) #Automated parking facilities#

For #automated parking facilities#, off-street reservoir space at the vehicle entrance shall be provided at the rate set forth in paragraph (a) of this Section.

Each individual parking location where a driver is permitted to leave a vehicle for transfer to a mechanized automobile storage and retrieval unit shall constitute one reservoir space. Additional reservoir spaces may be located where drivers queue to access such locations for vehicle transfer.

In addition, the number of reservoir spaces required pursuant to this Section may be reduced where the Commissioner of Buildings determines that the operational characteristics of such #automated parking facility# warrant such a reduction.

(c) Automobile rental establishments

For automobile rental establishments, off-street reservoir space at the vehicle entrance shall be provided at the rate set forth in paragraph (a) of this Section.

(d) Self-parking facilities

For self-parking #accessory# off-street parking facilities and #public parking lots# where entering vehicles are required to stop before a mechanically-operated barrier before entering such parking facility, such barrier shall be placed a minimum of 20 feet beyond the #street line#.

13-26

Pedestrian Safety and Access

For all #accessory# off-street parking facilities, the following safety features shall be provided at all vehicular exit points:

- (a) a 'stop' sign which shall be clearly visible to drivers. Such signage shall comply with the standards set forth in the Manual of Uniform Traffic Control Devices (MUTCD) issued by the Federal Highway Administration (FHWA) for a conventional single lane road; and
- (b) a speed bump, which shall be located within the exit lane of the parking facility. Such speed bump shall:
 - (1) span the width of the vehicular travel lane;

- (2) have a minimum height of two inches, as measured from the adjoining grade of the exit lane, and shall have a maximum depth of twelve inches; and
- (3) shall be located a minimum of four feet beyond the #street line#, as measured perpendicular to the #street line#.

13-27

Minimum and Maximum Size of Parking Facilities

For all #accessory# off-street parking facilities and automobile rental establishments, the minimum and maximum size requirements for the #parking zone# for such parking facilities shall be set forth in this Section. The #access zone# of such parking facilities shall not have a minimum or maximum gross surface area.

For the purpose of calculating surface area in attended parking facilities with parking lift systems, the lifted tray upon which a vehicle is stored shall constitute surface area.

(a) Attended parking facilities

The minimum gross surface area, in square feet, of the #parking zone# of an attended #accessory# off-street parking facility shall be 180 times the number of off-street parking spaces provided. However, for portions of an attended parking facility with parking lift systems, such minimum surface area requirement for any elevated spaces may be reduced to 153 times the number of elevated spaces able to be provided on lifted trays.

The maximum gross surface area, in square feet, of such parking facility shall not exceed 200 times the number of off-street parking spaces provided.

(b) #Automated parking facilities#

No minimum or maximum surface area requirement shall be required in off-street parking facilities that the Commissioner of Buildings determines to be #automated parking facilities#.

(c) Automobile rental establishments

The maximum gross surface area, in square feet, of the #parking zone# of an automobile rental establishment, shall be established at the rate set forth in paragraph (a) of this Section.

(d) Self-park facilities

The gross surface area, in square feet, of the #parking zone# of a self-parking #accessory# off-street parking facility shall be a minimum of 300 times the number of off-street parking spaces provided, and a maximum of 350 times the number of off-street parking spaces provided. However, 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 Buildings.

Such minimum and maximum #parking zone# requirements of this Section may be modified by the Chairperson of the City Planning Commission pursuant to the certification set forth in Section 13-431 (Reduction of minimum facility size).

13-30

OFF-STREET LOADING REGULATIONS IN THE MANHATTAN CORE

All #accessory# off-street loading facilities #developed# or #enlarged# in the #Manhattan Core# after (date of adoption) shall comply with the applicable provisions of this Section, inclusive.

In addition to the provisions of this Section, additional restrictions on loading berths in the #Manhattan Core# are found in the following Special Purpose Districts:

- (a) the #Special Midtown District#, as set forth in Sections 81-312 (Prohibitions of off-street parking or off-street loading facilities, 81-44 (Curb Cut Restrictions) and 81-84 (Mandatory Regulations and Prohibitions);
- (b) the #Special Lincoln Square District#, as set forth in Section 82-50 (OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS) ;
- (c) the #Special Battery Park City District#, as set forth in Sections 84-143 and 84-342 (Off-street loading); and
- (d) the #Special Lower Manhattan District#, as set forth in Section 91-52 (Curb Cut Regulations) and 91-53 (Waiver of Requirements for Accessory Off-Street Loading Berths)

13-31

Modification of Minimum Size of Loading Berth

For all permitted or required #accessory# loading berths, the minimum length requirements for hospitals and related facilities or prisons; hotels, offices or court houses; #commercial uses#; and wholesale, #manufacturing# or storage #uses#, set forth in Sections 36-681 (Size of required berths) and 44-581 (Size of required loading berths), shall be 37 feet.

13-32

Floor Area Exemption

In addition to the #floor area# exemption for #accessory# off-street loading berths set forth in Section 12-10 (DEFINITIONS), for #buildings# with a total #floor area# in excess of 100,000 square feet, up to 300 square feet of floor space may be exempted from the definition of #floor area# where such #buildings# allocate a permanent space for dumpster storage, and such storage space has a minimum dimension of 12 feet by 25 feet. Such dumpster storage space shall be adjacent to a #building's# loading berth.

13-33

Modification of Provisions for a Zoning Lot with Uses Subject to Different Loading Requirements

The provisions of Sections 36-63 and 44-53 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Loading Requirements) shall not apply.

13-34

Location of Access to the Street

In addition to the provisions of Sections 25-75, 36-682 and 44-582 (Location of Access to the Street), no entrance or exit to an #accessory# off-street loading berth shall be located on a #street# with a roadbed width of less than 20 feet, as measured curb to curb.

13-35

Modification of Loading Berth Requirements

The provisions of Sections 25-75 (Location of Access to the Street), 36-65 and 44-55 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden) shall be modified to

allow the Commissioner of Buildings to reduce or waive the applicable loading berth requirements, provided that:

- (a) the #zoning lot# only has frontage upon a #street#, or portion thereof, where curb cuts or entrances and exits to #accessory# off-street loading berths are not permitted;
- (b) the #zoning lot# has frontage along a #street# where curb cuts accessing a loading berth are otherwise permitted, but there is no access to such #zoning lot# from the #street# due to the presence of:
 - (1) a #building# existing on (date of adoption) containing #residences#;
 - (2) a #non-residential building# existing on (date of adoption) that is three or more #stories# in height; or
 - (3) a #building# designated as a landmark or considered a contributing #building# in an Historic District designated by the Landmarks Preservation Commission; or
- (c) there are subsurface conditions, ventilation requirements from below-grade infrastructure or other site planning constraints that would make accommodating such loading berths infeasible.

In the case of paragraph (c), as set forth in this Section, the Commissioner shall require a loading berth of not less than 33 feet in depth, if such a berth can be accommodated in consideration of the relevant site restraints. The Commissioner of Buildings may request reports from licensed engineers or registered architects in considering such reduction or waiver.

13-40

CERTIFICATIONS, AUTHORIZATIONS AND SPECIAL PERMITS IN THE MANHATTAN CORE

13-41

General Provisions

The City Planning Commission may grant certifications, authorizations and special permits in accordance with Section 13-40 (CERTIFICATIONS, AUTHORIZATIONS AND SPECIAL PERMITS IN THE MANHATTAN CORE), inclusive. All such special permits and authorizations, in addition to meeting the requirements, conditions and safeguards prescribed by

the Commission as specified in this Section, shall conform to and comply with all of the applicable regulations, except as otherwise specified herein.

13-42

Requirements for Applications

An application to the City Planning Commission for the grant of a certification, authorization or special permit under the provisions of Section 13-40 (CERTIFICATIONS, AUTHORIZATIONS AND SPECIAL PERMITS IN THE MANHATTAN CORE) shall include a site plan showing the location of all existing and proposed #buildings or other structures# on the #zoning lot#, the location of all vehicular entrances and exits and off-street parking spaces, and such other information as may be required by the Commission.

13-43

Certifications in the Manhattan Core

13-431

Reduction of minimum facility size

An off-street parking facility in the #Manhattan Core# may provide a gross unobstructed surface area less than the minimum size required by Section 13-27 (Minimum and maximum size of parking facilities) upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the proposed layout of such parking facility, including, but not limited to, the arrangement of parking spaces, travel aisles and reservoir spaces, where applicable, is sufficient to accommodate the requisite vehicular navigation and turning movements associated with such a facility. In order to make such a determination, the applicant shall provide the Chairperson with dimensioned plan drawings which depict the proposed vehicular movement through the facility, including any relevant maneuverability or turning radius information.

Where the Chairperson certifies that an #accessory# off-street parking facility may be reduced in size because vehicles will be limited in length, such restriction shall be noted on the certificate of occupancy.

13-432

Floor area exemption for automated parking facilities

Floor space used for off-street parking spaces in an #accessory automated parking facility#, up to a height of 40 feet above #curb level#, shall be exempt from the definition of #floor area# upon certification of the Chairperson of the City Planning Commission to the Commissioner of Buildings that:

- (a) the entire #automated parking facility# will be contained within a #completely enclosed building#;
- (b) the portion of the #street wall# of such #automated parking facility# below a height of 14 feet, as measured above #curb level#, complies with the screening provisions of Section 13-222 (Screening requirements for accessory off-street parking facilities), and the portion of the #street wall# above a height of 14 feet, will be similar in composition to the portion of the #building's street wall# immediately above such #automated parking facility#, including but not limited to, the choice of building materials and arrangement and amount thereof; and
- (c) such #automated parking facility# is within a #building# with a #floor area ratio# of at least 2.0.

Any application for such certification shall include relevant plan, elevation and section drawings demonstrating compliance with the provisions of this Section.

13-44

Authorizations in the Manhattan Core

13-441

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.

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

13-442

Limited increase in parking spaces for existing buildings without parking

The City Planning Commission may, by authorization, allow an off-street parking facility in the #Manhattan Core# with a maximum capacity of 15 spaces in an existing #building developed# without the provision of parking, provided that the conditions of paragraph (a) and the findings of paragraph (b) are met.

(a) Conditions

As a condition for approval, the parking facility shall comply with the applicable provisions of Section 13-20 (SPECIAL RULES FOR MANHATTAN CORE PARKING FACILITIES), except that such parking facility need not comply with the provisions of Section 13-222 (Screening requirements for accessory off-street parking facilities).

(b) Findings

The Commission shall find that:

- (1) the location of the vehicular entrances and exits to the parking facility will not unduly interrupt the flow of pedestrian traffic associated with #uses# or public facilities in close proximity thereto or result in any undue conflict between pedestrian and vehicular movements, due to the entering and leaving movement of vehicles;
- (2) the location of the vehicular entrances and exits to such parking facility will not interfere with the efficient functioning of #streets#, including any lanes designated for specific types of users or vehicles, due to the entering and leaving movement of vehicles; and
- (3) such parking facility will not be inconsistent with the character of the existing streetscape.

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

13-443

Reduction of the number of required existing parking spaces

For off-street parking facilities built prior to (date of adoption), the City Planning Commission may authorize a reduction of the number of required #accessory# off-street parking spaces where the Commission finds that such reduction will not have undue adverse effects on residents, businesses or community facilities in the surrounding area, as applicable.

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

13-45

Special Permit for Limited Increase of Parking Spaces in Existing Buildings or Parking Facilities

The City Planning Commission may permit an increase in the number of parking spaces within an existing off-street parking facility, where such increase does not exceed the number of parking spaces that would be permitted on the #zoning lot# if such #zoning lot# were vacant and #developed# with a new #building# pursuant to Section 13-10 (PERMITTED OFF-STREET PARKING IN THE MANHATTAN CORE), provided that the conditions of paragraph (a) and the findings of paragraph (b) of this Section are met. Such increase in the number of parking spaces shall be determined in relation to a new #building# that is comparable to the #building# containing the parking facility in terms of its #floor area#, #use#, proportion of #uses# if different #uses# exist, and #dwelling units#, if any. Any #non-complying floor area# or #dwelling units# shall be excluded from such calculation

(a) Conditions

The proposed parking facility shall comply with the applicable provisions of Section 13-20 (SPECIAL RULES FOR MANHATTAN CORE PARKING FACILITIES), except that such parking facility need not comply with the provisions of Section 13-22 (Enclosure and Screening Requirements).

(b) Findings

The Commission shall find, with such increase in the number of parking spaces, that:

- (1) the location of the vehicular entrances and exits to such parking facility will not unduly interrupt the flow of pedestrian traffic associated with #uses# or public facilities in close proximity thereto or result in any undue conflict between pedestrian and vehicular movements, due to the entering and leaving movement of vehicles;
- (2) the location of the vehicular entrances and exits to such parking facility will not interfere with the efficient functioning of #streets#, including any lanes designated for specific types of users or vehicles, due to the entering and leaving movement of vehicles; and
- (3) such parking facility will not be inconsistent with the character of the existing streetscape.

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

13-46

Special Permits for Additional Parking Spaces

In accordance with the special permit provisions of Sections 13-461 through 13-464, the City Planning Commission may permit the off-street parking facilities listed in paragraph (a) of this Section, provided that such parking facilities comply with the conditions of paragraph (b) and the findings of paragraphs (c) and (d) of this Section.

(a) Eligible parking facilities

The City Planning Commission may permit, the following:

- (1) on-site or off-site, open or enclosed #accessory# off-street parking facilities with any capacity not otherwise allowed under the applicable regulations of Section 13-10 (PERMITTED OFF-STREET PARKING IN THE MANHATTAN CORE);
- (2) #public parking lots# with any capacity not otherwise allowed under the applicable regulations of Section 13-10, or #public parking lots# in locations not permitted by Section 13-14 (Permitted Parking for Public Parking Lots); or

(3) #public parking garages#, in the zoning districts permitted pursuant paragraph (d) of Section 13-041 (Applicability of parking regulations within the Manhattan Core). The Commission may also permit floor space in such #public parking garages# used for off-street parking spaces in any #story# located not more than 23 feet above #curb level# to be exempt from the definition of #floor area# as set forth in Section 12-10.

(b) Conditions

The proposed parking facility shall comply with the applicable provisions of Section 13-20 (SPECIAL RULES FOR MANHATTAN CORE PARKING FACILITIES). Proposed #public parking garages# shall utilize the applicable regulations for #accessory# off-street parking facilities.

(c) Findings

The Commission shall find that:

(1) the location of the vehicular entrances and exits to such parking facility will not unduly interrupt the flow of pedestrian traffic associated with #uses# or public facilities in close proximity thereto or result in any undue conflict between pedestrian and vehicular movements, due to the entering and leaving movement of vehicles;

(2) the location of the vehicular entrances and exits to such parking facility will not interfere with the efficient functioning of #streets#, including any lanes designated for specific types of users or vehicles, due to the entering and leaving movement of vehicles;

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

(4) such parking facility will not be inconsistent with the character of the existing streetscape.

(d) Additional findings

The Commission shall also find that each proposed off-street parking facility complies with the additional findings set forth in one of the following Sections, as applicable:

- (1) Section 13-461 (Additional parking spaces for residential growth) shall apply to any such parking facility serving the parking needs of a predominantly #residential development# or #enlargement# that has or will have an area of less than 1.5 acres;
- (2) Section 13-462 (Additional parking spaces for health care, arts or public assembly uses) shall apply to any such parking facility serving the parking needs of a any #use# listed in paragraph (a) of Section 13-462 that has or will have an area of less than 1.5 acres;
- (3) Section 13-463 (Additional parking spaces for economic development uses) shall apply to any such parking facility serving the parking needs of a non-#residential use# not otherwise listed in paragraph (a) of Section 13-462 that has or will have an area of less than 1.5 acres, or
- (4) Section 13-464 (Additional parking spaces for large-scale developments) shall apply to any such parking facility serving the parking needs of a #development# or #enlargement# that has or will have an area of at least 1.5 acres.

13-461

Additional parking spaces for residential growth

The City Planning Commission may permit a parking facility listed in paragraph (a) of Section 13-46 (Special Permits for Additional Parking Spaces), where such parking facility serves the parking needs of a predominantly #residential development# or #enlargement#, provided that, in addition to the conditions and findings set forth in Section 13-46, the Commission shall find that either:

- (a) the number of off-street parking spaces in such proposed parking facility is reasonable and not excessive in relation to recent trends in close proximity to the proposed facility with regard to:
 - (1) the increase in the number of #dwelling units#; and
 - (2) the number of both public and #accessory# off-street parking spaces, taking into account both the construction, if any, of new off-street parking facilities and the reduction, if any, in the number of such spaces in existing parking facilities. In making this determination, the Commission may take into account off-street

parking facilities for which building permits have been granted, or which have obtained City Planning Commission special permits pursuant to this Section; or

- (b) the proposed ratio of parking spaces to #dwelling units# in the proposed #development# does not exceed that for an as-of-right #building developed# under the provisions of Section 13-10 (PERMITTED OFF-STREET PARKING IN THE MANHATTAN CORE). In making this determination, the Commission may disregard the applicable limits on the total number of permitted parking spaces established for such as-of-right #buildings#.

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

13-462

Additional parking spaces for health care, arts or public assembly uses

The City Planning Commission may permit a parking facility listed in paragraph (a) of Section 13-46 (Special Permits for Additional Parking Spaces), where such parking facility would serve the parking needs of a health care, arts or public assembly #use#, provided that, in addition to the conditions and findings set forth in Section 13-46, the Commission shall find that:

- (a) the proposed parking facility is either in close proximity to or on the same #zoning lot# as one or more of the following #uses# being #developed#, #enlarged# or created within existing #buildings#:
- (1) a hospital or related facility, as listed in Use Group 4;
 - (2) a museum, as listed in Use Group 3;
 - (3) a theater, as listed in Use Group 8, or other performing arts venue; or
 - (4) an arena, auditorium, trade exposition or stadium, as listed in Use Group 12 or, where permitted by special permit, pursuant to Section 74-41 or other government agency approvals.
- (b) an increased number of permitted off-street parking spaces in such proposed parking facility is essential to the operation of such health care, arts or public assembly #use#; and

- (c) reasonable measures to minimize parking demand have been identified. For existing or #enlarged# health care, arts or public assembly #uses#, such measures shall have been implemented, where feasible, prior to application, and a commitment by the applicant shall be made, in a form acceptable to the Commission, to continue, and where necessary, improve upon and supplement such measures. For new health care, arts or public assembly #uses#, such measures shall be committed to in a form acceptable to the Commission.

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

13-463

Additional parking spaces for economic development uses

The City Planning Commission may permit a parking facility listed in paragraph (a) of Section 13-46 (Special Permits for Additional Parking Spaces), where such parking facility serves the parking needs of a non-#residential use# not otherwise listed in paragraph (a) of Section 13-462, provided that, in addition to the conditions and findings set forth in Section 13-46, the Commission shall find that:

- (a) the proposed parking facility is in close proximity to or on the same #zoning lot# as a #commercial use#, #community facility use# or #manufacturing use# which is being #developed#, #enlarged# or created within an existing #building or other structures#, and such #use# is of significant importance to the economic well-being of the City of New York;
- (b) an increased number of permitted off-street parking spaces in such proposed parking facility is essential to the operation of such #use#; and
- (c) reasonable measures to minimize parking demand have been identified. For existing or #enlarged uses#, such measures shall have been implemented, where feasible, prior to application, and a commitment by the applicant shall be made, in a form acceptable to the Commission, to continue, and where necessary, improve upon and supplement such measures. For new #uses#, such measures shall be committed to in a form acceptable to the Commission.

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

13-464

Additional parking spaces for large-scale developments

The City Planning Commission may permit a parking facility listed in paragraph (a) of Section 13-46 (Special Permits for Additional Parking Spaces), where such parking facility serves the parking needs of a #development# or #enlargement# on a tract of land exceeding one and one-half acres, provided that, in addition to the conditions and findings set forth in Section 13-46, the Commission shall find that:

- (a) where an increased number of permitted off-street parking spaces in such proposed parking facility would serve the parking needs of a predominantly #residential# large-scale #development# or #enlargement#, either finding (a) or finding (b) of Section 13-461 (Additional parking spaces for residential growth) is met;
- (b) where such proposed parking facility would serve the parking needs of a predominantly non- #residential# large-scale #development# or #enlargement#, an increased number of permitted off-street parking spaces in such proposed parking facility is essential to the operation of the non-#residential uses# in such #development# or #enlargement#;
- (c) where a parking deficit is created by the relocation of parking users from off-street parking spaces that will be eliminated through the proposed #development# or #enlargement#, the availability of off-street parking in the vicinity of such proposed #development# or #enlargement# will be of insufficient capacity to accommodate such potential parking users;
- (d) reasonable measures to minimize parking demand have been identified. For existing or #enlarged uses#, such measures shall have been implemented, where feasible, prior to application, and a commitment by the applicant shall be made, in a form acceptable to the Commission, to continue, and where necessary, improve upon and supplement such measures. For new #uses#, such measures shall be committed to in a form acceptable to the Commission; and
- (e) where phased construction will occur in the large-scale #development#, a phased parking plan has been provided which demonstrates that a reasonable and not excessive amount of additional parking spaces is provided in the proposed parking facility in relation to the amount of completed construction in such large-scale #development#.

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

Appendix A

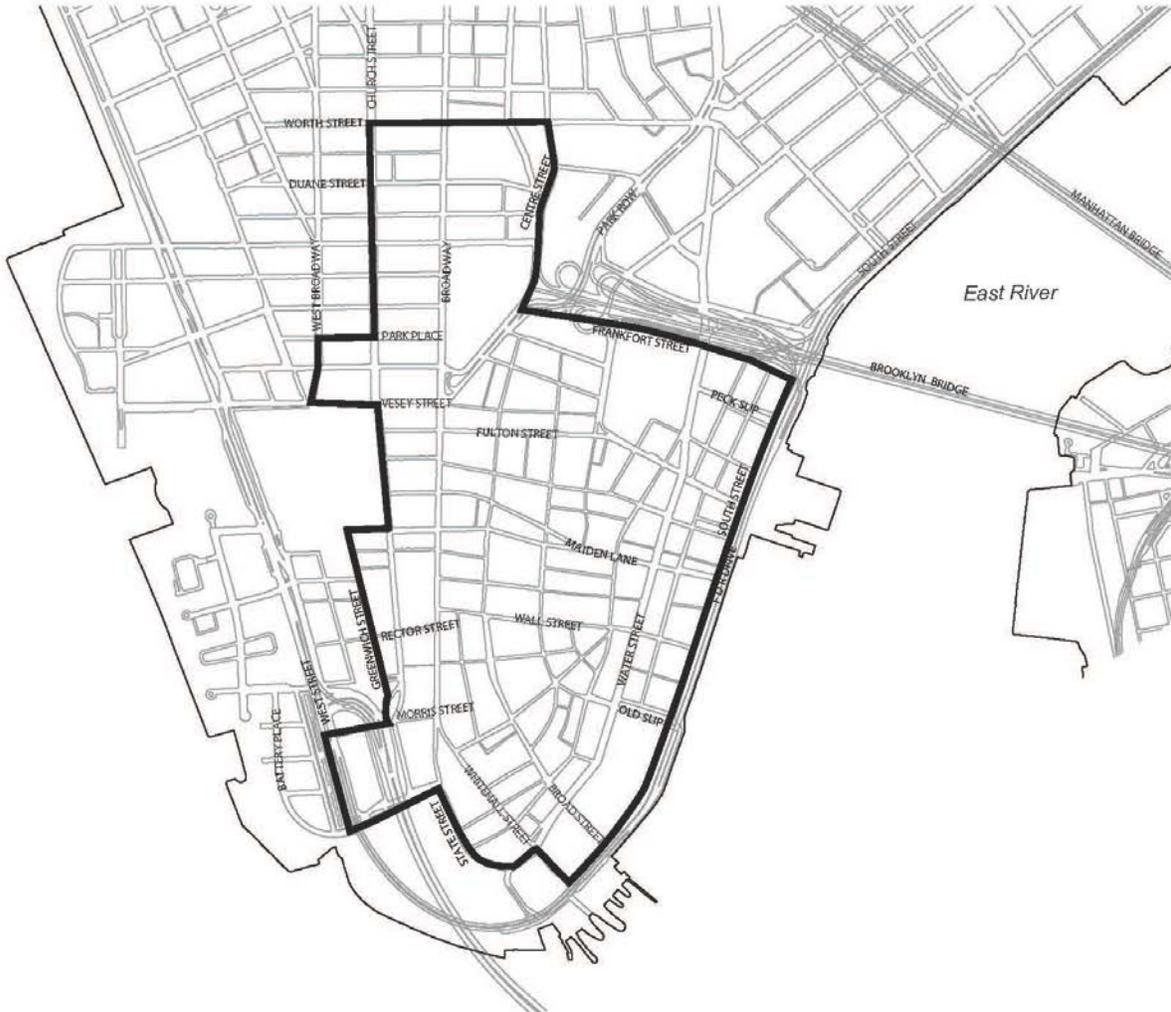
Manhattan Core Parking Maps

Map 1 – Locations where #public parking lots# are not permitted in the Midtown #Manhattan Core#



— Boundary where #public parking lots# are not permitted in the Midtown #Manhattan Core#, except where permitted by Section 13-46 (Special Permits for Additional Parking Spaces)

Map 2 – Locations where #public parking lots# are not permitted in the Downtown #Manhattan Core#



— Boundary where #public parking lots# are not permitted in the Downtown #Manhattan Core#, except where permitted by Section 13-46 (Special Permits for Additional Parking Spaces)

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.

13-01

Applicability

In Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, and the portions 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, the East River, and the prolongation of Queens Plaza North, as depicted by Areas A, B and C in the map in this Section, ~~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.

Portions of Queens Community Districts 1 and 2

Areas A, B, and C

(insert map)

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~~.

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.

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#.~~

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.~~

13-10

~~PERMITTED ACCESSORY OFF-STREET PARKING SPACES~~

13-11

~~General Provision~~

~~#Accessory# off-street parking spaces are not permitted in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 or in Areas A, B and C in Queens Community Districts 1 and 2, as shown on the map in Section 13-01 (Applicability), except as set forth in this Chapter.~~

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) — Within Area A in Queens Community Districts 1 and 2, as shown on the map in Section 13-01 (Applicability), 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 Areas B and C, as shown on the map in Section 13-01, 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#.~~

13-13

Non-Residential Development

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 Areas A, B and C in Queens Community Districts 1 and 2, as shown on the map in Section 13-01 (Applicability). 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#~~.

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 Area A in Queens Community Districts 1 and 2, as shown on the map in Section 13-01 (Applicability), 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 Areas B and C, as shown on the map in Section 13-01, ~~#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.

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 Area A in Queens Community Districts 1 and 2, as shown on the map in Section 13-01 (Applicability), 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 Areas B and C, as shown on the map in Section 13-01, 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.

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#.

13-14

Additional Regulations for Permitted Accessory Off-Street Parking Spaces

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#.

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:

(1) — is not hazardous to traffic safety;

~~(2) — not likely to create traffic congestion; and~~

~~(3) — 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).~~

~~(c) — In Areas A, B and C, in Queens Community Districts 1 and 2, as shown on the map in Section 13-01 (Applicability), 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.~~

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.~~

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.~~

13-20

PERMITTED PUBLIC PARKING LOTS

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).~~

13-22

Areas Where Public Parking Lots Are Not Permitted

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).~~

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).

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).

13-224

Manufacturing Districts

~~Public parking lots~~ are not permitted in M1-5 and M1-6 Districts, except as provided in Section 13-552. 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.

13-225

In portions of Queens Community Districts 1 and 2

Within Areas A, B and C in Queens Community Districts 1 and 2, as shown on the map in Section 13-01 (Applicability), no ~~public parking lots~~ are permitted, except as provided in Section 13-552.

13-23

Additional Regulations for Permitted Public Parking Lots

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.~~

13-232

Surfacing and screening

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

13-30

PERMITTED PUBLIC PARKING GARAGES WITHIN PORTIONS OF QUEENS COMMUNITY DISTRICTS 1 AND 2

13-31

General Provisions

Within Area C in Queens Community Districts 1 and 2, as shown on the map in Section 13-01 (Availability), notwithstanding any underlying district regulations, #public parking garages# with a maximum capacity of 150 spaces are permitted as of right within any zoning district subject to the regulations set forth in Section 13-32 (Additional Regulations for Permitted Public Parking Garages).

13-32

Additional Regulations for Permitted Public Parking Garages

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.~~

13-40

REQUIRED ACCESSORY OFF-STREET PARKING SPACES

13-41

General Provisions

Except as otherwise set forth in this Section and Section 13-42 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 Areas A, B and C in Queens Community Districts 1 and 2, as shown on the map in Section 13-01 (Availability).

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).

13-50

SPECIAL PERMITS AND AUTHORIZATIONS

13-51

General Provisions

The City Planning Commission may grant special permits and authorizations, pursuant to Sections 13-55, inclusive, and 13-56, inclusive.

All such special permits and authorizations, in addition to meeting the requirements, conditions and safeguards prescribed by the Commission, shall conform to and comply with all of the applicable zoning district regulations of the Zoning Resolution, except as otherwise specified herein.

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.

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.

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.

13-55

Authorizations

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.~~

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 Areas A, B or C in Queens Community Districts 1 and 2, as shown on the map in Section 13-01 (Availability), 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) — ~~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) ~~such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit vehicular and pedestrian movement;~~
- (c) ~~such #use# is so located as to draw a minimum of vehicular traffic to and through local #residential streets#; and~~
- (d) ~~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.~~

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.~~

13-56

Special Permits

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.

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).

* * *

Chapter 6

Comprehensive Off-Street Parking Regulations in Long Island City

The provisions of this Chapter establish special comprehensive regulations for off-street parking in #Long Island City#, as defined in Section 16-02 (Definitions).

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.

16-01

General Provisions

Except as modified by the express provisions of this Chapter, the regulations of the underlying zoning districts or special purpose districts shall remain in effect.

16-02

Definitions

Long Island City

For the purpose of this Chapter, “Long Island City” shall refer to the portion of Queens Community Districts 1 and 2 within the boundaries shown on Map 1 (#Long Island City# and Subareas) in Appendix A of this Chapter.

16-03

Maps

Maps are located in Appendix A of this Chapter and are hereby incorporated and made an integral part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements set forth in this Chapter apply.

Map 1 - #Long Island City# and Subareas

Map 2 – Locations where curb cuts are prohibited

16-04

Subareas

In order to carry out the purposes and provisions of this Chapter, three subareas, Subareas A, B and C, are established within #Long Island City#, the boundaries of which are shown on Map 1 (#Long Island City# and Subareas) in Appendix A of this Chapter.

16-05

Applicability

16-051

Applicability of parking regulations within Long Island City

The provisions of this Chapter shall apply to #accessory# off-street parking facilities, #public parking lots# and #public parking garages# in #Long Island City#, as follows:

- (b) for #accessory# off-street parking facilities, #public parking garages# and #public parking lots# constructed prior to October 25, 1995, the number of parking spaces required or permitted shall be set forth in Section 16-07 (Existing Buildings and Off-Street Parking Facilities in Long Island City).

- (c) for #accessory# off-street parking facilities, #public parking lots# and #public parking garages developed# or #enlarged# after October 25, 1995, the number of parking spaces permitted in a parking facility shall be as set forth in Section 16-10 (PERMITTED OFF-STREET PARKING IN LONG ISLAND CITY). Special rules shall apply to all such #accessory# off-street parking spaces, #public parking lots# and #public parking garages#, as set forth in Section 16-20 (SPECIAL RULES FOR LONG ISLAND CITY PARKING FACILITIES).

- (c) any increase in the number of off-street parking spaces in an #accessory# off-street parking facility, #public parking lot# or #public parking garage# resulting in a capacity not otherwise allowed under the applicable regulations of Section 16-10, shall only be permitted by the City Planning Commission pursuant to the applicable special permit in Section 16-35 (Special Permits), inclusive.

16-052

Applicability of parking regulations for large-scale residential developments within Long Island City

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

16-053

Applicability of Special Purpose Districts within Long Island City

Additional modifications to the provisions of this Chapter are found in the following Special Purpose Districts:

- (a) the #Special Long Island City Mixed Use District#, as set forth in Section 117-54 (Off-Street Parking and Loading Regulations); and
- (b) the #Special Southern Hunters Point District#, as set forth in Section 125-50 (PARKING REGULATIONS), inclusive.

16-06

Previously Approved Special Permits or Authorizations

Any authorization or special permit relating to parking regulations in #Long Island City# granted by the City Planning Commission or Board of Standards and Appeals prior to October 25, 1995, may be started or continued, in accordance with the terms thereof, or as such terms may be subsequently modified, pursuant to the regulations in effect at the time such authorization or special permit was granted. Such authorizations or special permits shall be subject to the provisions of Sections 11-42 (Lapse of Authorization of Special Permit Granted by the City Planning Commission) and 11-43 (Renewal of Authorization or Special Permit). However, the provisions of this Chapter shall apply to the renewal of any special permit or authorization for a #public parking lot#.

Any subsequent modifications to such authorizations or special permits that involve an increase in the number of off-street parking spaces provided shall only be permitted by the applicable special permit provisions of Section 16-35 (Special Permits).

16-07

Existing Buildings and Off-Street Parking Facilities

Existing #buildings developed# without the provision of parking, and existing required or permitted #accessory# off-street parking spaces, #public parking lots# and #public parking garages# established prior to October 25, 1995 shall be subject to the applicable zoning district regulations in effect prior to October 25, 1995, except that:

- (a) any reduction or elimination of existing #accessory# off-street parking spaces that were required under the applicable provisions in effect prior to October 25, 1995 shall not be permitted;
- (b) #enlargements#, #extensions# or any increase in the number of off-street parking spaces within such off-street parking facilities shall be permitted by the City Planning Commission:
 - (1) where the proposed increase in off-street parking spaces occurs in a #building developed# without the provision of parking, the Commission may authorize up to 15 off-street parking spaces pursuant to the provisions of Section 16-341 (Limited increase in parking spaces for existing buildings without parking);
 - (2) where the proposed increase occurs in an existing off-street parking facility, and such proposed increase results in a capacity not otherwise allowed under the applicable regulations of Section 16-10 (PERMITTED OFF-STREET PARKING IN LONG ISLAND CITY), the Commission may permit such an increase, pursuant to the applicable provisions of Section 16-35 (Special Permits), inclusive;

16-10

PERMITTED OFF-STREET PARKING IN LONG ISLAND CITY

Off-street parking spaces located within #accessory# off-street parking facilities, #public parking lots# and #public parking garages# in #Long Island City# shall be allowed as set forth in this Section, inclusive.

16-11

Permitted Parking for Residences

#Accessory# off-street parking spaces are permitted for #residences# in #developments# or #enlargements#, as follows:

- (a) within Subarea A, #accessory# off-street parking spaces may be provided for not more than 50 percent of the total number of new #dwelling units# contained in the #development# or #enlargement#, or 200 spaces, whichever is less.
- (b) within Subareas B and C, #accessory# off-street parking spaces may be provided for not more than 100 percent of the total number of new #dwelling units# contained in the #development# or #enlargement#.

All such #accessory# off-street parking spaces shall be used exclusively by the occupants of the #residential development# or #enlargement#.

16-12 **Permitted Parking for Non-Residential Uses**

#Accessory# off-street parking spaces are permitted for non-#residential uses# in #developments# or #enlargements#, as follows:

- (a) #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 a maximum of 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 50 percent of the number of new #transient hotel# rooms. All such parking spaces shall be used primarily for the personnel, guests and occupants of the #transient hotel#.

- (b) Hospitals

For hospital #developments# or #enlargements# in Subarea A, 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 a maximum of 225 #accessory# off-street parking spaces, open or enclosed, are permitted if there are two or more entrances.

For hospital #developments# or #enlargements# within Subareas B and C, #accessory# off-street parking may be provided in accordance with the underlying district regulations.

All such parking spaces are to be used exclusively by the hospital staff, patients and visitors.

(c) Other #commercial#, #community facility# and #manufacturing uses#

For #developments# or #enlargements# in Subarea A comprising #community facility uses# other than hospitals, #commercial uses# other than #transient hotels#, and #manufacturing uses#, the maximum number of #accessory# off-street parking spaces permitted shall not exceed one space per 4,000 square feet of such #community facility#, #commercial# or #manufacturing floor area#, or 100 spaces, whichever is less. All such parking spaces shall be used exclusively by the tenants or employees of the #development# or #enlargement# and shall not be available to the public.

Within Subareas B and C, 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 used exclusively by the tenants or employees of the #development# or #enlargement# and shall not be available to the public.

16-13

Permitted Parking for Zoning Lots with Multiple Uses

Where a #development# or #enlargement# contains a combination of #uses# for which parking regulations are set forth in Sections 16-11 (Permitted Parking for Residences), and 16-12 (Permitted Parking for Non-Residential Uses), the number of #accessory# off-street parking spaces for all such #uses# shall not exceed the number of spaces permitted for each #use# in accordance with the provisions of such Sections. However, in no event shall the maximum number exceed 225 #accessory# off-street parking spaces. The exclusive or primary #use# provisions of Sections 16-11 and 16-12 shall be applicable to the number of spaces provided for each #use#.

16-14

Permitted Parking in Public Parking Lots

No #public parking lots# shall not be permitted within #Long Island City#, except where authorized by the City Planning Commission in accordance with the provisions of Section 16-342 (Public parking lots).

16-15

Permitted Parking for Public Parking Garages

#Public parking garages# may be #developed# or #enlarged# with #Long Island City# in accordance with the underlying district regulations. However, within Subarea C, notwithstanding any underlying district regulations, #public parking garages# with a maximum capacity of 150 spaces are permitted as-of-right within any zoning district.

16-16

Permitted Parking for Car Sharing Vehicles and Commercial Vehicles

#Car sharing vehicles# and commercial vehicle parking for motor vehicles not exceeding a length of 20 feet shall be permitted as follows:

(a) #Accessory# off-street parking facilities

#Car sharing vehicles# may occupy parking spaces in an #accessory# off-street parking facility, provided that such #car sharing vehicles# shall not exceed 20 percent of all parking spaces in such facility, or five spaces, whichever is greater. #Accessory residential# off-street parking spaces shall be made available to the occupant of a #residence# to which it is #accessory# within 30 days after written request therefore is made to the landlord.

(b) #Public parking garages# and #public parking lots#

(1) #Car sharing vehicles# shall be permitted within #public parking garages# and, where authorized pursuant to Section 16-342, #public parking lots#, provided such vehicles do not exceed, in total, 40 percent of the total number of parking spaces permitted.

(2) Commercial vehicle parking for motor vehicles not exceeding a length of 20 feet shall be permitted within #public parking garages# and, where authorized pursuant to Section 16-342 #public parking lots#, provided that the total amount

of parking spaces occupied by commercial vehicles, shall not exceed 10 percent of the total number of parking spaces permitted, or 10 spaces, whichever is less.

16-20

SPECIAL RULES FOR LONG ISLAND CITY PARKING FACILITIES

All #accessory# off-street parking facilities, #public parking lots# and #public parking garages developed# or #enlarged# after October 25, 1995 in #Long Island City# shall comply with the applicable provisions of this Section, inclusive.

16-21

Off-Site Parking

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#.

16-22

Enclosure, Surfacing and Screening Requirements

All #accessory# off-street parking spaces shall be located within a #completely enclosed building#, with the exception of:

- (a) parking spaces #accessory# to a hospital, as listed in Use Group 4; and
- (b) up to 15 off-street parking spaces #accessory# to #commercial uses# other than a #transient hotel#, as listed in Use Group 5, #community facility uses# other than hospitals, or #manufacturing use#.

16-23

Curb Cut Restrictions

In addition to the provisions of this Section, inclusive, additional restrictions on curb cuts in #Long Island City# are found in the following Special Purpose Districts:

- (a) the #Special Long Island City Mixed Use District#, as set forth in paragraph (b) of Section 117-54 (Off-Street Parking and Loading Regulations); and
- (b) the #Special Southern Hunters Point District#, as set forth in Section 125-55 (Location of Curb Cuts).

16-231

Location of curb cuts

For #accessory# off-street parking facilities, #public parking lots# and #public parking garages#, curb cuts accessing entrances and exits to such parking facilities:

- (a) shall not be permitted within 50 feet of the intersection of any two #street lines#, except where the Commissioner of Buildings certifies that such location is not hazardous to traffic safety, is not likely to create traffic congestion and will not unduly inhibit surface traffic or pedestrian flow. The Commissioner of Buildings may refer such matter to the Department of Transportation, or its successor, for a report; and
- (b) for #accessory# off-street parking facilities and #parking garages#, such curb cuts shall not be located on a #wide streets# designated on Map 2 (Locations where curb cuts are prohibited) in Appendix A of this Chapter, except where authorized pursuant to Section 16-343 (Curb cuts).

16-24

Minimum and Maximum Size of 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 paragraph (c) of Section 16-12 (Permitted Parking for Non-Residential Uses) 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.

16-30

AUTHORIZATIONS AND SPECIAL PERMITS

16-31

General Provisions

The City Planning Commission may grant authorizations and special permits, pursuant to Sections 16-34, inclusive, and 16-35, inclusive.

All such special permits and authorizations, in addition to meeting the requirements, conditions and safeguards prescribed by the Commission, shall conform to and comply with all of the applicable zoning district regulations of the Zoning Resolution, except as otherwise specified herein.

16-32

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.

16-33

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.

16-34

Authorizations

16-341

Limited increase in parking spaces for existing buildings without parking

The City Planning Commission may, by authorization, subject to the otherwise applicable zoning district regulations, allow onsite 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.

16-342

Public parking lots

The City Planning Commission may authorize #public parking lots# with a capacity of not more than 150 spaces in #Long Island City#, 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) 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) such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit vehicular and pedestrian movement;

- (c) such #use# is so located as to draw a minimum of vehicular traffic to and through local #residential streets#; and
- (d) 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.

16-343 **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.

16-35 **Special Permits**

16-351 **Accessory off-street parking spaces**

The City Planning Commission may, by special permit, subject to the otherwise applicable zoning district regulations, allow onsite or off-site, open or enclosed, #accessory# off-street parking facilities with any capacity not otherwise allowed under Section 16-10 (PERMITTED OFF-STREET PARKING IN LONG ISLAND CITY), 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.

16-352

Public parking garages and public parking lots

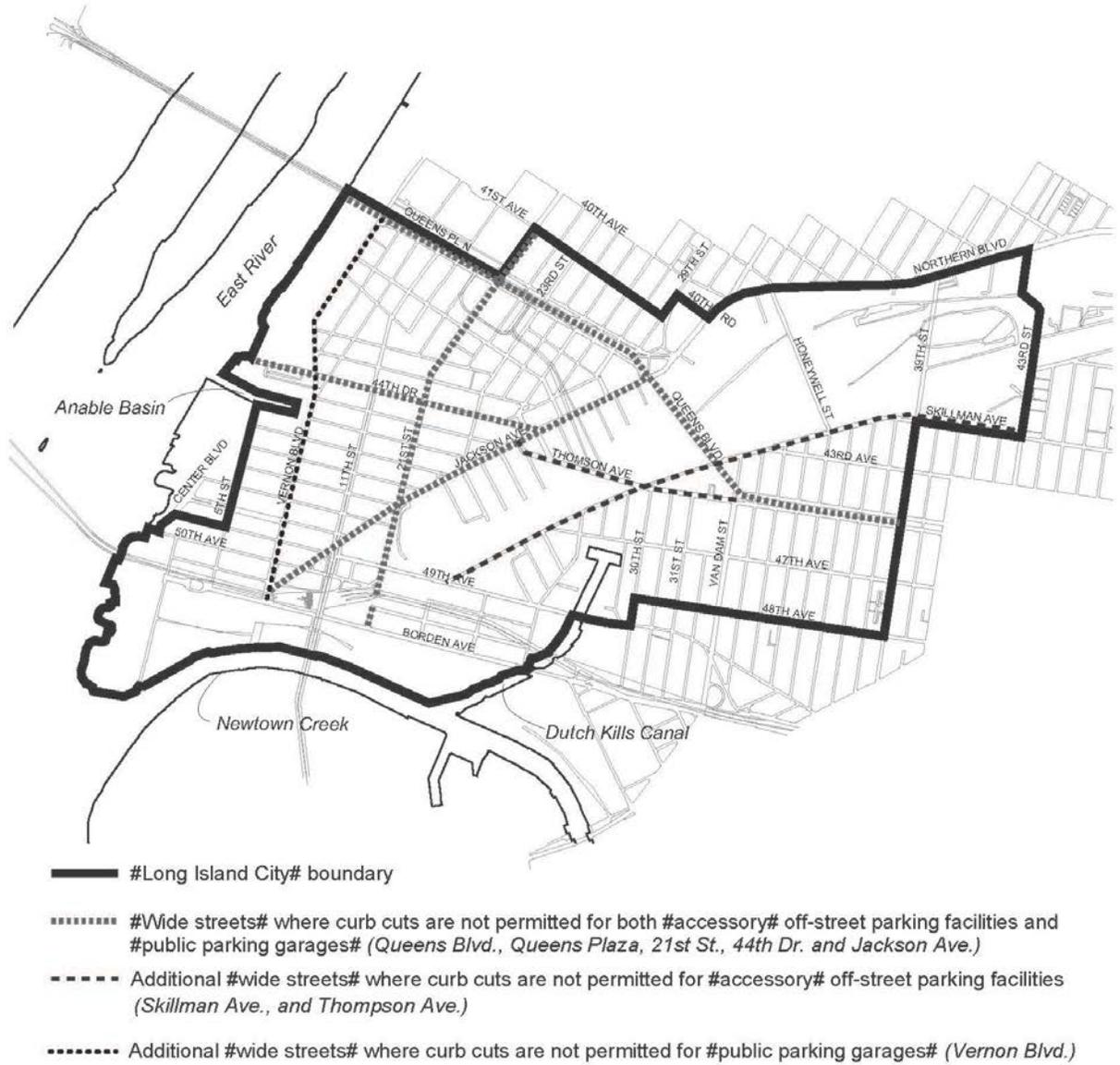
The City Planning Commission may, by special permit, allow #public parking garages# and #public parking lots# not otherwise permitted, pursuant to the applicable provisions of Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas).

Appendix A
Long Island City Parking Maps

Map 1 - #Long Island City# and Subareas



Map 2 – Locations where curb cuts are prohibited



* * *

Article II: Residence District Regulations

* * *

Chapter 3 Residential Bulk Regulations in Residence Districts

* * *

23-635 Special bulk regulations for certain sites in Community District 4, Borough of Manhattan

Within the boundaries of Community District 4 in the Borough of Manhattan, excluding the #Special Clinton District#, for #developments# or #enlargements# in R8 Districts without a letter suffix, on #zoning lots# larger than 1.5 acres that include #residences# for which #public funding#, as defined in Section 23-911 (General definitions) is committed to be provided, the City Planning Commission may authorize modifications of height and setback regulations ~~and in conjunction therewith reduce the amount of required off-street parking~~, provided the Commission finds that such modifications will facilitate the provision of such #residences#, and such modifications will not unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# on the #zoning lot# or nearby properties, #open space# or #streets# ~~and that the reduction in parking is consistent with the needs of the residents~~. Prior to issuing a building permit for any #development# or #enlargement# utilizing modifications granted by this authorization, the Department of Buildings shall be furnished with written notice of a commitment from the appropriate funding agency for the provision of such #public funding#.

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

* * *

Chapter 5 Accessory Off-Street Parking and Loading Regulations

* * *

25-023

Applicability of regulations in the Manhattan Core and Long Island City 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

Special regulations governing ~~permitted or required~~ #accessory# off-street parking and loading in the #Manhattan Core# are set forth in Article 1, Chapter 3, and special regulations governing #accessory# off-street parking in #Long Island City#, as defined in Section 16-02 (Definitions), are set forth in Article 1, Chapter 6.

* * *

Article III: Commercial District Regulations

* * *

**Chapter 2
Use Regulations**

* * *

**32-17
Use Group 8
C2 C4 C6 C8**

* * *

C. Automotive Service Establishments

Automobile rental establishments, except that ~~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,~~ in #Long Island City#, as defined in Section 16-02 (Definitions), -the number of automobiles that may be stored in such establishments in C2, C4 or C6 Districts shall not exceed 100 spaces and the maximum size in square feet of such storage area shall not exceed 200 times the number of parking spaces provided, exclusive of entrance/exit ramps

#Public parking garages# or #public parking lots# with capacity of 150 spaces or less, subject to the provisions set forth for #accessory# off-street parking spaces in Sections 36-53 (Width of Curb Cuts and Location of Access to the Street), 36-55 (Surfacing) and

36-56 (Screening), and provided that such #public parking lots# are not permitted as of right in C6-1A Districts and such #public parking garages# are not permitted as of right in C2-5, C2-6, C2-7, C2-8, C4-5, C4-5A, C4-5X, C4-6, C4-7, C6, C8-4, M1-4, M1-5, M1-6, M2-3, M2-4 or M3-2 Districts. #Public parking garages# may be open or enclosed, provided that no portion of such #use# shall be located on a roof other than a roof which is immediately above a #cellar# or #basement#.

In the #Manhattan Core# 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, these #uses# are subject to the provisions of Article I, Chapter 3-, and in #Long Island City#, as defined in Section 16-02 (Definitions), such #uses# are subject to the provisions of Article 1, Chapter 6.

* * *

32-21

Use Group 12

C4 C6 C7 C8

* * *

D. Automotive Service Establishments

#Public parking garages# or #public parking lots# with capacity of 150 spaces or less, subject to the provisions set forth for #accessory# off-street parking spaces in Sections 36-53 (Width of Curb Cuts and Location of Access to the Street), 36-55 (Surfacing) and 36-56 (Screening), and provided that such #public parking lots# are not permitted as-of-right in C7 Districts and such #public parking garages# are not permitted as-of-right in C4-5, C4-6, C4-7, C6, C8-4, M1-4, M1-5, M1-6, M2-3, M2-4 or M3-2 Districts. #Public parking garages# may be open or enclosed, provided that no portion of such #use# shall be located on a roof other than a roof which is immediately above a #cellar# or #basement#.

In the #Manhattan Core#, 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, these #uses# are subject to the provisions of Article I, Chapter 3-, and in #Long Island City#, as defined in Section 16-02 (Definitions), such #uses# are subject to the provisions of Article 1, Chapter 6.

* * *

32-32

By the City Planning Commission

* * *

#Public parking garages#*:

C1
Limited in capacity to 100 spaces

C2-1 C2-2 C2-3 C2-4 C4-1 C4-2 C4-3 C4-4 C7 C8-1 C8-2 C8-3
With capacity of more than 150 spaces

C2-5 C2-6 C2-7 C2-8 C4-5 C4-6 C4-7 C5 C6 C7 C8-4
With any capacity

#Public parking lots#*:

C1
Limited in capacity to 100 spaces

C2 C4 C6 C7 C8
With capacity of more than 150 spaces

C5 C7
With any capacity

* * *

* In the #Manhattan Core#, 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, these #uses# are subject to the provisions of Article I, Chapter 3, and in #Long Island City#, as defined in Section 16-02 (Definitions), such #uses# are subject to the provisions of Article 1, Chapter 6.

* * *

Article III: Commercial District Regulations

* * *

Chapter 6
Accessory Off-Street Parking and Loading Regulations

* * *

36-024

Applicability of regulations in the Manhattan Core and Long Island City 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

Special regulations governing ~~permitted or required~~ #accessory# off-street parking and loading in the #Manhattan Core# are set forth in Article I, Chapter 3~~7~~, and special regulations governing #accessory# off-street parking in #Long Island City#, as defined in Section 16-02 (Definitions), are set forth in Article 1, Chapter 6.

* * *

Article IV: Manufacturing District Regulations

* * *

Chapter 2
Use Regulations

* * *

42-12

Use Groups 3A, 6A, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16

M1 M2 M3

Use Group 3A shall be limited to Museums that are ancillary to existing Motion Picture Production Studios or Radio or Television Studios, provided they are located within 500 feet of such studios and do not exceed 75,000 square feet of #floor area#.

Use Groups 6A except that foodstores, including supermarkets, grocery stores or delicatessen stores, shall be limited to 10,000 square feet of #floor area# per establishment, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16 as set forth in Sections 32-15 to 32-23, inclusive, and Section 32-25. However, in Community District 1, in the Borough of the Bronx, in M1-4 Districts, foodstores, including supermarkets, grocery stores or delicatessen stores, shall be limited to 30,000 square feet of #floor area# per establishment.

Use Group 10A shall be limited to depositories for storage of office records, microfilm or computer tapes, or for data processing; docks for ferries; office or business machine stores, sales or rental; photographic or motion picture production studios; and radio or television studios.

In the #Manhattan Core#, ~~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~~, automobile rental establishments, #public parking garages# and #public parking lots# in Use Group 8C and 12D are subject to the provisions of Article I, Chapter 3, and in #Long Island City#, as defined in Section 16-02 (Definitions), #public parking garages# and #public parking lots# in Use Group 8C and 12D are subject to the provisions of Article I, Chapter 6.

* * *

42-32

By the City Planning Commission

In the districts indicated, the following #uses# are permitted by special permit of the City Planning Commission, in accordance with standards set forth in Article VII, Chapter 4.

* * *

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

#Public parking garages#** with capacity of more than 150 spaces

M1-4 M1-5 M1-6 M2-3 M2-4 M3-2

#Public parking garages#** with any capacity

M1 M2 M3

#Public parking lots# with capacity of more than 150 spaces**

* * *

** In the #Manhattan Core#, ~~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~~, these #uses# are subject to the provisions of Article 1, Chapter 3, and in #Long Island City#, as defined in Section 16-02 (Definitions), such #uses# are subject to the provisions of Article 1, Chapter 6.

* * *

Chapter 4
Accessory Off-Street Parking and Loading Regulations

* * *

44-022

Applicability of regulations in the Manhattan Core and Long Island City 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

Special regulations governing ~~permitted or required~~ #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 #Long Island City#, as defined in Section 16-02 (Definitions), are set forth in Article I, Chapter 6.

* * *

Article V: Non-Conforming Uses and Non-Complying Buildings

* * *

Chapter 2 - Non-Conforming Uses

* * *

52-31

General Provisions

For the purposes of this Chapter, a change of #use# is a change to another #use# listed in the same or any other Use Group. However, a change in ownership or occupancy shall not, by itself, constitute a change of #use#.

A #non-conforming use# may be changed to any conforming #use#, and the applicable district #bulk# regulations and #accessory# off-street parking requirements shall not apply to such change of #use# or to alterations made in order to accommodate such conforming #use#, but shall apply to any #enlargement#.

In all zoning districts which mandate compliance with the Quality Housing Program, the provisions of Article II, Chapter 8, shall apply to such change of #use#.

However, notwithstanding the provisions above, in Manhattan Community Districts 1, 2, 3, 4, 5 and 6, Brooklyn Community Districts 1, 2, 6 and 8, and Queens Community Districts 1 and 2,

the #conversion# of non-#residential floor area# to #residences# shall be subject to the provisions of Article I, Chapter 5 (Residential Conversion within Existing Buildings), unless such #conversions# meet the requirements for #residences# of Article II (Residence District Regulations).

A #non-conforming use# may be changed to another #non-conforming use# only in accordance with the provisions of this Chapter.

Any such change of #use# permitted by this Chapter shall conform to the applicable district regulations on #accessory# off-street loading berths as set forth in Section 52-41 (General Provisions) and on #accessory signs#, except that in #Residence Districts# such change shall conform to the regulations on #accessory signs# applicable in a C1 District.

In the #Manhattan Core# 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, a #non-conforming use# may be changed to an automobile rental establishment, #public parking garage# or #public parking lot# in Use Groups 8 and 12D only pursuant to the provisions of Article I, Chapter 3-, and in #Long Island City#, as defined in Section 16-02 (Definitions), a #non-conforming use# may be changed to a #public parking garage# or #public parking lot# in Use Groups 8 and 12D only pursuant to the provisions of Article I, Chapter 6.

In the case of a conflict between these provisions and retail continuity provisions that apply to the ground floor of #buildings#, a #non-conforming use# on the ground floor in such #building# may be changed only to a #conforming use#.

* * *

52-41

General Provisions

* * *

For #non-conforming use# in #Residence Districts#, #accessory# off-street parking spaces or loading berths shall be subject to the provisions of Sections 25-66 or 25-77 (Screening).

In the #Manhattan Core# 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, #enlargements# or #extensions# of #nonconforming uses# which involve the provision of off-street parking are subject to the regulations set forth in Article I, Chapter 3-, and in #Long Island City#, as defined in Section 16-02 (Definitions), such #enlargements# or #extensions# are subject to the regulations set forth in Article I, Chapter 6.

In the case of a conflict between these provisions and retail continuity provisions that apply to the ground floor of #buildings#, a #non-conforming use# on the ground floor in such #building# may be changed only to a #conforming use#.

* * *

Article VII: Administration

* * *

Chapter 3

Special Permits by the Board of Standards and Appeals

* * *

73-45

Modification of Off-Site Parking Provisions

In all districts, the Board of Standards and Appeals may modify the provisions regulating the location of #accessory# off-street parking spaces provided off the site, in accordance with the provisions of this Section which are applicable in the specified district. However, in no event shall #accessory# off-street parking spaces be permitted off-site in a #public parking garage#.

This Section shall not apply to the #Manhattan Core# Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan where the regulations set forth in Article I, Chapter 3, shall apply.

In all cases, the Board may impose appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

* * *

73-47

Rental of Accessory Off-Street Parking Spaces to Non-Residents

In C1 or C5 Districts, for a term not to exceed five years, the Board of Standards and Appeals may permit off-street parking spaces #accessory# to #residences# or #non-profit hospital staff dwellings# to be rented for periods of less than one week, to persons who are not occupants of such #residences# or #non-profit hospital staff dwellings#, provided that such rental of spaces conforms to the provisions set forth in Section 36-46 (Restrictions on Use of Accessory Off-Street Parking Spaces) and that the following special findings are made:

- (a) that the number of spaces to be rented or the location of access, thereto, is such as to draw a minimum of vehicular traffic to and through #streets# having predominantly #residential# frontages;
- (b) that the total number of spaces to be rented to nonresidents does not exceed 100; and
- (c) that where the total number of spaces to be rented to nonresidents exceeds 20, reservoir space is provided at the vehicular entrance to accommodate 10 automobiles or 20 percent of the spaces so rented, whichever amount is less.

The Board may impose appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on #signs# or requirements for the shielding of floodlights.

This Section shall not apply to the #Manhattan Core# ~~Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan~~ where the regulations set forth in Article I, Chapter 3, shall apply.

* * *

73-48

Exceptions to Maximum Size of Accessory Group Parking Facilities

The Board of Standards and Appeals may permit #accessory group parking facilities# with more than 150 spaces in #Commercial# or #Manufacturing Districts# or for hospital and related facilities in #Residence Districts# in accordance with the provisions of this Section provided that such provisions shall not apply to #accessory# off-street parking spaces provided in #public parking garages# in accordance with the provisions of Section 36-57 or 44-46 (Accessory Off-Street Parking Spaces in Public Parking Garages).

This Section shall not apply to the #Manhattan Core# ~~Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan~~ where the regulations set forth in Article I, Chapter 3, shall apply.

* * *

74-52

Parking Garages or Public Parking Lots in High Density Central Areas

In C1-5, C1-6, C1-7, C1-8 or C1-9 Districts, the City Planning Commission may permit #public parking garages# or #public parking lots# with a capacity of not more than 100 spaces, and in C2-5, C2-6, C2-7, C2-8, C4-5, C4-5A, C4-5X, C4-6, C4-7, C6, C8-4, M1-4, M1-5, M1-6, M2-3, M2-4 or M3-2 Districts, the Commission may permit #public parking garages# with any capacity

or #public parking lots# with more than 150 spaces, and in C5 and C6-1A Districts, the Commission may permit #public parking garages# or #public parking lots# with any capacity, provided that the applicable regulations set forth in Sections 36-53 (Width of Curb Cuts and Location of Access to the Street) or 44-43 (Location of Access to the Street), Sections 36-55 or 44-44 (Surfacing) and Sections 36-56 or 44-45 (Screening) are met.

* * *

The 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, for locations of entrances and exits, or for setback of any roof parking areas from #lot lines#.

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

74-53

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

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

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

- (a) that such #use# is so located as to draw a minimum of vehicular traffic to and through local #streets# in residential areas;
- (b) that such #use# has adequate reservoir space at the vehicular entrance to accommodate either 10 automobiles or five percent of the total parking spaces provided by the #use#, whichever amount is greater, but in no event shall such reservoir space be required for more than 50 automobiles;

- (c) that the #streets# providing access to such #use# will be adequate to handle the traffic generated thereby; and
- (d) that where roof parking is permitted, such roof parking is so located as not to impair the essential character or future use or development.

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

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

* * *

Article VIII: Special Purpose Districts

* * *

Chapter 1 Special Midtown District

* * *

81-30 OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS

81-31 General Provisions

The regulations of Article I, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core ~~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~~) and the applicable underlying district regulations of Article III, Chapter 6, or Article IV, Chapter 4, relating to Off-Street Loading

Regulations, shall apply throughout the #Special Midtown District#, except as otherwise provided in this Section.

81-311

~~Applicability of more restrictive provisions~~

~~In the event of a conflict between the provisions in this Chapter and those contained in Article I, Chapter 3, the more restrictive provisions shall apply. For the purpose herein, the more restrictive provisions shall be considered those which permit:~~

- ~~(a) — fewer number of parking spaces;~~
- ~~(b) — more exclusive use of parking spaces; and~~
- ~~(c) — more limited location of curb cuts.~~

81-311

81-312

Prohibitions of off-street parking or off-street loading facilities

Notwithstanding the provisions of Article I, Chapter 3, prohibitions of off-street parking facilities or #accessory# off-street loading berths or restrictions as to their location or access, as provided in Sections 81-44 (Curb Cut Restrictions) or 81-84 (Mandatory Regulations and Prohibitions), may be waived only in accordance with the applicable provisions of Sections 81-44 or 81-84.

* * *

81-40

MANDATORY DISTRICT PLAN ELEMENTS

* * *

81-44

Curb Cut Restrictions

Along all avenues in Midtown and along 57th, 53rd, 42nd and 34th Streets, no driveway curb cuts for parking facilities or loading berths shall be permitted except for the following:

- (a) the Commissioner of Buildings may approve a curb cut where there are no alternative means of access to off-street loading berths from other #streets# bounding the #zoning lot#; or
- (b) the City Planning Commission may authorize curb cuts where such curb cuts are needed for required loading berths. Such loading berths must be adjacent to a fully enclosed maneuvering area on the #zoning lot# at least equal in area to the area of the required loading berth and arranged so as to permit head-in and head-out truck movements to and from the #zoning lot#. The City Planning Commission will refer such applications to the Department of Transportation for their comment.

In addition, for #zoning lots# with frontage along such avenues and #streets# in Midtown where curb cuts are prohibited, the Commissioner of Buildings may waive required off-street loading berths pursuant to the provisions set forth in Section 13-35 (Modification of Loading Berth Requirements).

Where a curb cut is permitted as indicated in this Section, the maximum width of such curb cut shall be 15 feet for one-way traffic and 25 feet for two-way traffic. These curb cut requirements shall be in addition to any other applicable City rules or regulations concerning driveway curb cuts.

The above exceptions do not apply to Fifth Avenue, or between 43rd and 50th Streets, to Seventh Avenue or Broadway and no curb cuts shall be permitted in these cases. Between 43rd and 50th Streets, access to #accessory# off-street loading berths or off-street parking facilities shall not be permitted on Seventh Avenue or Broadway or, except where the length of a #narrow street block# frontage between the #street lines# of Seventh Avenue and Broadway exceeds 75 feet but is less than 125 feet, within 50 feet of the Seventh Avenue or Broadway #street line#. #Interior lots# between 43rd and 50th Streets with a #street# frontage only on Seventh Avenue or Broadway shall not contain loading berths.

* * *

81-70

SPECIAL REGULATIONS FOR THEATER SUBDISTRICT

* * *

81-73

Special Sign and Frontage Regulations

81-731

Special regulations for signs, transparency, banners and canopies

Within that area of the Theater Subdistrict whose boundaries are described in Section 81-72 (Use Regulations Modified), the following provisions apply along #wide street# frontages. Within the Theater Subdistrict Core, the following provisions also apply along #narrow street# frontages.

- (a) At least 50 percent of the #street wall# of a #development# or ground floor #enlargement# shall be glazed at the ground floor level with clear, untinted, transparent material and not more than 50 percent of such transparent surface shall be painted or obstructed with #signs#.

For the purpose of the glazing requirements, the #street wall# surface at the ground floor level shall be measured from the floor to the height of the ceiling or 14 feet above grade, whichever is less, and shall exclude any area of #street wall# occupied by #accessory# off-street loading berths or entrances and exits to #accessory# off-street parking provided pursuant to the ~~required under~~ provisions of Section 81-30 (OFF-STREET PARKING AND OFFSTREET LOADING REGULATIONS). For the purposes of this Section, clear, unobstructed openings in the surface of a #street wall# provided for a stairway entrance into a subway relocated onto a #zoning lot# in accordance with the requirements of Section 81-46 (Off-Street Relocation or Renovation of a Subway Stair) or a through #block# connection provided in accordance with the requirements of paragraph (h) of Section 37-53 (Design Standards for Pedestrian Circulation Spaces) shall be treated as transparent glazed surfaces.

- (b) Canopies (as defined in the Building Code) and awnings shall not be permitted on the exterior of any #building#.

For the purposes of this Section, any #signs# which do not comply with the regulations of this Section may be continued for one year after May 13, 1982, provided that after the expiration of that period such #non-conforming sign# shall terminate; a #sign# which the Chairperson of the City Planning Commission certifies as an integral part of the #building# shall not be required to terminate.

* * *

Chapter 2

Special Lincoln Square District

* * *

82-50

OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS

The regulations of Article I, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core ~~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~~) and the applicable underlying district regulations of Article III, Chapter 6, relating to Off-Street Loading Regulations, shall apply in the #Special Lincoln Square District# except as otherwise provided in this Section. In addition, the entrances and exits to all off-street loading berths shall not be located on a #wide street# except by authorization as set forth in this Section.

(a) #Accessory# off-street parking spaces

#Accessory# off-street parking spaces are permitted only by the applicable special permit of the City Planning Commission pursuant to Section 13-46 (Special Permits for Additional Parking Spaces), inclusive 13-561 (Accessory off-street parking spaces).

(b) Curb cuts

The City Planning Commission may authorize curb cuts within 50 feet of the intersection of any two #street lines#, or on #wide streets# where such curb cuts are needed for off-street loading berths, provided the location of such curb cuts meets the findings in Section ~~13-553~~ 13-441.

(c) Waiver of loading berth requirements

The City Planning Commission may authorize a waiver of the required off-street loading berths where the location of the required curb cuts would:

- (1) be hazardous to traffic safety;
- (2) create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement; or
- (3) interfere with the efficient functioning of bus lanes, specially designated streets or public transit facilities.

The Commission shall refer these applications to the Department of Transportation for its comments.

82-60

PUBLIC PARKING GARAGES

~~In that portion of the #Special Lincoln Square District# located within a C4-7 District, the City Planning Commission may permit #public parking garages# with any capacity pursuant to Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas).~~

82-60

82-70

EXISTING PUBLICLY ACCESSIBLE OPEN AREAS OR OTHER PUBLIC AMENITIES

* * *

Chapter 4

Special Battery Park City District

84-00

GENERAL PURPOSES

* * *

84-031

Special permit uses

The following #uses# are permitted only by special permit of the City Planning Commission:

* * *

~~In Zone A, #public parking garages# as provided for in C5 Districts, pursuant to Section 74-52.~~

As a condition precedent to the granting of such special permit, the Commission shall make a finding that such #use# is located so as to minimize adverse effects on existing or future development in nearby areas or on the use or enjoyment of the #Esplanade# or other public facilities.

* * *

84-10
ZONE A GENERAL DISTRICT REGULATIONS

* * *

84-14
Parking Regulations and Curb Cuts

84-141
Accessory off-street parking spaces

Except as provided in Section 84-142 (Accessory off-street parking spaces for buildings containing hotel uses), #accessory# off-street parking spaces may be provided only for #residential uses# subject to the provisions of this Section. The ownership requirement for #accessory# off-street parking is satisfied by an interest commensurate with the interest of the principal #use#. Such #accessory# parking spaces shall be #completely enclosed#. No portion of any #accessory# parking facility may be constructed at a height of more than 23 feet above #curb level#. Except as otherwise provided in this Section, no #accessory# off-site parking shall be permitted.

~~Parking facilities #accessory# to #residential uses# on a #zoning lot# shall contain no more than 200 off-street parking spaces or a number of spaces equal to 20 percent of the number of #dwelling units# on such #zoning lot#, whichever is less. The size in square feet of an #accessory# off-street parking facility, exclusive of entrance and exit ramps, shall not exceed 200 times the number of parking spaces provided.~~

#Accessory# parking facilities shall be constructed so that no exhaust vents open onto any #street# or park or onto the #Esplanade# and so that no portion of the facility, other than entrances and exits, is visible from adjoining #zoning lots#, #streets# or parks or the #Esplanade#.

The City Planning Commission may, upon application, authorize permitted #accessory# off-street parking spaces to be located anywhere within Zone A without regard for #zoning lot lines#, provided that the Commission shall find that:

- (a) the #accessory# off-street parking spaces and required curb cuts are located within subzones A-1, A-2 or A-3 for #zoning lots# within subzones A-1, A-2 or A-3, or within subzones A-5 or A-6 for #zoning lots# in subzones A-5 or A-6, as indicated in Appendices 2 and 3; parking setbacks in Appendices 2.5 and 3.4; and curb cut locations in Appendices 2.6 and 3.5;
- (b) such #accessory# off-street parking spaces will be conveniently located in relation to the #buildings# containing #residences# to which such off-street spaces are #accessory#, and provided that all such spaces shall not be further than 600 feet from the nearest boundary of the #zoning lot# occupied by the #residences# to which they are #accessory#;
- (c) such location of #accessory# off-street parking spaces will permit better site planning;
- ~~(d) the #accessory# off-street parking facility will not create or contribute to traffic congestion or unduly inhibit vehicular and pedestrian movement;~~
- ~~(e) the #accessory# off-street parking facility is located so as to draw a minimum of additional vehicular traffic to and through local residential #streets#; and~~
- (d) such #accessory# off-street parking facility shall contain parking spaces #accessory# to #residential uses# only; and
- (e) such parking facility complies with the findings in paragraphs (c)(1), (c)(2) and (c)(4) of Section 13-46 (Special Permits for Additional Parking Spaces).

Whenever off-street parking spaces are authorized to be located without regard to #zoning lot lines# in accordance with the provisions of this Section, the number of spaces generated by each #building# shall be recorded in that building's certificate of occupancy (temporary and permanent). In addition, any certificate of occupancy for the #accessory# off-street parking facility shall state the number of parking spaces authorized to be relocated from each #zoning lot#.

84-142

Accessory off-street parking spaces for buildings containing hotel uses

For the #zoning lot# south of First Place and east of Battery Place, #accessory# off-street parking spaces for hotel #uses# may be provided at the rate established for #transient hotels# in Section 13-12 (Permitted Parking for Non-Residential Uses) or 13-13 (Permitted Parking for Zoning Lots with Multiple Uses), as applicable, ~~only in accordance with this Section. Such #accessory# parking facilities shall contain no more than 15 percent of the number of #transient hotel# rooms or 225 spaces, whichever is less.~~

~~In the case of a #building# containing both #residential# and hotel #uses#, the number of #accessory# off-street parking spaces shall not exceed the number of spaces permitted for each #use# in accordance with this Section and Section 84-141 (Accessory off-street parking spaces); however, in no event may the maximum number of #accessory# off-street parking spaces exceed 225 spaces.~~

84-143

Off-street loading

Enclosed #accessory# off-street loading berths shall be provided in conformity with the requirements set forth in the following table and under rules and regulations promulgated by the Commissioner of Buildings for the #uses# listed in the table.

REQUIRED OFF-STREET LOADING BERTHS

| Type of #Use# | For #Floor Area# (in square feet) | Required Berths |
|---------------|--------------------------------------|-----------------|
| Supermarkets | First 8,000 | None |
| | Next 17,000 | 1 |
| | Next 15,000 | 1 |

| | | |
|--------|---|------|
| | Each additional 15,000 or fraction thereof | 1 |
| Hotels | First 100,000 | None |
| | Next 200,000 | 1 |
| | Each additional 300,000 or fraction thereof | 1 |

~~All required off-street loading berths shall have a minimum length of 33 feet, a minimum width of 12 feet and a minimum vertical clearance of 14 feet, except that required off-street loading berths for hotels, as permitted by Section 84-12 (Use Regulations), shall be allowed to have a minimum vertical clearance of 12 feet.~~

* * *

Article IX - Special Purpose Districts

* * *

**Chapter 1
Special Lower Manhattan District**

* * *

**91-50
OFF-STREET PARKING, LOADING AND CURB CUT REGULATIONS**

The off-street parking regulations of Article 1, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core ~~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~~) and the loading regulations of the underlying districts apply to the #Special Lower Manhattan District#, except as supplemented or modified by the provisions of this Section.

91-511

Authorization for off-site parking facilities for converted buildings

The City Planning Commission may authorize #accessory# residential off-site parking spaces for #non-residential buildings# erected prior to January 1, 1977, or portions thereof, that are #converted# to #residential use#, to be provided in a fully-enclosed #building# on a #zoning lot# within the #Special Lower Manhattan District# other than the #zoning lot# that contains the #residential use#, provided the Commission finds that:

- (a) such #accessory# off-site parking spaces are conveniently located in relation to the #residential use#, and in no case further than 600 feet from the #zoning lot# containing the #residential use#;
- (b) such location of the #accessory# off-site parking facility will permit better site planning for the #building converted# to #residential use#;
- ~~(c) the #accessory# off-site parking facility will not create or contribute to traffic congestion or unduly inhibit vehicular and pedestrian movement;~~
- ~~(d) that the #accessory# off-site parking facility is located so as to draw a minimum of additional vehicular traffic to and through local residential #streets#; and~~
- (c) that such #accessory# off-site parking facility shall contain parking spaces #accessory# only to #residential uses#; and
- (d) such parking facility complies with findings in paragraphs (c)(1), (c)(2) and (c)(4) of Section 13-46 (Special Permits for Additional Parking Spaces).

The number of #accessory# off-site parking spaces authorized in accordance with the provisions of this Section shall be recorded on the certificates of occupancy, temporary and permanent, for both the #residential use# and the #accessory# off-site parking facility.

91-52

Curb Cut Regulations

All curb cuts shall be prohibited on #streets# indicated on Map 5 in Appendix A, except that:

- (a) The Commissioner of Buildings may approve a curb cut where there are no alternative means of access to required off-street loading berths from other #streets# bounding the #zoning lot#.
- (b) The City Planning Commission may authorize curb cuts for loading berths, provided:
 - (1) such loading berths are adjacent to a fully enclosed maneuvering area on the #zoning lot#;
 - (2) such maneuvering area is at least equal in size to the area of the loading berth; and
 - (3) there is adequate space to permit head-in and head-out truck movements to and from the #zoning lot#.

The City Planning Commission may refer such applications to the Department of Transportation for comment.

- (c) The City Planning Commission may authorize curb cuts for #accessory# parking for #residences#, provided such curb cuts:
 - (1) will not create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement; and
 - (2) will not interfere with the efficient functioning of required pedestrian circulation spaces, or public transit facilities.

The City Planning Commission may refer such applications to the Department of Transportation for comment.

No curb cuts may be approved or authorized on Battery Place, Broad Street, Broadway, Liberty Street west of Broadway, Park Row South or Wall Street.

In addition, for #zoning lots# with frontage on #streets# where curb cuts are prohibited, the Commissioner of Buildings may waive required off-street loading berths pursuant to the provisions set forth in Section 13-35 (Modification of Loading Berth Requirements).

Where a curb cut is approved or authorized pursuant to this Section, the maximum width of a curb cut, including splays, shall be 15 feet for a #street# with one-way traffic and 25 feet for a #street# with two-way traffic.

* * *

Chapter 2 Special Park Improvement District

92-00 GENERAL PURPOSES

* * *

92-05 Maximum Number of Accessory Off-Street Parking Spaces

Within the portion of the #Special Park Improvement District# located within the #Manhattan Core#, the provisions of Article I, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core) shall apply, inclusive. For all other portions of the #Special Park Improvement District#, the provisions of this Section shall apply.

In no case shall the number of #accessory# off-street parking spaces for a #residential use# exceed 40 percent of the number of #dwelling units#. In no case shall curb cuts for vehicular access be located on Fifth Avenue or Park Avenue or on a #street# within 50 feet of its intersection with the #street line# of Fifth Avenue or Park Avenue. No off-site #accessory# off-street parking facilities for any #use# shall be permitted within the Special District. All parking spaces #accessory# to #residences# shall be designed and operated exclusively for the long term storage of the private passenger motor vehicles used by the occupants of such #residences#.

The parking requirements set forth in Sections 25-21, 25-31, 36-21 or 36-31 shall not apply to any #development# for which the Commissioner of Buildings has certified that there is no way to provide the required parking spaces with access to a #street# in conformity with the provisions of this Section.

~~The maximum number of permitted, and the minimum number of required #accessory# off-street parking spaces, for #zoning lots# in the area of the Special District located within Manhattan Community District 8, are set forth in Article I, Chapter 3.~~

* * *

Chapter 3 Special Hudson Yards District

93-00

GENERAL PURPOSES

* * *

93-05

Applicability of District Regulations

* * *

93-052

Applicability of Article I, Chapter 3

~~#Public parking lots#~~ authorized pursuant to ~~Section 13-552~~ prior to January 19, 2005, and ~~#accessory#~~ off-street parking facilities for which a special permit has been granted pursuant to ~~Section 13-561~~ prior to January 19, 2005, may be renewed subject to the terms of such authorization or special permit.

The provisions of Article I, Chapter 3, in their entirety shall be applied to Subdistrict F. The following provisions of Article I, Chapter 3 governing #automated parking facilities#, as defined in Section 13-02 (Definitions), automobile rental establishments, commercial vehicle parking, and off-street loading berths shall apply to Subdistricts A, B, C, D and E, as applicable:

- (a) for #automated parking facilities#, the provisions of Section 13-101 (Calculating parking spaces in automated parking facilities), paragraph (b) of Section 13-25 (Reservoir Spaces), and paragraph (b) of Section 13-27 (Minimum and Maximum Size of Parking Facilities);
- (b) for automobile rental establishments, the provisions of Section 13-15 (Permitted Parking for Automobile Rental Establishments, paragraph (b) of Section 13-22 (Enclosure and Screening Requirements), Section 13-241 (Location of curb cuts), paragraph (b) of Section 13-242 (Maximum width of curb cuts), paragraph (c) Section 13-25, and paragraph (c) of Section 13-27;
- (c) for commercial vehicle parking, the provisions of Section 13-16 (Permitted Parking for Car Sharing Vehicles and Commercial Vehicles); and
- (d) for off-street loading berths, the provisions of Section 13-30 (OFF-STREET LOADING REGULATIONS IN THE MANHATTAN CORE), inclusive.

Additional provisions of Article I, Chapter 3, shall be applicable as specified in Section 93-80, inclusive.

* * *

93-80

OFF-STREET PARKING REGULATIONS

In Subdistricts A, B, C, D and E, the regulations governing permitted ~~and required~~ #accessory# off-street parking spaces of Article I, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core ~~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~~) and Article II, Chapter 5; Article III, Chapter 6; and Article IV, Chapter 4 (Accessory Off-Street Parking and Loading Regulations) shall not apply except as set forth in this Section. In lieu thereof, the provisions of this Section, inclusive, shall apply.

In Subdistrict F, the regulations of Article I, Chapter 3, shall apply.

* * *

93-821

Permitted parking when the reservoir surplus is greater than or equal to zero

When the #reservoir surplus# is greater than or equal to zero, off-street parking spaces may be provided only in accordance with the provisions of this Section.

- (a) For #residences#, #accessory# off-street parking spaces may be provided for not more than 30 percent of the total number of #dwelling units#, except that where such #dwelling units# are comprised of #low income floor area#, #moderate income floor area# or #middle income floor area#, as defined in Section 23-911, #accessory# off-street parking spaces may be provided for not more than eight percent of the total number of such #dwelling units#.
- (b) For Use Group 5 #transient hotels#, the applicable provisions of Section 13-12 (Permitted Parking for Non-Residential Uses) ~~13-134~~ shall apply with respect to the number of permitted #accessory# off-street parking spaces, provided that the number of such spaces does not exceed 0.16 for every 1,000 square feet of #floor area#.

- (c) For Use Group 6B offices, not more than 0.16 #accessory# off-street parking spaces may be provided for every 1,000 square feet of #floor area#.

* * *

93-822

Permitted parking when a reservoir deficit exists

When a #reservoir deficit# exists, additional off-street parking spaces may be provided in accordance with the provisions of this Section. However, this Section shall not apply in the Eastern Rail Yard Subarea A1.

- (a) The number of permitted #accessory# off-street parking spaces for Use Group 5 hotels may exceed 0.16 for every 1,000 square feet of #floor area#, up to the number permitted by the applicable provisions of Section 13-12 (Permitted Parking for Non-Residential Uses) Section 13-131.
- (b) The number of permitted #accessory# off-street parking spaces for Use Group 6B offices may be increased by up to 33 percent of the number permitted pursuant to Section 93-821, paragraph (b).

* * *

93-823

Parking permitted by special permit

When a #reservoir deficit# exists, the City Planning Commission may allow, by special permit, Use Group 6B offices to exceed the number of #accessory# off-street parking spaces permitted by Section 93-822, provided that: in accordance with the provisions of Section 13-561, except that finding (a) of Section 13-561 shall not apply.

- (a) within the vicinity of the site, there are insufficient parking spaces available;
- (b) the facility will not create or contribute to serious traffic congestion nor unduly inhibit vehicular and pedestrian movement;
- (c) the facility is so located as to draw a minimum of vehicular traffic to and through local #residential streets#; and

- (d) 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.

In addition, the Commission shall find that the number of #accessory# off-street parking spaces in excess of the number permitted by Section 93-821, proposed to be added by the #development# or #enlargement# that is the subject of the application under review, does not exceed the #reservoir deficit#; and that such additional #accessory# off-street parking spaces, when added to the sum of the parking spaces specified in paragraphs (e)(2)(i), (e)(2)(ii) and (e)(2)(iii) of Section 93-821 does not exceed 5,905 spaces, except insofar as the limit of 5,905 spaces set forth in paragraph (e)(2) has been adjusted pursuant to the provisions of paragraph (e)(3) of Section 93-821. In making such finding, the Commission shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution.

* * *

93-83

Use and Location of Parking Facilities

The provisions of this Section shall apply to all off-street parking spaces within the #Special Hudson Yards District#.

- (a) All off-street parking spaces #accessory# to #residences# shall be used exclusively by the occupants of such #residences#. Except in the Eastern Rail Yard Subarea A1, all off-street parking spaces #accessory# to Use Group 5 #transient hotels# and Use Group 6B offices may be made available for public use. 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#. ~~The provisions of Section 13-141 (Location of accessory off-street parking spaces), inclusive, shall apply.~~
- (b) All off-street parking spaces shall be located within facilities that, except for entrances and exits, are:

- (1) entirely below the level of any #street# or publicly accessible open area upon which such facility, or portion thereof, fronts; or
- (2) located, at every level above-grade, behind #commercial#, #community facility# or #residential floor area#, so that no portion of such parking facility is visible from adjoining #streets# or publicly accessible open areas.

* * *

Chapter 5
Special Transit Land Use District

* * *

95-00
GENERAL PURPOSES

* * *

95-09
Special Regulations for Accessory Off-Street Parking and Curb Cuts

Within the portion of the #Special Transit Land Use District# located within the #Manhattan Core#, the provisions of Article I, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core) shall apply, inclusive. For all other portions of the #Special Transit Land Use District#, the provisions of this Section shall apply.

On any #zoning lot# on which a transit easement volume is provided, the required #accessory# off-street parking requirements for #residential uses# of the applicable underlying districts shall be reduced to a maximum of 20 percent.

In no case within the Special District shall curb cuts for vehicular access be located on a #street# containing transit lines or on a #street# within 50 feet of its intersection with the #street lines# of such a #street#.

The #accessory# parking requirements shall not apply to any #development# or #enlargement# for which the Commissioner of Buildings has certified that there is no way to provide the required parking spaces with access to a #street# in conformity with the provisions of this Section.

* * *

Chapter 6
Special Clinton District

* * *

**96-10
PRESERVATION AREA**

* * *

**96-111
Off-street parking regulations**

#Accessory# off-street parking spaces, #public parking lots# or #public parking garages# are not permitted within the Preservation Area except by the applicable special permit as set forth in Section 13-46 (Special Permits for Additional Parking Spaces), inclusive Sections 13-561 (Accessory off-street parking spaces) and 13-562 (Public parking garages and public parking lots).

In addition, the Commission shall find that:

- (a) the property has been or will be vacated pursuant to the provisions of Section 96-108; and
- (b) the applicant has followed the relocation procedures set forth in Section 96-23.

* * *

**96-21
Special Regulations for 42nd Street Perimeter Area**

The provisions of this Section shall apply in all #Commercial Districts# within the area bounded by the following:

* * *

- (f) Special curb cut and parking provisions requirements

No curb cuts shall be permitted on 42nd Street. The parking provisions requirements of the #Special Hudson Yards District# shall apply within the 42nd Street Perimeter Area, as set forth in Section 93-80 (OFF-STREET PARKING REGULATIONS), except that such parking provisions requirements shall not apply to any #development# or #enlargement# for which a special permit was granted prior to January 19, 2005.

Any #development# or #enlargement# for which a building permit has been lawfully issued prior to December 31, 2004 shall comply with either the parking regulations in effect at the time the permit was issued, or the provisions requirements of this paragraph, (f).

* * *

Chapter 9
Special Madison Avenue Preservation District

* * *

99-00
GENERAL PURPOSES

* * *

99-06
Off-Street Parking Regulations

Within the portion of the #Special Madison Avenue District# located within the #Manhattan Core#, the provisions of Article I, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core) shall apply, inclusive. For all other portions of the #Special Madison Avenue District#, the provisions of this Section shall apply.

Where #accessory# off-street parking is provided, in no case shall curb cuts for vehicular access be located on Madison Avenue or on a #street# within 50 feet of its intersection with the #street line# of Madison Avenue. No off-site #accessory# off-street parking facilities for any #use# shall be permitted within the Special District.

~~The maximum number of permitted, and the minimum number of required, #accessory# off-street parking spaces for #developments# or #enlargements# in the area of the Special District located within Community District 8 are set forth in Article I, Chapter 3.~~

* * *

Article X - Special Purpose Districts

* * *

Chapter 9 – Special Little Italy District

* * *

109-10

PRESERVATION AREA (Area A)

* * *

109-16

Parking Regulations

No ~~accessory~~ off-street parking is permitted ~~or required~~ for any ~~development~~ or ~~enlargement~~ in Area A, except as set forth herein.

The City Planning Commission, ~~by special permit~~, may allow ~~accessory~~ off-street parking facilities for any ~~development~~ or ~~enlargement~~ on a ~~zoning lot~~ pursuant to the applicable authorization or special permit in Article I, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core). ~~provided that the following findings are made:~~

- ~~(a) that such off-street parking spaces be used solely as ~~accessory~~ parking facilities for ~~residential use~~ and that the number of such spaces shall not exceed 20 percent of the total number of new ~~dwelling units~~;~~
- ~~(b) that within the vicinity of the site there is insufficient parking space available; and~~
- ~~(c) that such parking facilities will not create or contribute to serious traffic congestion and will not unduly inhibit vehicular traffic or pedestrian flow.~~

~~The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for shielding, color and intensity of lighting, screening and signage, or for location of entrances and exits.~~

* * *

109-30

HOUSTON STREET CORRIDOR (Area B)

* * *

109-35

Parking and Curb Cuts

109-351

Parking regulations

The parking regulations of the underlying district shall apply except that the City Planning Commission may permit additional #accessory# off-street parking facilities, or a reduction in the required amount of such facilities, provided the following findings are made:

- (a) that in the case of a reduction of such required facilities, there is sufficient parking available or, in the case of additional parking facilities, there is insufficient parking available within the vicinity of the site;
- (b) that such parking facilities will not create or contribute to serious traffic congestion and will not unduly inhibit vehicular traffic or pedestrian flow.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for shielding, color and intensity of lighting, screening and signage or for location of entrances and exits.

109-351

109-352

Curb cut regulations

There shall be not more than one curb cut on each #street line# frontage of a #zoning lot#.

* * *

Article XI - Special Purpose Districts

* * *

Chapter 7

Special Long Island City Mixed Use District

* * *

117-02 General Provisions

In harmony with the general purposes and content of this Resolution and the general purposes of the #Special Long Island City Mixed Use District#, the regulations of this Chapter shall apply within the #Special Long Island City Mixed Use District#. The regulations of all other Chapters of this Resolution are applicable, except as modified, supplemented or superseded by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

* * *

- (c) Regulations relating to #accessory# parking facilities, #public parking lots# and #public parking garages# within the Hunters Point Subdistrict, the Court Square Subdistrict and the Queens Plaza Subdistrict are set forth in Article I, Chapter 6 (Comprehensive Off-Street Parking Regulations in Long Island City) ~~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 in Portions of Community Districts 1 and 2 in the Borough of Queens)~~, and such provisions are further modified by Section 117-54 (Off-street Parking and Loading Regulations).

* * *

117-54 Off-street Parking and Loading Regulations

- (a) The off-street parking provisions of Article I, Chapter 6 ~~Chapter 3~~, shall apply, except that:
- (1) the prohibition of curb cuts accessing entrances and exits to #accessory# off-street parking facilities on certain #wide streets#, as set forth in paragraph (b) of Section 16-231 (Location of curb cuts), provisions of paragraph (b) of Section 13-142 (Additional regulations for permitted accessory off-street parking spaces) shall also apply to Northern Boulevard, Crescent Street and 23rd Street; and
 - (2) the provisions of paragraph (c) of Section 16-12 (Permitted Parking for Non-Residential Uses) ~~Section 13-133 (Community facility, commercial or manufacturing developments)~~ shall be modified as follows: the maximum number of #accessory# off-street parking spaces permitted for a #development# or #enlargement# shall not exceed one space per 2,000 square feet of #floor area# or 250 spaces, whichever is less.
- (b) Curb cuts shall not be permitted within 40 feet of a #zoning lot line# that abuts the Sunnyside Yard.

* * *

Article XII - Special Purpose Districts

* * *

Chapter 1 Special Garment Center District

* * *

121-10 PRESERVATION AREA

* * *

121-11 Special Use Regulations

* * *

121-111 Use Group A

Changes of #use# to Use Group A #uses# are exempt from the #floor area# preservation requirements of Section 121-113. In Preservation Area P-1, in the case of a change of #use# of #floor area# to a Use Group 6B #use#, Use Group A #uses# may not be used to satisfy the preservation requirement. In Preservation Area P-2, in the case of a change of #use# of #floor area# to any #use# permitted by the underlying #use# regulations, Use Group A #uses# may not be used to satisfy the preservation requirement.

In Use Group 6A:

All #uses#

In Use Group 6C:

All #uses# except loan offices, telegraph offices and travel bureaus

In Use Group 6D:

All #uses#

In Use Group 9A:

Blueprinting or photostatting establishments

Musical instrument repair shops

Printing establishments, limited to 2,500 square feet of #floor area# per establishment for production

Typewriter or other small business machine sales, rentals or repairs

In Use Group 12B:

All #uses#

Additional #uses#:

#Accessory uses#

Automobile rental establishments

#Public parking lots# and #public parking garages#, pursuant to the provisions of Article I, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core ~~Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan~~)

Wholesale establishments, with a minimum of 15 percent of #accessory# storage

Wholesale showrooms

* * *

121-40

PARKING PROVISIONS FOR REQUIREMENTS IN PRESERVATION AREA P-2

Within Preservation Area P-2, as shown in Appendix A of this Chapter, the underlying parking requirements shall not apply. In lieu thereof, the parking provisions ~~regulations~~ of the Special Hudson Yards District, as set forth in Section 93-80 (OFF-STREET PARKING) shall apply.

* * *

**Chapter 3
Special Mixed Use District**

* * *

**123-70
PARKING AND LOADING**

For #Special Mixed Use Districts# located within the #Manhattan Core#, the provisions of Article I, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core) shall apply, inclusive, and for #Special Mixed Use Districts# located within #Long Island City#, as defined in Section 16-02 (Definitions), the provisions of Article I, Chapter 6 (Comprehensive Off-Street Parking Regulations in Long Island City) shall apply, inclusive. For all other #Special Mixed Use Districts#, the provisions of this Section, inclusive, shall apply.

* * *

**Chapter 5
Special Southern Hunters Point District**

* * *

**125-50
PARKING REGULATIONS**

The regulations governing permitted and required #accessory# off-street parking spaces of Article I, Chapter 6 (Comprehensive Off-Street Parking Regulations in Long Island City) ~~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)~~ and Article II, Chapter 5; Article III, Chapter 6; and Article IV, Chapter 4 (Accessory Off-Street Parking and Loading Regulations) shall apply, except as set forth in this Section.

* * *

**125-53
Maximum Size of Permitted Accessory Group Parking Facilities**

In the East River Subdistrict, Section 16-13 (Permitted Parking for Zoning Lots with Multiple Uses) ~~13-134 (Multiple use development)~~ shall apply except that the maximum number of spaces shall be 780. Section 16-21 (Off-Site Parking) ~~13-141 (Location of accessory off street parking spaces)~~ shall not apply.

In the Newtown Creek Subdistrict, Section 16-13 ~~13-134~~ shall apply except that the maximum number of spaces shall not exceed 40 percent of the number of #dwelling units# within the #development# or #enlargement#.

END

**Environmental Assessment Statement
for
Manhattan Core Parking Text Amendment**

**Appendix B:
NYC Waterfront Revitalization Program
Consistency Assessment Form**

For Internal Use Only:

WRP no. _____

Date Received: _____

DOS no. _____

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's designated coastal zone, must be reviewed and assessed for their consistency with the *New York City Waterfront Revitalization Program (WRP)*. The WRP was adopted as a 197-a Plan by the Council of the City of New York on October 13, 1999, and subsequently approved by the New York State Department of State with the concurrence of the United States Department of Commerce pursuant to applicable state and federal law, including the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. As a result of these approvals, state and federal discretionary actions within the city's coastal zone must be consistent to the maximum extent practicable with the WRP policies and the city must be given the opportunity to comment on all state and federal projects within its coastal zone.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, other state agencies or the New York City Department of City Planning in their review of the applicant's certification of consistency.

A. APPLICANT

1. Name: Adam Wolff, Deputy Director, Manhattan Office
2. Address: 22 Reade Street, New York, NY 10007
3. Telephone: (212) 720-3583 Fax: _____ E-mail: awolff@planning.nyc.gov
4. Project site owner: N/A - Manhattan Core Text Amendment

B. PROPOSED ACTIVITY

1. Brief description of activity:

The Department of City Planning proposes a zoning text amendment to modify the off-street parking regulations in the Manhattan Core.

2. Purpose of activity:

The proposed text amendment would promote a more rational and efficient allocation of off-street parking in the Manhattan Core through a series of amendments to the as-of-right and discretionary parking regulations in the Zoning Resolution. A detailed study on off-street parking in the Manhattan Core was completed in 2011 which helped the Department's understanding of recent trends in off-street parking utilization and supply, and informed the development of this zoning proposal.

3. Location of activity: (street address/borough or site description):

The area to which the proposed regulations would apply includes the entirety of Manhattan Community Districts 1-8, excepting Governor's Island in Community District 1, the Special Hudson Yards District in Community District 4, and Roosevelt Island in Community District 8.

Proposed Activity Cont'd

4. If a federal or state permit or license was issued or is required for the proposed activity, identify the permit type(s), the authorizing agency and provide the application or permit number(s), if known:

No

5. Is federal or state funding being used to finance the project? If so, please identify the funding source(s).

No

6. Will the proposed project require the preparation of an environmental impact statement?

Yes _____ No If yes, identify Lead Agency:

7. Identify **city** discretionary actions, such as a zoning amendment or adoption of an urban renewal plan, required for the proposed project.

Zoning text amendment (see attached EAS for further description)

C. COASTAL ASSESSMENT

Location Questions:

Yes No

1. Is the project site on the waterfront or at the water's edge?

2. Does the proposed project require a waterfront site?

3. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land underwater, or coastal waters?

Policy Questions

Yes No

The following questions represent, in a broad sense, the policies of the WRP. Numbers in parentheses after each question indicate the policy or policies addressed by the question. The new Waterfront Revitalization Program offers detailed explanations of the policies, including criteria for consistency determinations.

Check either "Yes" or "No" for each of the following questions. For all "yes" responses, provide an attachment assessing the effects of the proposed activity on the relevant policies or standards. Explain how the action would be consistent with the goals of those policies and standards.

4. Will the proposed project result in revitalization or redevelopment of a deteriorated or under-used waterfront site? (1)

5. Is the project site appropriate for residential or commercial redevelopment? (1.1)

6. Will the action result in a change in scale or character of a neighborhood? (1.2)

Policy Questions cont'd

Yes No

7. Will the proposed activity require provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (1.3)

_____ ✓

8. Is the action located in one of the designated Significant Maritime and Industrial Areas (SMIA): South Bronx, Newtown Creek, Brooklyn Navy Yard, Red Hook, Sunset Park, or Staten Island? (2)

_____ ✓

9. Are there any waterfront structures, such as piers, docks, bulkheads or wharves, located on the project sites? (2)

_____ ✓

10. Would the action involve the siting or construction of a facility essential to the generation or transmission of energy, or a natural gas facility, or would it develop new energy resources? (2.1)

_____ ✓

11. Does the action involve the siting of a working waterfront use outside of a SMIA? (2.2)

_____ ✓

12. Does the proposed project involve infrastructure improvement, such as construction or repair of piers, docks, or bulkheads? (2.3, 3.2)

_____ ✓

13. Would the action involve mining, dredging, or dredge disposal, or placement of dredged or fill materials in coastal waters? (2.3, 3.1, 4, 5.3, 6.3)

_____ ✓

14. Would the action be located in a commercial or recreational boating center, such as City Island, Sheepshead Bay or Great Kills or an area devoted to water-dependent transportation? (3)

_____ ✓

15. Would the proposed project have an adverse effect upon the land or water uses within a commercial or recreation boating center or water-dependent transportation center? (3.1)

_____ ✓

16. Would the proposed project create any conflicts between commercial and recreational boating? (3.2)

_____ ✓

17. Does the proposed project involve any boating activity that would have an impact on the aquatic environment or surrounding land and water uses? (3.3)

_____ ✓

18. Is the action located in one of the designated Special Natural Waterfront Areas (SNWA): Long Island Sound- East River, Jamaica Bay, or Northwest Staten Island? (4 and 9.2)

_____ ✓

19. Is the project site in or adjacent to a Significant Coastal Fish and Wildlife Habitat? (4.1)

_____ ✓

20. Is the site located within or adjacent to a Recognized Ecological Complex: South Shore of Staten Island or Riverdale Natural Area District? (4.1 and 9.2)

_____ ✓

21. Would the action involve any activity in or near a tidal or freshwater wetland? (4.2)

_____ ✓

22. Does the project site contain a rare ecological community or would the proposed project affect a vulnerable plant, fish, or wildlife species? (4.3)

_____ ✓

23. Would the action have any effects on commercial or recreational use of fish resources? (4.4)

_____ ✓

24. Would the proposed project in any way affect the water quality classification of nearby waters or be unable to be consistent with that classification? (5)

_____ ✓

25. Would the action result in any direct or indirect discharges, including toxins, hazardous substances, or other pollutants, effluent, or waste, into any waterbody? (5.1)

_____ ✓

26. Would the action result in the draining of stormwater runoff or sewer overflows into coastal waters? (5.1)

_____ ✓

27. Will any activity associated with the project generate nonpoint source pollution? (5.2)

_____ ✓

28. Would the action cause violations of the National or State air quality standards? (5.2)

_____ ✓

Policy Questions cont'd

Yes No

| | | |
|---|-------------------------------------|-------------------------------------|
| 29. Would the action result in significant amounts of acid rain precursors (nitrates and sulfates)? (5.2C) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 30. Will the project involve the excavation or placing of fill in or near navigable waters, marshes, estuaries, tidal marshes or other wetlands? (5.3) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 31. Would the proposed action have any effects on surface or ground water supplies? (5.4) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 32. Would the action result in any activities within a federally designated flood hazard area or state-designated erosion hazards area? (6) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 33. Would the action result in any construction activities that would lead to erosion? (6) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 34. Would the action involve construction or reconstruction of a flood or erosion control structure? (6.1) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 35. Would the action involve any new or increased activity on or near any beach, dune, barrier island, or bluff? (6.1) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 36. Does the proposed project involve use of public funds for flood prevention or erosion control? (6.2) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 37. Would the proposed project affect a non-renewable source of sand ? (6.3) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 38. Would the action result in shipping, handling, or storing of solid wastes, hazardous materials, or other pollutants? (7) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 39. Would the action affect any sites that have been used as landfills? (7.1) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 40. Would the action result in development of a site that may contain contamination or that has a history of underground fuel tanks, oil spills, or other form or petroleum product use or storage? (7.2) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 41. Will the proposed activity result in any transport, storage, treatment, or disposal of solid wastes or hazardous materials, or the siting of a solid or hazardous waste facility? (7.3) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 42. Would the action result in a reduction of existing or required access to or along coastal waters, public access areas, or public parks or open spaces? (8) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 43. Will the proposed project affect or be located in, on, or adjacent to any federal, state, or city park or other land in public ownership protected for open space preservation? (8) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 44. Would the action result in the provision of open space without provision for its maintenance? (8.1) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 45. Would the action result in any development along the shoreline but NOT include new water-enhanced or water-dependent recreational space? (8.2) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 46. Will the proposed project impede visual access to coastal lands, waters and open space? (8.3) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 47. Does the proposed project involve publicly owned or acquired land that could accommodate waterfront open space or recreation? (8.4) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 48. Does the project site involve lands or waters held in public trust by the state or city? (8.5) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 49. Would the action affect natural or built resources that contribute to the scenic quality of a coastal area? (9) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 50. Does the site currently include elements that degrade the area's scenic quality or block views to the water? (9.1) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Policy Questions cont'd

Yes No

51. Would the proposed action have a significant adverse impact on historic, archeological, or cultural resources? (10)

52. Will the proposed activity affect or be located in, on, or adjacent to an historic resource listed on the National or State Register of Historic Places, or designated as a landmark by the City of New York? (10)

D. CERTIFICATION

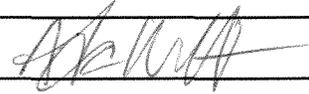
The applicant or agent must certify that the proposed activity is consistent with New York City's Waterfront Revitalization Program, pursuant to the New York State Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If the certification can be made, complete this section.

"The proposed activity complies with New York State's Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent Name: Adam Wolff, Deputy Director, Manhattan Office

Address: 22 Reade Street, New York, NY 10007

Telephone (212) 720-3583

Applicant/Agent Signature:  Date: 10/25/12

Waterfront Revitalization Program

Proposed actions subject to CEQR that are situated within the designated boundaries of New York City's Coastal Zone must be assessed for their consistency with the City's Local Waterfront Revitalization Program (LWRP). The LWRP consistency review includes consideration and assessment of other local, state, and federal laws and regulations governing disturbance and development within the Coastal Zone.

According to the CEQR Technical Manual, actions located in the NYC Coastal Zone Boundary require an assessment of the action's consistency with the LWRP. For generic or programmatic actions, the potential locations likely to be affected within the coastal zone boundary should be considered. The proposed action would be applicable to all zoning districts within the Manhattan Core, consisting of the borough of Manhattan south of 110th Street on the west side and 96th Street on the east side, excluding portions of the Special Hudson Yards District. Due to the geographic applicability of the action, it is likely that some affected sites would be located within the WRP Coastal Zone. Consequently, the proposed action's consistency with the WRP has been evaluated. The completed NYC WRP Consistency Assessment Form, which supports the conclusion that the proposed zoning amendments are consistent with the NYC Waterfront Revitalization Program has been evaluated.

Based on the preliminary assessment, it was determined that the proposed action is applicable to three LWRP policies. Following is a discussion of the consistency of the proposed text with the policies.

1.1 Encourage commercial and residential redevelopment in appropriate coastal zone areas.

The proposed Manhattan Core text amendment would apply to all new and existing developments and enlargements in all zoning districts. This text amendment would not induce any new residential or commercial developments and hence be consistent with policy in coastal zone areas.

6. Minimize loss of life, structures and natural resources caused by flooding and erosion.

While the proposed text amendment would apply to areas of the city in federally designated flood hazard areas, the text amendment will not induce any new structures in these areas. All future projects would be required to comply with all applicable Federal Emergency Management Agency (FEMA) and City of New York requirements to minimize flood damage and with applicable City and FEMA requirements on construction and occupancy. Therefore, the proposed project would be consistent with this policy.

8. Provide public access to and along New York City's coastal waters.

The proposed text amendment would not change the underlying zoning throughout the Manhattan Core, and would have no affect on public access provisions of the city's waterfront zoning regulations or existing standards intended to preserve existing access to the shoreline provided by facilities such as public parks, beaches, marinas, piers, streets, or highways.

10. Protect, preserve and enhance resources significant to the historical, archaeological, and cultural legacy of the New York City coastal area.

The proposed text amendment may affect parking layout and design of existing and new buildings, but no historic, archeological or cultural sites have been specifically identified that may be impacted by this text amendment. Any such development that may take place in historic buildings would be subject to review by the Landmarks Preservation Commission, hence protecting and preserving the historical, archaeological and cultural legacy of New York City coastal area.