




Manhattan Core Text Amendment - **Approved!**

Introduction

Update May 8, 2013:

On May 8, 2013 the City Council adopted the Manhattan Core Text Amendment. The zoning text changes are now in effect.  [View the text amendment as it appears in the Zoning Resolution.](#)

The Department of City Planning (DCP) is proposing to revise the zoning regulations governing off-street parking in the [Manhattan Core](#), which is comprised of Manhattan Community Districts 1-8, south of 96th Street on the East Side and below 110th Street on the West Side (excluding Governor's Island and Roosevelt Island). 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 Manhattan Core already has the most progressive parking regulations in the country with no minimum parking requirement, and with limitations on the amount of permitted parking, however, the [Manhattan Core Public Parking Study](#) (2011), identified recent trends in off-street parking as well as a number of deficiencies in the 30-year old existing parking regulations.

The Department is now proposing targeted improvements to these existing off-street parking regulations to ensure that the right amount of parking spaces is being provided to support Manhattan Core businesses, residents and visitors while also addressing the city's sustainability objectives to encourage public transit and reduce energy use and greenhouse gas emissions. The proposal would:

- Strengthen the special permit process by requiring that special permit requests for parking above the maximum [as-of-right](#) limits demonstrate a specific need for additional parking spaces in the absence of adequate parking facilities in the immediate area. These new criteria would allow communities, the Borough President, the City Planning Commission and City Council to better determine if the additional parking is justified.
- Promote pedestrian safety with new layout and design requirements for new parking facilities.
- Recognize current practice by allowing all new facilities to provide public parking within the maximum amounts allowed today, thereby meeting the needs of both neighborhood residents and visitors.
- Establish regulations for automated parking facilities for the first time in New York City.
- Provide greater flexibility for rental cars and other small commercial vans and vehicles to park in public garages.




View a  [larger image.](#)

The text amendment was informed by the [Manhattan Core Public Parking Study](#) (2011), that identified recent trends in off-street parking as well as a number of deficiencies in the existing parking regulation.

Manhattan Core Text Amendment - **Approved!** Public Parking Study

In 2008, with the assistance of a Federal grant, City Planning launched a study to collect data about off-street parking in the Manhattan Core through a survey of current users, to analyze that data to better understand user characteristics, and to use that information to help in assessing the zoning regulations governing parking in the Core. The report, the

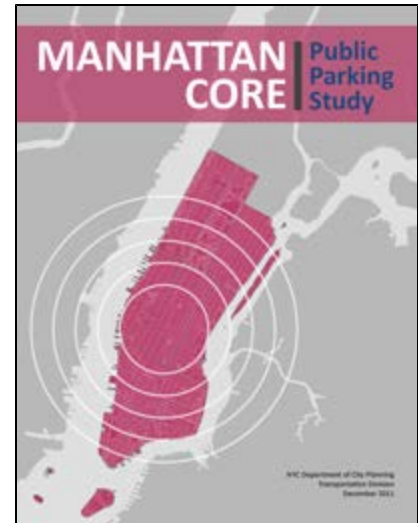
 [Manhattan Core Public Parking Study](#) (2011), identified recent trends in off-street parking as well as a number of deficiencies in the existing parking regulations.


Much of the research for the study was conducted through a survey. The survey was conducted between March and May 2009. Planners from City Planning collected almost 2,900 intercept surveys from 110 public parking facilities spread throughout the Manhattan Core. The number of parking spaces in the surveyed facilities represented approximately 15 percent of the 146,000 public parking spaces in the Manhattan Core licensed by the New York City Department of Consumer Affairs (DCA). Respondents included commuters, people conducting business, Manhattan residents, medical patients, and those visiting for leisure. The survey included questions about trip purpose, home ZIP code, reasons for not taking mass transit, frequency of respondents' auto trips to Manhattan, and respondents' occupation. In addition to the survey of public parking users, the Department also collected operator-provided data about the parking facilities, including the percentage of spaces occupied by residential monthly parkers.


The [study](#) also included analysis of Census and other data to furnish insight into how demographic trends and changes in car ownership patterns relate to utilization of off-street parking. Transportation data, including the annual reports on Hub (CBD)-bound travel issued by the New York Metropolitan Transportation Council (NYMTC), were analyzed in order to ascertain how travel into the Manhattan Core has changed since 1982. In addition to data analysis, City Planning closely reviewed the Manhattan Core regulations and the City Planning Commission's experience in recent years with review of parking special permit applications. The purpose of this analysis was to identify areas where the regulations may be obsolete, inconsistent with current policies, or insufficient for a well-functioning special permit process. Planners also interviewed practitioners with experience in parking facility design. More recently, the Department conducted an ongoing survey of residential buildings constructed since 2000 in the Manhattan Core to determine, among other information, whether these buildings provided parking and whether the parking is public. Public parking facilities in New York City, except for municipal facilities operated by the City, are licensed by the New York City Department of Consumer Affairs (DCA).

The Manhattan Core Public Parking Study identified these key findings:

- The Manhattan Core parking regulations have proved to be compatible with population and job growth and a thriving Central Business District (CBD). Travel into the CBD has shifted toward transit while off-street parking is less critical though it still plays an important role in supporting economic activity and residents.
- The supply of off-street parking in the Manhattan CBD has declined by about one-fifth (about 127,000 in 1978 to 102,000 in 2010) since the Manhattan Core parking regulations were enacted due to the redevelopment of surface lots and garages, and to the parking regulations.
- 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.
- 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 for long-term residential parking.
- Most new as-of-right parking facilities in the Manhattan Core operate as public facilities, this is 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.
- Limited amounts of new parking are still needed. Many people who park in public parking facilities make all or most



The  [study](#) is available as a complete document.

The  [executive summary](#) is also available for separate download.

of their trips into the Core by car. Parking will still be needed to accommodate some share of trips, even if that share continues to fall, and to support economic activity and accommodate residential demand.

As a result of the study, the Department is now proposing targeted improvements to the existing off-street parking regulations. The [Manhattan Core Parking text amendment](#) would ensure that the amount of parking provided in the Manhattan Core meets parking needs while addressing the city's sustainability objectives of encouraging public transit and reducing energy use and greenhouse gas emissions.

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Proposed Text Amendment

City Planning's proposal would fine-tune the existing regulations in order to add more clarity, predictability, provide mobility improvements, and continue to promote the shift away from commuter parking. The proposal will ensure that the City provides the right amount of parking spaces to support businesses, residents and visitors while addressing the city's sustainability objectives of encouraging public transit and reducing energy use and greenhouse gas emissions.



[View the Presentation](#)

Automated Parking Facilities

The proposal defines guidelines for automated parking facilities including wrapping requirements and floor area exemptions. These provisions would encourage the development of automated facilities, which are a more efficient use of space and have environmental benefits over conventional attended garages. The Commissioner of the Department 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 as each automated parking facility is custom-designed for the site and 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:

- there is floor area above the garage (there has to be another use and not just a stand-alone garage);
- the first story must be wrapped by another use to a depth of 30';
- the façade up to 40' is consistent with the rest of the building's façade.

Loading Docks

The proposal would 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. Additionally, internal areas used for dumpsters may be excluded from floor area (up to 25' x 12'). The proposal would grant the Commissioner of the Department of Buildings a waiver through a certification for sites with below grade or infrastructure constraints and expand the ability to exempt loading requirements on zoning lots that have two street frontages, when one frontage 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.

Rental Vehicle Parking

The Manhattan Core is a prime location for car rental vehicles (and car share), which contribute to the low rate of car ownership, encourage transit use and reduce the need for off-street parking. The proposal would allow more flexibility for car rental vehicles to park in public parking facilities by increasing the permitted number to 40 percent in C2, C4, C5, C6, C8 and M districts. The current 100 space limit on rental car vehicles in standalone 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.

Commercial Vehicle Parking

Many small commercial vans and vehicles (a maximum of 20 feet) have to leave the Manhattan Core to park overnight due to current restrictions on parking location. The proposal will provide additional opportunities for these vehicles to park in the Manhattan Core by increasing the number of spaces they may occupy overnight in public parking facilities: up to 50 percent in C5, C6, C8 and all M districts. This will reduce vehicle miles traveled and decrease congestion. Permitted car rental vehicles would be counted within this cap.

Permit Accessory Parking to Operate as Public Parking

The Manhattan Core study found that most new accessory parking facilities in residential buildings have received licenses from the Department of Consumer Affairs to operate as public garages. This proposal would allow all new accessory parking facilities and those with DCA licenses to operate as public facilities within the maximum amounts allowed today. DCA-licensed accessory garages existing 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 for residential and commercial users, 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.

Special Permits

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.

Additionally, there are no findings on the appropriateness of the amount of parking for a proposed public parking facility application. New findings for the parking Special Permits would provide a rational framework for evaluating whether the number of spaces proposed is appropriate. The findings would set a standard of reasonableness for the number of spaces, based on recent residential development in the surrounding area and recent changes in the supply of public parking used by residents in the area.

The proposed Special Permits would have a universal set of conditions and findings for all applications. The proposed Special Permit **conditions** include the following layout provisions for as-of-right facilities: enclosure and screening requirements; curb cut restrictions; reservoir space requirements; pedestrian safety requirements; and minimum and maximum size of facility provisions. The proposed Special Permit **findings** would determine that the City Planning Commission shall find that: locations of entrances and exits will not result in a conflict between pedestrian and vehicular movement; locations of entrances and exits will not interfere with efficient function of streets; exempted floor area in public parking garages is needed to prevent excessive on-street parking demand; and the parking facility is not inconsistent with the character of the existing streetscape.

The proposal would also establish four new Special Permits to exceed as-of-right parking ratios and maximum capacities allowed as part of a development. These four Special Permits would be subject to their own findings in addition to the ones previously mentioned. The proposed Special Permits make distinctions between different types of development and assess the proposed parking supply accordingly:

1. Findings for Residential Growth Special Permit

The CPC shall find that the number of parking spaces in the proposed facility is reasonable in relation to recent off-street parking trends in close proximity with regard to changes in the number of dwelling units and including any parking facilities for which building permits have been granted and special permits have been obtained; or, the proposed ratio of parking spaces to dwelling units does not exceed that which would be allowed for an as-of-right facility; the CPC may also disregard applicable parking caps.

2. Findings for Health Care, Arts or Public Assembly Uses Special Permit

The CPC shall find that the proposed parking facility is either in close proximity or on the same [zoning lot](#) as one of the following uses: hospital, museum, theater, arena, auditorium, trade exposition or stadium; that the increased number of parking spaces is essential to the continued operation of such use; and that reasonable measures to minimize parking demand have been evaluated.

3. Findings for Economic Generators Special Permit

The CPC shall find that the proposed parking facility is in close proximity to or on the same zoning lot as a [commercial](#), [community facility](#), or [manufacturing](#) use which is of significant importance to the economic well-being of the City; that the increased number of parking spaces is essential to the operation of such use; and that reasonable measures to minimize parking demand have been evaluated.

4. Findings for Large-scale development Special Permit

The CPC shall find that where the proposed parking facility would serve the parking needs of a predominantly residential development, the findings of the Residential Growth Special Permit are met; where the proposed facility would serve the parking needs of predominantly non-residential uses in a development, an increased number of parking spaces is essential to the operation of such uses; where the parking deficit is created by off-street spaces that will be eliminated through the proposed development, available off-street parking spaces are insufficient to meet the demand of potential users; reasonable measures to minimize parking demand have been evaluated; and a phased parking plan is provided for phased development.

 [View a summary table of proposed special permits, conditions, and findings.](#)


Additional Components of the Proposal

- 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. In residential districts, exempted floor area would have a planting and screening requirement.
- The as-of-right retail parking allowance would be capped to 10 spaces.
- While parking is not required in new developments today, parking was required prior to the 1982 parking regulations and currently cannot be removed. This proposal would allow for reductions or removal of this once-required parking by a City Planning Commission authorization.
- Ramps and mechanical space would be exempted from the 200'-per-space parking requirement and standards would be defined for mechanical lifts.
- Reservoir space requirements to allow small facilities to waive out would be modified to enable a more rational provision of reservoir spaces given garage capacities. The proposal would reduce the reservoir space requirements

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 apply to accessory facilities and automobile rental facilities.

- design regulations to ensure safe vehicular and pedestrian access would be established with a 'stop' sign and a speed bump located within the exit lane of the parking facility.

Public Review


On November 5, 2012 the proposed Manhattan Core Parking text amendment (N 130105 ZRM) was referred to Manhattan Community Boards 1-8 and the Manhattan Borough President for a 60-day review period. On January 23, 2013, the City Planning Commission held a public hearing at Spector Hall, 22 Reade Street, New York. On March 20, 2013, the City Planning Commission approved the text amendment with modifications. *  [Read the CPC Report](#). On May 8, 2013, the City Council adopted the zoning changes and they are now in effect.

*City Planning Commission Modifications

- Clarify that for automated parking facilities, the term "tray" refers to the vehicular support device in both pallet and pallet-less systems.
- Add minimum dimensions to reservoir spaces.
- Specify required surface area in parking facilities for elevated spaces in parking lift-systems (stackers) of 153 SF/space.
- Include consideration of mass transit facilities in the determination of whether entrances and exits to parking facilities would interfere with pedestrian traffic flow, as part of the Authorization for a limited increase in parking spaces for existing buildings without parking.
- Include consideration of mass transit facilities in the determination of whether entrances and exits to parking facilities would interfere with pedestrian traffic flow, as part of the special permits for additional parking spaces.
- Add traffic congestion finding to the Authorization for a limited increase in parking spaces for existing buildings without parking.
- Add traffic congestion finding to the special permits for additional parking spaces.
- The special permits for additional parking spaces above the as-of-right amounts are reorganized for clarity.
- The method of calculating the number of additional parking spaces that may be permitted by special permit in an existing facility, without needing to demonstrate that the findings are met relating to residential growth; health care, arts or public assembly uses; economic development uses; or large-scale developments, is clarified.
- Stipulate in the special permits for additional parking spaces that existing facilities which are increasing the amount of spaces within their facility do not need to comply with the screening provisions that a new development would.
- Add that, for the special permits for additional parking spaces, the Commission may take into account levels of vacancy in existing off-street parking facilities in the area of a proposed parking facility when granting the number of proposed spaces.
- Clarify the applicability of the transparency requirement for above-grade parking facilities where the building is located in a flood zone or has multiple street frontages, and that the ground floor use and transparency requirements do not override any pre-existing transparency regulations in underlying zoning or Special District.
- Recognize C4-4A, C4-2F and M1-1 districts within the Manhattan Core as affected by the proposal. These districts, mapped primarily on the Lower East Side, between West 63rd Street and West 66th Street west of West End Avenue, and along the waterfront at East 23rd Street were unintentionally omitted from eligibility for a special permit for a public parking lot or garage (Section 13-562) in the existing Manhattan Core parking regulations zoning text; the modified proposal corrects this inadvertent omission.
- Other minor changes including updated cross references to improve zoning text clarity.

For more information, or if you have questions or comments regarding this proposal, contact the Transportation Division office of the Department of City Planning at 212-676-1367 or email MANHATTANCORE_DL@PLANNING.NYC.GOV.

Related Notes

-  Items accompanied by this symbol require the [free Adobe Acrobat Reader](#).
- Brief explanations of terms in *green italics* can be viewed by [visiting glossary page](#). Words and phrases followed by an asterisk (*) are defined terms in the Zoning Resolution, primarily in Section 12-10. Consult the Zoning Resolution for the official and legally binding definitions of these words and phrases.