

ZONING RESOLUTION Web Version

THE CITY OF NEW YORK



THE CITY OF NEW YORK
Bill de Blasio, Mayor

CITY PLANNING COMMISSION
Marisa Lago, Chair

Article II: Residence District Regulations

Chapter 5 - Accessory Off-Street Parking and Loading Regulations

Effective date of most recently amended section of Article II Chapter 5: 2/14/18

Administrative correction: 25-21, 25-23

Date of file creation: Web version of Article II Chapter 5: 1/18/19

CITY PLANNING COMMISSION
nyc.gov/planning

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(12/15/61)

Chapter 5
Accessory Off-street Parking and Loading Regulations

Off-street Parking Regulations

(12/15/61)

25-00
GENERAL PURPOSES AND DEFINITIONS

(4/22/09)

25-01
General Purposes

The following regulations on permitted and required accessory off-street parking spaces and accessory bicycle parking spaces are adopted in order to provide needed space off the streets for parking in connection with new residences, to reduce traffic congestion resulting from the use of streets as places for storage of automobiles, to protect the residential character of neighborhoods, to provide for a higher standard of residential development within the City and thus to promote and protect public health, safety and general welfare.

(4/22/09)

25-02
Applicability

Except as otherwise provided in this Section, the regulations of this Chapter on permitted or required #accessory# off-street parking spaces and #accessory# bicycle parking spaces apply to #residences#, #community facility uses# or #commercial uses#, as set forth in the provisions of the various Sections.

(3/22/16)

25-021

Applicability of regulations to non-profit hospital staff dwellings

In all districts, the regulations of this Chapter applicable to #community facility uses# shall not apply to #non-profit hospital staff dwellings#. In lieu thereof, the regulations applicable to #residences# shall apply, as follows:

- (a) the regulations of an R5 District shall apply to #non-profit hospital staff dwellings# located in R1, R2 and R3 Districts;
- (b) the regulations of an R6 District shall apply to #non-profit hospital staff dwellings# located in R4 and R5 Districts; and
- (c) the regulations of an R10 District shall apply to #non-profit hospital staff dwellings# located in R6 through R10 Districts.

(2/2/11)

25-022

Applicability of regulations to zoning lots in predominantly built-up areas

Off-street parking in #predominantly built-up areas# shall be provided as set forth in Section 25-23.

(5/8/13)

25-023

Applicability of regulations in the Manhattan Core and Long Island City area

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

(3/22/16)

25-025

Applicability of regulations to Quality Housing

On any #zoning lot# containing #residences# in R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts or their #commercial# equivalents, and on any #zoning lot# in other districts containing a #Quality Housing building#, all #accessory# off-street parking spaces shall comply with the provisions of Section 28-40 (PARKING FOR QUALITY HOUSING).

(2/14/18)

25-026

Applicability of regulations in the waterfront area

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

R7-3 Districts shall be governed by the #accessory# off-street parking regulations of an R7-2 District.

(3/22/16)

25-027

Applicability of regulations in Community District 14, Queens

In Community District 14 in the Borough of Queens, R6 and R7 Districts shall be subject to the #accessory# off-street parking regulations of an R5 District, except that such requirement shall not apply to any #development# located within an urban renewal area established prior to August 14, 2008, or to #income-restricted housing units# as defined in Section 12-10 (DEFINITIONS).

For the purposes of this Section, the #floor area# of a #building# shall not include floor space used for #accessory# off-street parking spaces provided on any #story# located below 33 feet above the #base plane#.

(3/22/16)

25-028

Applicability of regulations to certain community facility uses in lower density growth management areas

- (a) In #lower density growth management areas# other than R6 and R7 Districts in Community District 10, Borough of the Bronx, all #zoning lots# containing #buildings# with the following #uses# shall be subject to the provisions of paragraph (b) of this Section:
- (1) ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), except where such #zoning lot# contains #buildings# used for hospitals, as defined in the New York State Hospital Code, or #long-term care facilities#; or
 - (2) child care services as listed under the definition of #school# in Section 12-10 (DEFINITIONS), except where such #zoning lot# contains #buildings# used for houses of worship or, for #zoning lots# that do not contain #buildings# used for houses of worship, where the amount of #floor area# used for child care services is equal to 25 percent or less of the amount of #floor area# permitted for #community facility use# on the #zoning lot#.
- (b) All #zoning lots# that meet the conditions of paragraph (a) of this Section shall comply with the provisions of Section 25-624 (Special parking regulations for certain community facility uses in lower density growth management areas) in lieu of the following provisions:
- (1) the parking location provisions of Sections 25-622 (Location of parking spaces in lower density growth management areas) and 25-623 (Maneuverability standards);
 - (2) the driveway and curb cut provisions of Sections 25-632 (Driveway and curb cut regulations in lower density growth management areas) and 25-634 (Curb cut regulations for community facilities);
 - (3) the open space provisions of Section 25-64 (Restrictions on Use of Open Space for Parking); and
 - (4) the screening provisions of Section 25-66 (Screening).

In addition, where the #uses# listed in paragraphs (a)(1) and (a)(2) of this Section result from a change of #use#, the provisions of Section 25-31 (General Provisions) shall be modified to require #accessory# off-street parking spaces for

such #uses#. However, the requirements of Sections 25-31 and 25-624 may be modified for #zoning lots# containing #buildings# with such changes of #use# where the Chairperson of the City Planning Commission certifies to the Commissioner of Buildings that such modifications are necessary due to the location of existing #buildings# on the #zoning lot#, and such requirements have been complied with to the maximum extent feasible.

(10/9/13)

25-029

Applicability of regulations in flood zones

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

(12/15/61)

25-10

PERMITTED ACCESSORY OFF-STREET PARKING SPACES

(3/22/16)

25-11

General Provisions

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, #accessory# off-street parking spaces may be provided for #residences#, for permitted #community facility uses#, for #commercial uses# permitted as #accessory uses# in #large-scale residential developments#, or for #uses# permitted by special permit, subject to the provisions set forth in the following Sections:

Section 25-12 (Maximum Size of Accessory Group Parking Facilities)

Section 25-15 (Maximum Spaces for Single-Family Detached Residences)

Section 25-16 (Maximum Spaces for Other Than Single-Family Detached Residences)

Section 25-18 (Maximum Spaces for Permitted Community Facility or Commercial Uses).

Such #accessory# off-street parking spaces may be open or enclosed. However, except as otherwise provided in Sections 73-49 (Roof Parking) or 74-531 (Additional parking spaces or roof parking for accessory group parking facilities), no spaces shall be located on any roof which is immediately above a #story# other than a #basement#.

(12/15/61)

25-12

Maximum Size of Accessory Group Parking Facilities

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, no #group parking facility accessory# to #residences# shall contain more than 200 off-street parking spaces, and no such facility #accessory# to permitted #community facility# or #commercial uses# shall contain more than 150 off-street parking spaces, except as provided in Section 25-13 (Modification of Maximum Size of Accessory Group Parking Facilities).

(12/15/61)

25-13

Modification of Maximum Size of Accessory Group Parking Facilities

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, a #group parking facility# may contain additional spaces not to exceed 50 percent of the maximum number otherwise permitted under the provisions of Section 25-12 (Maximum Size of Accessory Group Parking Facilities), if the Commissioner of Buildings determines that:

- (a) access for such facility is located so as to draw a minimum of vehicular traffic to and through #streets# having predominantly #residential# frontages;
- (b) such facility has separate vehicular entrances and exits thereto, located not less than 25 feet apart;

- (c) such facility, if #accessory# to a permitted #community facility# or #commercial use# is located on a #street# not less than 60 feet in width; and
- (d) such facility, if #accessory# to a permitted #commercial use#, has adequate reservoir space at the entrance to accommodate a minimum of 10 automobiles.

The Commissioner of Buildings shall establish appropriate additional regulations with respect to the design of such facility to minimize adverse effects on the character of the surrounding area, such as requirements for shielding of floodlights.

(12/15/61)

25-14

Exceptions to Maximum Size of Accessory Group Parking Facilities

(4/27/63)

25-141

For hospitals

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the Board of Standards and Appeals may permit #group parking facilities accessory# to hospitals, with more than 150 spaces, in accordance with the provisions of Section 73-48 (Exceptions to Maximum Size of Accessory Group Parking Facilities).

(3/22/16)

25-142

For accessory uses in large-scale residential developments

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the City Planning Commission may permit #group parking facilities accessory# to #uses# in #large-scale residential developments# with more than the prescribed maximum of Section 25-12 (Maximum Size of Accessory Group Parking Facilities), in accordance with the provisions of Section 74-531

(Additional parking spaces or roof parking for accessory group parking facilities).

(12/15/61)

25-15

Maximum Spaces for Single-Family Detached Residences

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, not more than three off-street parking spaces shall be provided for a #single-family detached residence#, except on #zoning lots# with a #lot area# of 10,000 square feet or more. For the purposes of this Section, a driveway shall not be considered as off-street parking space.

(3/22/16)

25-16

Maximum Spaces for Other Than Single-Family Detached Residences

R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, the provisions of this Section shall apply to all #dwelling units# in #buildings# containing #residences# other than #Quality Housing buildings# and #single-family detached residences#, except as provided in Section 25-17 (Modification of Maximum Spaces for Other Than Single-Family Detached Residences).

(3/22/16)

25-161

In R3, R4 or R5 Districts

R3 R4 R5

In the districts indicated, not more than two off-street parking spaces shall be provided for each #dwelling unit#.

(12/15/61)

25-162

In R6 or R7 Districts

R6 R7

In the districts indicated, on a #zoning lot# used for #residences#, not more than one off-street parking space shall be provided for every 300 square feet of #lot area#.

(12/15/61)

25-163

In R8, R9 or R10 Districts

R8 R9 R10

In the districts indicated, on a #zoning lot# used for #residences#, not more than one off-street parking space shall be provided for every 225 square feet of #lot area#.

(2/2/11)

25-17

Modification of Maximum Spaces for Other Than Single-Family Detached Residences

R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, a greater number of off-street parking spaces than permitted under the provisions of Section 25-16 (Maximum Spaces for Other Than Single-Family Detached Residences) may be provided if the Commissioner of Buildings determines that:

- (a) such additional spaces are needed for the occupants of #residences# to which such spaces are #accessory#, in order to prevent excessive on-street parking; and
- (b) such spaces are designed in such a way as to minimize traffic on #streets# with predominantly #residential# frontages.

The Commissioner of Buildings shall establish appropriate additional regulations with respect to the design of the parking areas to minimize adverse effects on the character of surrounding areas.

(12/15/61)

25-18

Maximum Spaces for Permitted Community Facility or Commercial Uses

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, on a #zoning lot# used for permitted #community facility# or #commercial uses#, not more than one off-street parking space shall be provided for every 400 square feet of #lot area#, except as provided in Section 25-19 (Modification of Maximum Spaces for Permitted Community Facility or Commercial Uses).

(12/15/61)

25-19

Modification of Maximum Spaces for Permitted Community Facility or Commercial Uses

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, a greater number of off-street parking spaces than permitted under the provisions of Section 25-18 (Maximum Spaces for Permitted Community Facility or Commercial Uses) may be provided if the Commissioner of Buildings determines that:

- (a) such additional spaces are needed for the occupants, visitors, customers, or employees of the #use# or #uses# to which such spaces are #accessory#; and
- (b) such spaces are designed in such a way as to minimize traffic on #streets# with predominantly #residential# frontages.

The Commissioner of Buildings shall establish appropriate additional regulations with respect to the design of the parking area, to minimize adverse effects on the character of surrounding areas.

(12/15/61)

25-20

REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES

(3/22/16)

25-21

General Provisions

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, #accessory# off-street parking spaces, open or enclosed, shall be provided for all #dwelling units# created after December 15, 1961, in accordance with the provisions of the following Sections and the other applicable provisions of this Chapter, as a condition precedent to the #use# of such #dwelling unit#:

Section 25-22 (Requirements Where Individual Parking Facilities Are Provided)

Section 25-23 (Requirements Where Group Parking Facilities Are Provided)

Section 25-24 (Modification of Requirements for Small Zoning Lots)

Section 25-25 (Modification of Requirements for Income-Restricted Housing Units, Affordable Independent Residences for Seniors or Other Government-Assisted Dwelling Units)

Section 25-28 (Special Provisions for Zoning Lots Divided by District Boundaries)

For #dwelling units# constructed pursuant to the zoning regulations in effect after July 20, 1950, and prior to December 15, 1961, off-street parking spaces #accessory# to such #dwelling units# cannot be removed if such spaces were required by such zoning regulations, unless such spaces would not be required pursuant to the applicable zoning regulations currently in effect.

In addition, #rooming units# constructed pursuant to the zoning regulations in effect after July 20, 1950 and prior to March 22, 2016, shall continue to be subject to the applicable zoning district regulations in effect prior to March 22, 2016. For the purposes of applying such provisions to #rooming units#, three

#rooming units# shall be considered the equivalent of one #dwelling unit#.

For the purposes of calculating the number of required parking spaces for any #building# containing #residences#, any fraction of a space 50 percent or greater shall be counted as an additional space.

In the event that the number of #accessory# off-street parking spaces required under the provisions of these Sections exceeds the maximum number of spaces permitted under the provisions of Section 25-16 (Maximum Spaces for Other Than Single-Family Detached Residences), the Commissioner of Buildings shall reduce the required number of spaces to the maximum number permitted.

(3/22/16)

25-211

Application of requirements to conversions and certain enlargements

R3 R4

- (a) In the districts indicated, except for #zoning lots# in R4 Districts utilizing the special optional regulations of a #predominately built-up area#, wherever additional #dwelling units# are created by #conversions# or #enlargements# of #residential buildings#, there shall be one off-street parking space provided on the #zoning lot# for each such additional #dwelling unit#. Such off-street parking spaces shall be in addition to any existing off-street parking spaces on the #zoning lot# and shall not be located in any common easement driveways or within a #front yard#. The provisions of Section 25-27 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden) shall not apply to such #zoning lots#. Furthermore, such additional #dwelling units# shall be permitted only if the #zoning lot# complies with the provisions of Section 25-64 (Restrictions on Use of Open Space for Parking).

R4 R5

- (b) In R5 Districts, and for #zoning lots# in R4 Districts utilizing the special optional regulations of a #predominately built-up area#, the requirements of Section 25-21 (General Provisions) shall not apply to additional #dwelling units# created by #conversions# of #residential buildings# on #zoning lots# with less than 5,000 square feet

of #lot area#, provided such #buildings# were constructed prior to April 14, 2010, and not subsequently #enlarged#.

R1 R2 R3 R4 R5 R6 R7-1 R7A R7B R7D R7X

- (c) In the districts indicated, the requirements of Section 25-21 (General Provisions) shall not apply to #dwelling units# created by the change of non-#residential uses# to #residential uses# on #zoning lots# with less than 5,000 square feet of #lot area#.

R7-2 R8 R9 R10

- (d) In the districts indicated, no #accessory# off-street parking is required for the creation of additional #dwelling units# within existing #buildings#.

(2/2/11)

25-22

Requirements Where Individual Parking Facilities Are Provided

R1 R2 R3 R4 R5 R6 R7-1

- (a) In the districts indicated, except in R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, where #group parking facilities# are not provided, one #accessory# off-street parking space, open or enclosed, shall be provided for each #dwelling unit#, except that in the case of #two#- or three-#family residences# in a #predominantly built-up area#, two #accessory# parking spaces per #building# shall be provided.

R1 R2 R3 R4-1 R4A

- (b) In the districts indicated within #lower density growth management areas#, 1.5 #accessory# off-street parking spaces shall be provided for each #dwelling unit#. However, in such districts in the Borough of Staten Island, two #accessory# off-street parking spaces shall be provided for each #single-family residence#, three #accessory# off-street parking spaces shall be provided for each #two-family residence#, and for all other #residences#, #accessory# off-street parking spaces shall be provided for at least 150 percent of the total number of #dwelling units# within such #residences#.

(2/2/11)

25-23

Requirements Where Group Parking Facilities Are Provided

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, where #group parking facilities# are provided, for all new #dwelling units#, #accessory# off-street parking spaces shall be provided for at least that percentage of the total number of #dwelling units# set forth in the following table. Such spaces shall be kept available to the residents of the #building#, in accordance with the provisions of Section 25-41 (Purpose of Spaces and Rental to Non-Residents).

PARKING SPACES REQUIRED WHERE
GROUP PARKING FACILITIES ARE PROVIDED

District	Percent of Total #Dwelling Units#
R1 R2 R3 R4-1 R4A	100 ¹
R4 R4B R5A	100
R5	85
R6	70 ²
R5B R5D	66
R7-1	60 ²
R6A R6B R7-2 R7A R7B R7D R7X R8B ³	50 ²
R8 R9 R10	40

¹ In R1, R2, R3, R4-1 and R4A Districts within #lower density growth management areas#, 1.5 #accessory# off-street parking spaces shall be provided for each #dwelling unit#. However, in such districts in the Borough of Staten Island, two #accessory# off-street parking spaces shall be provided for each #single-family residence#, three #accessory# off-street parking spaces shall be provided for each #two-family residence#, and for all other #residences#, #accessory# off-street parking spaces shall be provided for at least 150 percent of the total number of #dwelling units# within such #residences#

² In R6 or R7 Districts for #dwelling units# created pursuant to the Quality Housing Program, #accessory# off-street parking spaces shall be provided for at least 50 percent of the total number of such #dwelling units#

³ In the Borough of Brooklyn, R8B Districts are subject to the parking requirements applicable in R8 Districts

In a #predominantly built-up area# where #group parking facilities# are provided, #accessory# parking spaces shall be provided for at least that percentage of the total number of #dwelling units# set forth in the following table:

District	Percent of Total #Dwelling Units#
R4 R5	66

(3/22/16)

25-231

Modification of requirements to facilitate affordable housing

Within the #Transit Zone#, the City Planning Commission may permit a reduction in the parking requirements set forth in Section 25-23 in accordance with the provisions of Section 74-533 (Reduction of parking spaces to facilitate affordable housing).

(12/15/61)

25-24

Modification of Requirements for Small Zoning Lots

R6 R7 R8 R9 R10

In the districts indicated, for small #zoning lots#, the requirements set forth in Section 25-23 (Requirements Where Group Parking Facilities Are Provided) shall be modified in accordance with the provisions of this Section.

(3/25/10)

25-241

Reduced requirements

R6 R7 R8 R9 R10

In the districts indicated, for #zoning lots# of 10,000 or 15,000 square feet or less, the number of required #accessory# off-street parking spaces is as set forth in the following table:

REDUCED REQUIREMENTS FOR
SMALL ZONING LOTS

District	#Lot Area#	Parking Spaces Required as a Percent of Total #Dwelling Units#
R6 R7-1* R7B	10,000 square feet or less	50
R7-1 R7A R7D R7X		30
R7-2	10,001 to 15,000 square feet	30
R8** R9 R10		20

* Within #lower density growth management areas# in Community District 10, Borough of the Bronx

** In R8B Districts, the parking requirements may not be reduced.

(8/14/87)

25-242

Waiver of requirements for small zoning lots in high bulk districts

R7-2 R8 R9 R10

In the districts indicated, the requirements set forth in Section 25-23 (Requirements where Group Parking Facilities Are Provided) shall be waived for #zoning lots# of 10,000 square feet or less, except in R8B Districts.

(6/30/89)

25-243

Waivers of requirements for narrow zoning lots in certain districts

R3A R4-1

In the districts indicated, the requirements set forth in Section 25-22 (Requirements Where Individual Parking Facilities Are Provided) shall be waived for a #single-family residence# on an #interior zoning lot# that has a width along a #street# less than 25 feet.

(3/22/16)

25-25

Modification of Requirements for Income-Restricted Housing Units, Affordable Independent Residences for Seniors or Other Government-Assisted Dwelling Units

The requirements set forth in Section 25-23 (Requirements Where Group Parking Facilities Are Provided) may be reduced or waived for #income-restricted housing units#, #affordable independent residences for seniors#, or other government-assisted #dwelling units# in accordance with the provisions of this Section, inclusive. For the purposes of this Section, not more than one #dwelling unit# reserved for occupancy by a superintendent in a #building# otherwise comprised of #income-restricted housing units# shall also be considered an #income-restricted housing unit#.

In addition, the Board of Standards and Appeals may waive or modify the requirements set forth in Section 25-23 for government-assisted #dwelling units#, in accordance with the provisions of Section 73-435 (Reduction of parking spaces for other government-assisted dwelling units).

(3/22/16)

25-251

Income-restricted housing units

Regulations applicable to #income-restricted housing units#, except where such units are located in an #affordable independent

residence for seniors#, are set forth in this Section.

Within the #Transit Zone# no #accessory# off-street parking spaces shall be required for #income-restricted housing units# developed after March 22, 2016. Existing required or permitted accessory off-street parking spaces for #buildings# containing #income-restricted housing units# in receipt of a certificate of occupancy prior to March 22, 2016 shall continue to be subject to the applicable zoning district regulations in effect prior to March 22, 2016, except that the Board of Standards and Appeals may waive or modify such requirements in accordance with the provisions of Section 73-433 (Reduction of existing parking spaces for income-restricted housing units).

Outside the #Transit Zone#, #accessory# off-street parking spaces shall be provided for at least that percentage of the total number of #income-restricted housing units# as set forth in the following table.

District	Parking requirement per #income-restricted housing unit# (in percent)
R3-2 R4	50.0
R5 R5B	42.5
R5D	35
R6 R7B	25
R7-1 R7-2 R7A R7D R7X R8B*	15.0
R8 R8A R8X R9 R10	12.0

* In the Borough of Brooklyn, R8B Districts are subject to the parking requirements applicable in R8 Districts.

(3/22/16)

25-252

Affordable independent residences for seniors

Within the #Transit Zone#, no #accessory# off-street parking spaces shall be required for #dwelling units# in an #affordable independent residence for seniors developed# after March 22, 2016. Existing required or permitted accessory off-street parking

spaces for #dwelling units# in #affordable independent residences for seniors# in receipt of a certificate of occupancy prior to March 22, 2016, shall continue to be subject to the applicable zoning district regulations in effect prior to March 22, 2016, except that such parking spaces may be removed provided that any new #dwelling units# created on the portion of the #zoning lot# previously occupied by such parking spaces shall be #income-restricted housing units#. Such requirement shall be reflected in a notice of restrictions recorded against all tax lots comprising such #zoning lot#, and a copy of such notice shall be provided to the Department of Buildings.

Outside the #Transit Zone#, #accessory# off-street parking spaces shall be provided for at least 10 percent of the total number of #dwelling units# in an #affordable independent residence for seniors developed# after March 22, 2016. However, within #lower density growth management areas# in Community District 10 in the Borough of the Bronx, #accessory# off-street parking spaces shall be provided for at least 16 percent of the total number of #dwelling units# in R6 Districts and for at least 12.5 percent of the total number of #dwelling units# in R7-1 Districts. Existing required or permitted #accessory# off-street parking spaces for #dwelling units# in #affordable independent residences for seniors# in receipt of a certificate of occupancy prior to March 22, 2016, shall continue to be subject to the applicable zoning district regulations in effect prior to March 22, 2016. However, the Board of Standards and Appeals may reduce such requirements in accordance with the provisions of Section 73-434 (Reduction of existing parking spaces for affordable independent residences for seniors).

(3/22/16)

25-253

Other government-assisted dwelling units

R3-2 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, for government-assisted #dwelling units#, other than #income-restricted housing units#, in #developments# for which the Department of Housing Preservation and Development or the Housing Development Corporation has issued a negotiation letter on or before August 31, 2016, acknowledging that HPD or HDC is actively engaged with a project sponsor in reviewing financial pro formas with the intention to finance the project, and which receive New York City or New York State assistance to reduce total development cost by \$10,000 or 10 percent, whichever is less, and limit maximum tenant income to

the income limits established by the United States Department of Housing and Urban Development for New York City mortgagors assisted under Section 235 of the National Housing Act, as amended, #accessory# off-street parking spaces shall be provided for at least the percentage of the total number of government-assisted #dwelling units# set forth in the table in this Section.

District	Parking Spaces Required as a Percent of Total #Dwelling Units#
R3-2 R4	80
R5	70
R5D R6*	55
R6A R6B R7B	35
R7-1*	45
R7-2 R7A R7D R7X R8 R9 R10	25

* In R6 or R7-1 Districts which are #Quality Housing buildings#, the applicable district parking requirements shall be as follows:

District	Applicable District Parking Requirement
R6	R6A
R7-1	R7A

(3/22/16)

25-26

Waiver of Requirements for Small Number of Spaces

R4B R5B R5D R6 R7 R8 R9 R10

In the districts indicated, the requirements set forth in Section 25-21 (General Provisions) shall be waived if the required number of #accessory# off-street parking spaces resulting from the application of such requirements is no greater than the maximum number as set forth in this Section.

However, the following provisions shall apply:

- (a) in R5D Districts, the provisions of this Section, inclusive, shall only apply to #zoning lots# existing both on June 29, 2006, and on the date of application for a building permit; and
- (b) in R6 and R7 Districts in #lower density growth management areas# in Community District 10 in the Borough of the Bronx, the provisions of this Section, inclusive, shall only apply to #zoning lots# existing both on March 25, 2003, and on the date of application for a building permit.

(3/22/16)

25-261

For developments or enlargements

R4B R5B R5D R6 R7 R8 R9 R10

For #developments# in R4B and R5B Districts, and for #developments# and #dwelling units# within #enlarged# portions of #buildings# in R5D, R6, R7, R8 R9 and R10 Districts, the maximum number of #accessory# off-street parking spaces for which requirements are waived is set forth in the following table:

District	Maximum Number of Spaces Waived
R4B R5B R5D	1
R6 R7-1* R7B	5
R7-2 R7A R7D R7X R8 R9 R10	15

* For #Quality Housing buildings# with #income-restricted housing units# utilizing the parking reductions of Section 25-251, or for #Quality Housing buildings# with other government-assisted #dwelling units# utilizing the parking reductions of Section 25-253, the maximum number of spaces waived shall be 15.

(2/2/11)

25-262

For conversions

R6 R7-1 R7A R7B R7D R7X

In the districts indicated, for the creation of additional #dwelling units# or #rooming units# within existing #buildings#, the maximum number of #accessory# off-street parking spaces for which requirements are waived is 20 spaces. However, the Board of Standards and Appeals may waive requirements for a greater number of spaces in accordance with the provisions of Section 73-46 (Waiver of Requirements for Conversions).

(4/14/10)

25-27

Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the requirements set forth in Section 25-21 (General Provisions) shall not apply to any #building# or #zoning lot# where there is no way to arrange the required spaces with access to the #street# to conform to the provisions of Section 25-63 (Location of Access to the Street).

(8/14/87)

25-28

Special Provisions for Zoning Lots Divided by District Boundaries

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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

(12/15/61)

25-30

REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR PERMITTED NON-

RESIDENTIAL USES

(3/22/16)

25-31

General Provisions

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, #accessory# off-street parking spaces, open or enclosed, shall be provided in conformity with the requirements set forth in the table at the end of this Section for all #development# after December 15, 1961, for the #uses# listed in the table. In addition, all other applicable requirements of this Chapter shall apply as a condition precedent to the #use# of such #development#.

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

A parking space is required for a portion of a unit of measurement one-half or more of the amount set forth in the table.

For the purposes of this Section, a tract of land on which a group of such #uses# is #developed# under single ownership or control shall be considered a single #zoning lot#.

For those #uses# for which rated capacity is specified as the unit of measurement, the Commissioner of Buildings shall determine the rated capacity as the number of persons which may be accommodated by such #uses#.

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

- (a) when, as the result of the application of such requirements, a smaller number of spaces would be required than is specified by the provisions of Section 25-33 (Waiver of Requirements for Spaces Below Minimum Number);
- (b) when the Commissioner of Buildings has certified, in accordance with the provisions of Section 25-34 (Waiver of Requirements for All Zoning Lots Where Access Would Be

Forbidden) that there is no way to arrange the spaces with access to the #street# to conform to the provisions of Section 25-63 (Location of Access to the Street);

- (c) for houses of worship, in accordance with the provisions of Section 25-35 (Waiver for Locally Oriented Houses of Worship).

In the event that the number of #accessory# off-street parking spaces required under the provisions of this Section exceeds the maximum number of spaces permitted under the provisions of Section 25-18 (Maximum Spaces for Permitted Community Facility or Commercial Uses), the Commissioner of Buildings shall reduce the required number of spaces to the maximum number permitted.

REQUIRED OFF-STREET PARKING SPACES FOR NON-RESIDENTIAL USES

Type of #Use#	Parking Spaces Required in Relation to Specified Unit of Measurement	District
FOR COMMUNITY FACILITY USES:		
Agricultural #uses#, including greenhouses, nurseries or truck gardens	Square feet of #lot area# used for selling purposes: None required	R7-2 R7A R7D R7X R8 R9 R10
	1 per 1,000 sq ft	R1 R2 R3 R4 R5
	1 per 2,500 sq ft	R6 R7-1 R7B
Ambulatory diagnostic or treatment health care facilities listed in Use Group 4	Square feet of #floor area# and #cellar# space, except #cellar# space #used# for storage. In #lower density growth management areas#, all #cellar# space, including storage space, shall be used to determine parking requirements: None required	R7-2 R7A R7D R7X R8 R9 R10
	1 per 400	R3
	1 per 500	R4 R5
	1 per 800	R6 R7-1 R7B
Clubs, community centers or settlement houses;	Rated Capacity: None required	R7-2 R7A R7D R7X R8 R9 R10

philanthropic or non-profit institutions without sleeping accommodations excluding ambulatory diagnostic or treatment health care facilities listed in Use Group 4; golf course club houses; non-commercial recreation centers; or welfare centers, provided that in R5, R6 and R7-1 Districts, no #accessory# off-street parking spaces shall be required for that portion of a non-profit neighborhood settlement house or community center which is used for youth-oriented activities.	1 per 10 persons	R1 R2 R3 R4 R5
	1 per 20 persons	R6 R7-1 R7B
College student dormitories, fraternity or sorority student houses	None required	R7-2 R7A R7D R7X R8 R9 R10
	1 per 6 beds	R1 R2 R3 R4 R5
	1 per 12 beds	R6 R7-1 R7B
Colleges, universities, or seminaries (a)Classrooms, laboratories, student centers or offices	Square feet of #floor area#: None required	R7-2 R7A R7D R7X R8 R9 R10
	1 per 1,000 - R1 R2 R3 R4 R5	
	1 per 2,000 - R6 R7-1 R7B	
(b)Theaters, auditoriums, gymnasiums or	Rated capacity:	

stadiums		
None required	R7-2 R7A R7D R7X R8 R9 R10	
	1 per 8 persons	R1 R2 R3 R4 R5
	1 per 16 persons - R6 R7-1 R7B	
Hospitals and related facilities*	1 per 5 beds - R1 R2 R3 R4 R5	
	1 per 8 beds	R6 R7-1 R7B
	1 per 10 beds	R7-2 R7A R7D R7X R8 R9 R10
Houses of worship, applicable only to the facility's largest room of assembly; however, rooms separated by movable partitions shall be considered a single room	None required	R6 R7 R8 R9 R10
	1 per 10 persons rated capacity	R1 R2 R3
	1 per 15 persons rated capacity	R4 R5
Libraries, museums or non-commercial art galleries**	Square feet of #floor area#: None required	R7-2 R7A R7D R7X R8 R9 R10
	1 per 1,000	R1 R2 R3 R4 R5
	1 per 2,000	R6 R7-1 R7B
Outdoor skating rinks	Square feet of #lot area#: None required	R7-2 R7A R7D R7X R8 R9 R10
	1 per 800 sq ft	R1 R2 R3 R4 R5
	1 per 2,000 sq ft	R6 R7-1 R7B
Outdoor tennis courts	Number of Courts: None required	R7-2 R7A R7D R7X R8 R9 R10
	1 per 2 courts	R1 R2 R3 R4 R5
	1 per 5 courts	R6 R7-1 R7B
Philanthropic or non-profit institutions with sleeping accommodations; #long-term care facilities#, except that independent living #dwelling units# within a continuing care retirement community	None required	R7-2 R7A R7D R7X R8 R9 R10

shall be subject to the #accessory# off-street parking requirements of Section 25-20. For the purposes of applying such requirements, #dwelling units# shall be as defined in Section 28-02.		
	1 per 10 beds	R1 R2 R3 R4 R5
	1 per 20 beds	R6 R7-1 R7B
#Schools#	Square feet of #floor area#: None required	R3 R4 R5 R6 R7 R8 R9 R10
	1 per 1,500	R1 R2
For child care services in #lower density growth management areas#:	1 per 1,000	R1 R2 R3 R4 R5
FOR ACCESSORY COMMERCIAL USES IN LARGE-SCALE RESIDENTIAL DEVELOPMENTS:		
Food stores with 2,000 or more square feet of #floor area# per establishment - #uses# in parking requirement category A in Use Group 6A.	Square feet of #floor area#: None required	R7-2 R8 R9 R10
	1 per 100	R1 R2 R3
	1 per 200	R4 R5
	1 per 300	R6 R7-1
General retail #uses# - food stores with less than 2,000 square feet of #floor area# or #uses# in parking requirement category B in Use Group 6A.	Square feet of #floor area#: None required	R7-2 R8 R9 R10
	1 per 150	R1 R2 R3
	1 per 300	R4 R5
	1 per 400	R6 R7-1
Post offices	Square feet of #floor area#: None	R7-2 R7A R7D R7X R8 R9 R10

	required	
	1 per 800	R1 R2 R3
	1 per 1,200	R4 R5
	1 per 1,500	R6 R7-1 R7B
FOR USES PERMITTED BY SPECIAL PERMIT: Camps, overnight or day, with a minimum of either 10,000 square feet of #lot area# or 10 employees	1 per 2,000 square feet of #lot area# or 1 per 3 employees, whichever will require a lesser number of spaces	R1 R2 R3 R4 R5 R6 R7 R8 R9 R10
Docks for ferries	Parking requirement, as provided in Section 62-43	R3 R4 R5 R6 R7 R8 R9 R10
Fire or police stations	Square feet of #floor area#: None required	R7-2 R7A R7D R7X R8 R9 R10
	1 per 500	R1 R2 R3 R4 R5
	1 per 800	R6 R7-1 R7B
Riding academies or stables	Square feet of #floor area#: None required	R7-2 R7A R7D R7X R8 R9 R10
	1 per 500	R1 R2 R3 R4 R5
	1 per 800	R6 R7-1 R7B

* Requirements in the table are in addition to the area used for ambulance parking

** Requirements in the table apply only to the #floor area# not used for storage.

(12/15/61)

25-32

Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, where any #building# or #zoning lot# contains two or more #uses# having different parking requirements as set forth in the following Sections, the parking requirements for each type of #use# shall apply to the extent of that #use#.

Section 25-21 (General Provisions)

Section 25-31 (General Provisions)

(10/29/07)

25-33

Waiver of Requirements for Spaces Below Minimum Number

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except for the #uses# listed in Section 25-331 (Exceptions to application of waiver provisions), the parking requirements set forth in Sections 25-31 (General Provisions) or 25-32 (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements) shall not apply to permitted non-#residential uses# if the total number of #accessory# off-street parking spaces required for all such #uses# on the #zoning lot# is less than the number of spaces set forth in the following table:

Districts	Number of Spaces
R1 R2 R3 R4 R5	10
R6 R7-1 R7B	25
R7-2 R7A R7D R7X R8 R9 R10	40

(3/22/16)

25-331

Exceptions to application of waiver provisions

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the waiver provisions of Section 25-33 (Waiver of Requirements for Spaces Below Minimum Number) shall not apply to the following types of #uses#:

Agricultural #uses#, including greenhouses, nurseries or truck gardens;

Ambulatory diagnostic or treatment health care facilities in R3, R4-1 and R4A Districts in #lower density growth management areas#. However, the waiver provisions shall

apply where such #use# is located in such areas on the same #zoning lot# as a hospital, as defined in the New York State Hospital Code or a #long-term care facility#, and shall apply where such #use# is located in such areas on any #zoning lot# in an R6 or R7 District in Community District 10, Borough of the Bronx;

Outdoor tennis courts;

Camps, overnight or day;

#Schools# in R1 and R2 Districts, child care services in R1, R2, R3, R4-1 and R4A Districts in #lower density growth management areas#. However, the waiver provisions shall apply where child care services are located in such districts on the same #zoning lot# as a house of worship, and shall apply where child care services located in such districts on #zoning lots# that do not contain houses of worship, where the amount of #floor area# used for child care services is equal to 25 percent or less of the amount of #floor area# permitted for #community facility use# on the #zoning lot#.

(12/15/61)

25-34

Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the requirements set forth in Sections 25-31 (General Provisions) and 25-32 (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements) shall not apply to any #building# or #zoning lot# as to which the Commissioner of Buildings has certified that there is no way to arrange the required spaces with access to the #street# to conform to the provisions of Section 25-63 (Location of Access to the Street). The Commissioner of Buildings may refer such matter to the Department of Transportation for a report and may base the determination on such report.

(9/9/04)

25-35

Waiver for Locally Oriented Houses of Worship

R1 R2 R3 R4 R5

In the districts indicated, the requirements set forth in Sections 25-31 (General Provisions) and 25-32 (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements) shall not apply to a house of worship, provided the Chairperson of the City Planning Commission certifies that:

- (a) seventy-five percent or more of the congregants of such house of worship reside within a three-quarter mile radius of the house of worship;
- (b) the number of spaces required pursuant to this Section is less than the number of spaces listed in the table in Section 25-33 (Waiver of Requirements for Spaces Below Minimum Number); and
- (c) such house of worship shall not include, as an #accessory use#, the leasing, licensing or any other grant of permission to utilize a room or other space in such house of worship for the operation of a business engaged in serving food or beverages for functions, occasions or events.

For the purposes of determining the number of spaces required pursuant to this Section, the product of the actual percentage of congregants living within a three-quarter mile radius of the house of worship, computed for the purposes of paragraph (a) of this Section, multiplied by the persons-rated capacity of the largest room of assembly, shall be subtracted from the persons-rated capacity of the largest room of assembly.

The provisions of paragraph (c) of this Section are not intended to restrict the lease, license or other permission to use a room or other space in a house of worship, when given by the house of worship to a person, in order to hold a function, occasion or event, where such person hires or retains a business engaged in serving food or beverages for purposes of such function, occasion or event, and provided that such business is not located on the same #zoning lot# as the house of worship, makes its services available to non-congregants and does not operate its business substantially for the benefit or convenience of congregants or visitors to the house of worship.

A certification pursuant to this Section shall be granted on condition that the Certificate of Occupancy for such house of worship be marked or amended to provide that #accessory uses# shall not include the utilization of a room or other space in such house of worship for the operation of a business engaged in serving food or beverages for functions, occasions or events.

The Chairperson may impose additional conditions and safeguards to ensure compliance with the provisions of this Section, in the form of a signed declaration of restrictions. The filing of any such declaration in the Borough Office of the Register of the City of New York shall be a precondition for the issuance of a building permit.

Within 45 days of receipt of a complete application, including documentation of the residence of congregants in a form acceptable to the Department of City Planning, the Chairperson shall either certify that the proposed #development# or #enlargement# complies with the requirements of this Section or disapprove such application, citing the nature of any failure to comply.

(9/9/04)

25-36

Special Provisions for Zoning Lots Divided by District Boundaries

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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

(12/15/61)

25-40

RESTRICTIONS ON OPERATION OF ACCESSORY OFF-STREET PARKING SPACES

(12/15/61)

25-41

Purpose of Spaces and Rental to Non-Residents

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all permitted or required off-street parking spaces, open or enclosed, which are #accessory# to #residences# shall comply with the provisions of this Section.

(12/15/61)

25-411

In R1 or R2 Districts

R1 R2

In the districts indicated, such spaces shall be designed and operated exclusively for the long-term storage of the private passenger motor vehicles used by the occupants of such #residences#.

(9/29/10)

25-412

In all other Residence Districts

R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, such spaces shall be designed and operated primarily for the long-term storage of the private passenger motor vehicles used by the occupants of such #residences#.

However, such spaces may be:

- (a) rented for periods of not less than one week and not more than one month to persons who are not occupants of the #residences# to which such spaces are #accessory# for the accommodation of the private passenger motor vehicles used by such non-residents, provided that such spaces are operated in accordance with the regulations promulgated by the Commissioner of Buildings, in a manner which will not adversely affect the residential character of the neighborhood; or
- (b) occupied by #car sharing vehicles#, provided that:
 - (1) in R3-2 and R4 Districts, except R4-1, R4A and R4B Districts, the number of spaces occupied by #car sharing vehicles# shall not exceed 10 percent of all spaces in a #group parking facility# that contains 20 or more spaces; and
 - (2) in R5, R6, R7, R8, R9 and R10 Districts, except R5A Districts, the number of spaces occupied by #car

sharing vehicles# shall not exceed five spaces or 20 percent of all #accessory# off-street parking spaces, whichever is greater.

Such spaces provided pursuant to paragraphs (a) and (b) of this Section 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.

(9/29/10)

25-42

Use of Spaces Accessory to Permitted Non-Residential Uses

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all permitted or required off-street parking spaces, open or enclosed, which are #accessory# to permitted non-#residential uses# shall be used only by occupants, visitors, customers or employees of such #uses# and shall not be rented except as may be provided for houses of worship pursuant to Section 25-542 (Shared parking facilities for houses of worship). However, #car sharing vehicles# may occupy such spaces only pursuant to the provisions of paragraphs (a) and (b) of this Section.

R1 R2 R3 R4 R5A

- (a) In the districts indicated, #car sharing vehicles# may occupy parking spaces #accessory# to a non-#residential use# in a #group parking facility# containing 20 spaces or more that is #accessory# to a college or university #use# listed in Use Group 3; however, the number of spaces so occupied shall not exceed 10 percent of all parking spaces in such #group parking facility#.

R5 R5B R5D R6 R7 R8 R9 R10

- (b) In the districts indicated, except R5A Districts, #car sharing vehicles# may occupy parking spaces #accessory# to a non-#residential use# in a #group parking facility# containing 20 spaces or more; however, the number of spaces so occupied shall not exceed 10 percent of all parking spaces in such #group parking facility#.

(12/15/61)

25-43

Restrictions on Automotive Repairs and Sale of Motor Fuel

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, automotive repairs or the sale of motor fuel, motor oil or automotive accessories are not permitted, except as provided in this Section in specified districts.

(2/2/11)

25-431

Limited repairs or motor fuel sales permitted in specified districts

R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, within a #completely enclosed# garage, #detached# from a #building# containing #residences# and containing not less than 150 #accessory# off-street parking spaces, minor automotive repairs (not including body work) are permitted, and not more than three motor fuel pumps may be provided. However, no motor fuel shall be sold to persons who are not using the parking spaces.

(12/15/61)

25-50

RESTRICTIONS ON LOCATION OF ACCESSORY OFF-STREET PARKING SPACES

(9/9/04)

25-51

General Provisions

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all permitted or required off-street parking spaces, open or enclosed, #accessory# to #residences#, to permitted #community facility uses#, to #commercial uses# permitted as #accessory uses# in #large-scale

residential developments#, or to #uses# permitted by special permit, shall be provided on the same #zoning lot# as the #building# or #use# to which such spaces are #accessory#, except as provided in the following Sections:

Section 25-52 (Off-site Spaces for Residences)

Section 25-53 (Off-site Spaces for Permitted Non-residential Uses)

Section 25-54 (Joint and Shared Facilities)

Section 25-55 (Additional Regulations for Required Spaces When Provided Off Site)

Section 73-45 (Modification of Off-site Parking Provisions)

(2/6/72)

25-52

Off-site Spaces for Residences

R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, all permitted or required off-street parking spaces #accessory# to #residences# may be provided on a #zoning lot# other than the same #zoning lot# as the #residences# to which such spaces are #accessory#, provided that in such instances all such spaces are:

- (a) located in a district other than a #Residence District# or a C7 District, or provided in a joint facility located in a district other than an R1 or R2 District, on the same #zoning lot# as one of the #buildings# to which it is #accessory#, and conforming to the provisions of Section 25-541 (Joint Facilities); and
- (b) not further than the maximum distance from the #zoning lot# specified in Section 25-521.

(10/29/07)

25-521

Maximum distance from zoning lot

R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, all such spaces shall not be further than the distance set forth in the following table from the nearest boundary of the #zoning lot# occupied by the #residences# to which they are #accessory#.

District	Maximum Distance from #Zoning Lot#
R3 R4 R5 R6 R7-1 R7B	600 feet
R7-2 R7A R7D R7X R8 R9 R10	1,000 feet

(9/9/04)

25-53

Off-site Spaces for Permitted Non-residential Uses

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, off-site parking spaces may be provided in accordance with the provisions set forth in this Section, inclusive.

(9/9/04)

25-531

For houses of worship

R1 R2 R3 R4

In the districts indicated, all required off-street parking spaces #accessory# to permitted houses of worship may be provided on a #zoning lot# other than the same #zoning lot# as such house of worship but within the same district or an adjoining district, provided that in such instances all such spaces shall be not further than 600 feet from the nearest boundary of the #zoning lot# containing such #uses#.

(9/9/04)

25-532

For permitted non-residential uses

R5 R6 R7 R8 R9 R10

In the districts indicated, all permitted or required off-street parking spaces #accessory# to permitted non-#residential uses# may be provided on a #zoning lot# other than the same #zoning lot# as such #uses#, but within the same district or an adjoining district other than an R1, R2, R3 or R4 District provided that in such instances all such spaces located in a #Residence District# shall be not further than 200 feet from the nearest boundary of the #zoning lot# containing such #uses#, and all such spaces located in a #Commercial# or #Manufacturing District# shall be not further than 600 feet from the nearest boundary of such #zoning lot#, and provided further that the Commissioner of Buildings determines that:

- (a) there is no way to arrange such spaces on the same #zoning lot# as such #uses#; and
- (b) such spaces are so located as to draw a minimum of vehicular traffic to and through #streets# having predominantly #residential# frontages.

Such parking spaces shall conform to all additional regulations promulgated by the Commissioner of Buildings to minimize adverse effects on the character of surrounding areas.

(9/9/04)

25-54
Joint and Shared Facilities

(9/9/04)

25-541
Joint facilities

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all required #accessory# off-street parking spaces may be provided in facilities designed to serve jointly two or more #buildings# or #zoning lots#, provided that:

- (a) the number of spaces in such joint facilities shall be not less than that required in the following Sections for the combined number of #dwelling units# or the combined #floor

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

Section 25-21 (General Provisions)

Section 25-31 (General Provisions)

Section 25-32 (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements);

- (b) all such spaces are located in a district where they are permitted under the applicable provisions of Sections 25-52 (Off-Site Spaces for Residences), 25-53 (Off-site Spaces for Permitted Non-residential Uses), or 73-45 (Modification of Off-site Parking Provisions); and
- (c) the design and layout of such joint facilities meet standards of adequacy set forth in regulations promulgated by the Commissioner of Buildings.

(9/9/04)

25-542

Shared parking facilities for houses of worship

R1 R2 R3 R4 R5

In the districts indicated, required #accessory# off-street parking spaces may be provided for houses of worship in facilities designed to be shared with other permitted non-#residential uses#, in any district, provided that:

- (a) no more than 25 percent of the spaces in such facilities may be used to satisfy the parking requirement for both the house of worship and other permitted non-#residential uses#, except that such percentage may be increased by the Commissioner of Buildings if it can be demonstrated that such additional parking spaces would not be used by the house of worship and other permitted non-#residential uses# at the same times;
- (b) all such spaces are no further than 600 feet from the nearest boundary of the #zoning lot# containing the house of worship; and
- (c) all such spaces conform to all applicable regulations of the district in which they are located.

(9/9/04)

25-55

Additional Regulations for Required Spaces When Provided Off Site

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, when required #accessory# off-street parking spaces are provided off the site in accordance with the provisions of Sections 25-52 (Off-site Spaces for Residences), 25-53 (Off-site Spaces for Permitted Non-residential Uses) or 25-54 (Joint and Shared Facilities), the following additional regulations shall apply:

- (a) Such spaces shall be in the same ownership (single fee ownership or alternative ownership arrangements of the #zoning lot# definition in Section 12-10) as the #use# to which they are #accessory#, and shall be subject to deed restrictions filed in an office of record, binding the owner and the owner's heirs and assigns to maintain the required number of spaces available throughout the life of such #use#.
- (b) Such spaces shall conform to all applicable regulations of the district in which they are located.

(12/15/61)

25-60

ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED ACCESSORY OFF-STREET PARKING SPACES

(6/29/94)

25-61

General Provisions

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all permitted or required #accessory# off-street parking spaces shall conform to the provisions of the following Sections:

Section 25-62 (Size and Location of Spaces)

Section 25-63 (Location of Access to the Street)

Section 25-64 (Restrictions on Use of Open Space for Parking)

Section 25-65 (Surfacing)

Section 25-66 (Screening)

No portion of a #side lot ribbon# shall be less than eight feet wide and no portion shall be more than 10 feet wide on an #interior# or #through lot# and not more than 20 feet wide on a #corner lot#. If two #zoning lots# share a common #side lot ribbon# along a common #side lot line#, the width of a shared #side lot ribbon# must be at least eight feet.

Special regulations applying to #large-scale residential developments# are set forth in Article VII, Chapter 8, and to #large-scale community facility developments# in Article VII, Chapter 9.

(4/30/12)

25-62

Size and Location of Spaces

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for all #accessory# off-street parking spaces, open or enclosed, each 300 square feet of unobstructed standing or maneuvering area shall be considered one parking space. 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, or where the developer or applicant for a building permit or certificate of occupancy certifies that such spaces will be fully attended.

Driveways used to access required parking spaces must be unobstructed for a width of at least eight feet and a height of eight feet above grade and, if connecting to a #street#, such driveway may only be accessed by a curb cut.

In any case where a reduction of the required area per parking space is permitted on the basis of the developer's certification that such spaces will be fully attended, it shall be set forth in

the certificate of occupancy that paid attendants employed by the owners or operators of such spaces shall be available to handle the parking and moving of automobiles at all times when such spaces are in use.

In no event shall the dimensions of any parking stall be less than 18 feet long and 8 feet, 6 inches wide.

However, the width of a parking stall may be reduced to eight feet for #detached#, #semi-detached# or #zero lot line buildings# on a #zoning lot# where not more than four #accessory# parking spaces are required if such #accessory# parking spaces are located in a #side lot ribbon# and are subject to the provisions of Section 25-621 (Location of parking spaces in certain districts).

In the Borough of Staten Island and in #lower density growth management areas# in Community District 10, Borough of the Bronx, for #community facility uses#, each required parking space in a parking area not within a #building# shall be within a parking stall accessed from a travel aisle, where each such stall and aisle complies with the maneuverability standards of paragraph (b) of Section 36-58 (Parking Lot Maneuverability and Curb Cut Regulations). The use of an attendant shall be permitted only where necessary to accommodate additional, non-required parking spaces within the travel aisles. For such open parking areas with 18 or more spaces, or greater than 6,000 square feet in area, the provisions of Section 37-90 (PARKING LOTS) shall also apply.

(2/2/11)

25-621

Location of parking spaces in certain districts

All #accessory# off-street parking spaces on #zoning lots# with #buildings# containing #residences# shall be located in accordance with the provisions of this Section, except that in R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, the provisions of Section 25-622 shall apply. In addition, all such parking spaces shall be subject to the curb cut requirements of Section 25-63 (Location of Access to the Street).

R1 R2 R3-1 R3A R3X R4-1 R4A R5A

- (a) In the districts indicated, #accessory# off-street parking spaces shall be located within or to the side or rear of #buildings# containing #residences#. #Accessory# parking

spaces may also be located between the #street line# and #street wall# of such #buildings# and their prolongations only where such spaces are located in a driveway that accesses at least one parking space located to the side or rear of such #building# and no portion of such driveway is located in front of such #buildings#.

However, such parking spaces may also be located in a driveway directly in front of a garage, where such garage is within:

- (1) a #semi-detached building# in an R3-1 or R4-1 District;
or
- (2) a #detached building# on a #zoning lot# with at least 35 feet of frontage along the #street# accessing such driveway, and at least 18 feet of uninterrupted curb space along such #street#.

No parking spaces of any kind shall be allowed between the #street line# and #street wall# of an #attached# or #semi-detached building# in an R1, R2, R3A, R3X, R4A or R5A District, or for an #attached building# in an R3-1 or R4-1 District.

R3-2 R4 R5

- (b) In the districts indicated, other than R4-1, R4A, R4B, R5A, R5B and R5D Districts, #accessory# off-street parking spaces shall be located within or to the side or rear of #buildings# containing #residences#. #Accessory# parking spaces may also be located between the #street line# and #street wall# of such #buildings# and their prolongations, provided that, for #buildings# on #zoning lots# with less than 35 feet of #street# frontage, such spaces are located in a driveway in the #side lot ribbon#, and provided that for #buildings# on #zoning lots# with at least 35 feet of #street# frontage and at least 18 feet of uninterrupted curb space along a #street#, either:
 - (1) no more than two parking spaces located between the #street line# and #street wall# of such #buildings# and their prolongations shall be accessed from a single curb cut, and the parking area for these spaces shall not be more than 20 feet in width measured parallel, or within 30 degrees of being parallel, to the #street line#; or
 - (2) a #group parking facility# with five or more spaces is provided and is screened in accordance with the

requirements of Section 25-66 (Screening), paragraphs (a) or (b), as applicable.

R4B R5B R5D R6A R6B R7A R7B R7D R7X R8A R8B R8X

- (c) In the districts indicated, #accessory# off-street parking spaces shall be located only within or to the side or rear of #buildings# containing #residences#. No parking spaces of any kind shall be permitted between the #street line# and the #street wall# of such #buildings# and their prolongations.

R6 R7 R8

- (d) In the districts indicated without a letter suffix, the following provisions shall apply:
- (1) for #zoning lots# containing non-#Quality Housing buildings# or non-#Quality Housing building segments#, each of which contains not more than three #dwelling units#, #accessory# off-street parking spaces shall be located in accordance with the provisions of paragraph (b) of this Section;
 - (2) for #zoning lots# containing #Quality Housing buildings# or #Quality Housing building segments#, #accessory# off-street parking spaces shall be located in accordance with the provisions of paragraph (c) of this Section.

(4/14/10)

25-622

Location of parking spaces in lower density growth management areas

The provisions of this Section shall apply to all #zoning lots# with #buildings# containing #residences# in R1, R2, R3, R4-1 and R4A Districts within #lower density growth management areas#.

Required #accessory# off-street parking spaces shall be permitted only within a #building# or in any open area on the #zoning lot# that is not between the #street line# and the #street wall# or prolongation thereof of the #building#.

For #zoning lots# with less than 33 feet of #street# frontage, access to all parking spaces through a #front yard# shall be only through a single driveway no more than 10 feet in width.

For #zoning lots# with at least 33 feet of #street# frontage, access to all parking spaces through a #front yard# shall be only through a driveway no more than 20 feet in width.

No more than two unenclosed required parking spaces may be located in tandem (one behind the other), except that no tandem parking shall be permitted in any #group parking facility# with more than four spaces.

(2/2/11)

25-623

Maneuverability standards for community facility uses

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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

- (a) #developments# with #accessory# open parking areas in which 70 percent or more of the #floor area# on the #zoning lot# is occupied by a #community facility use#;
- (b) #enlargements# of a #building# with #accessory# open parking areas or the #enlargement# of an open parking area, that result in:
 - (1) an increase in the total number of parking spaces #accessory# to #community facility uses# on the #zoning lot# that is at least 20 percent greater than the number of such spaces existing on November 28, 2007; or
 - (2) an increase in the total amount of #floor area# on the #zoning lot# that is at least 20 percent greater than the amount of #floor area# existing on November 28, 2007, and where at least 70 percent of the #floor area# on the #zoning lot# is occupied by #community facility uses#; and
- (c) existing #buildings# with new #accessory# open parking areas in which 70 percent or more of the #floor area# on the #zoning lot# is occupied by a #commercial# or #community facility use#.

The provisions of this Section shall not apply to surface parking located on the roof of a #building#, indoor parking garages, #public parking garages#, structured parking facilities, or

#developments# or #enlargements# in which at least 70 percent of the #floor area# or #lot area# on a #zoning lot# is used for automotive #uses# listed in Use Groups 9 or 16.

For the purposes of this Section, an "open parking area" shall mean that portion of a #zoning lot# used for the parking or maneuvering of vehicles, including service vehicles, which is not covered by a #building#. Open parking areas shall also include all required landscaped areas within and adjacent to the open parking area.

For all such new or #enlarged# open parking areas, a site plan shall be submitted to the Department of Buildings showing the location of all parking spaces, curb cuts and compliance with the maneuverability standards, as set forth in paragraphs (b) and (c) of Section 36-58.

(3/22/16)

25-624

Special parking regulations for certain community facility uses in lower density growth management areas

- (a) In #lower density growth management areas# other than R6 and R7 Districts in Community District 10, Borough of the Bronx, all #zoning lots# containing #buildings# with the following #uses# shall be subject to the provisions of paragraph (b) of this Section:
- (1) ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), except where such #zoning lot# contains #buildings# used for hospitals, as defined in the New York State Hospital Code, or #long-term care facilities#; and
 - (2) child care services as listed under the definition of #school# in Section 12-10 (DEFINITIONS), except where such #zoning lot# contains #buildings# used for houses of worship or, for #zoning lots# that do not contain #buildings# used for houses of worship, where the amount of #floor area# used for child care services is equal to 25 percent or less of the amount of #floor area# permitted for #community facility use# on the #zoning lot#.
- (b) All #zoning lots# that meet the conditions of paragraph (a) of this Section shall comply with the following provisions:

- (1) #Accessory# off-street parking spaces shall be permitted only within a #building# or in any open area on the #zoning lot# that is not between the #street line# and the #street wall# or prolongation thereof of the #building#.
- (2) The maneuverability provisions of paragraphs (b) of Section 36-58 (Parking Lot Maneuverability and Curb Cut Regulations) shall apply to all such #zoning lots#. No tandem parking shall be permitted.
- (3) The curb cut provisions of paragraph (c) of Section 36-58 shall apply to all such #zoning lots#, except that, for #zoning lots# with less than 75 feet of #street# frontage, a minimum distance of four feet from other curb cuts on adjacent #zoning lots# shall be maintained.
- (4) For #zoning lots# in R1, R2, R3A, R3X, R3-1, R4-1 and R4A Districts with #buildings# containing child care services, a driveway shall be required for drop-off and pick-up of users of the child care facility. Such driveway shall have a minimum width of 15 feet and a maximum width of 18 feet and shall serve one-way traffic. Such driveway shall include a designated area for the drop-off and pick-up of users of the facility with a minimum length of 25 feet and a minimum width of 10 feet. Such drop-off and pick-up area shall #abut# a sidewalk with a minimum width of four feet that connects to the child care facility entrance and all public sidewalks. No parking spaces shall be located within such driveway. Where the width of the #street# frontage of the #zoning lot# accessing such driveway is 75 feet or less, the minimum percentage of #front yard# required to be planted pursuant to Section 23-451 (Planting requirement) shall be reduced to 25 percent.
- (5) For any #zoning lot# containing child care services, driveways and open #accessory# off-street parking spaces may occupy no more than 50 percent of the #lot area# not covered by #buildings#. For #zoning lots# containing ambulatory diagnostic or treatment health care facilities, driveways and open #accessory# off-street parking spaces may occupy no more than 66 percent of the #lot area# not covered by #buildings#.
- (6) All parking areas not within a #building# shall be screened from adjoining #zoning lots# and #streets# by a landscaped strip at least four feet wide, densely planted with evergreen shrubs at least four feet high

at time of planting, and of a type that may be expected to form a year-round dense screen at least six feet high within three years. Such screening shall be maintained in good condition at all times.

- (7) Any lighting provided in off-street parking areas shall be directed away from #residences#.

(3/22/16)

25-625

Special certification to modify the parking regulations for certain community facility uses in lower density growth management areas

In #lower density growth management areas# other than R6 and R7 Districts in Community District 10, Borough of the Bronx, the Chairperson of the City Planning Commission may modify the amount of #accessory# off-street parking required pursuant to Section 25-31 (General Provisions), or the parking regulations of paragraphs (b)(3), (b)(4), and (b)(5) of Section 25-624 (Special parking regulations for certain community facility uses in lower density growth management areas), for any #enlargement# of a #building# containing a #use# listed in paragraphs (a) or (b) of this Section, or a change of #use# to, or an #extension# of, such #use#, provided that the applicant submits a site plan that demonstrates to the Chairperson that the location of the existing #building# on the #zoning lot# impedes compliance with the parking requirements of Sections 25-31 and 25-624, and that the Chairperson certifies to the Department of Buildings, that the #enlargement#, #extension# or change of #use# complies with such requirements to the maximum extent feasible.

- (a) Ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), except where such #zoning lot# contains #buildings# used for hospitals, as defined in the New York State Hospital Code, or #long-term care facilities#; and
- (b) Child care services, as listed under the definition of #school# in Section 12-10 (DEFINITIONS), except where such #zoning lot# contains #buildings# used for houses of worship and, for #zoning lots# that do not contain #buildings# used for houses of worship, where the amount of #floor area# used for child care services is equal to 25 percent or less of the amount of # floor area# permitted for #community facility use# on the #zoning lot#.

(12/15/61)

25-63

Location of Access to the Street

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the entrances and exits for all permitted or required #accessory group parking facilities# with 10 or more spaces shall be located not less than 50 feet from the intersection of any two #street lines#. However, access located within 50 feet of such intersection may be permitted if the Commissioner of Buildings certifies that such a location is not hazardous to traffic safety and not likely to create traffic congestion. The Commissioner of Buildings may refer such matter to the Department of Transportation for a report and may base his determination on such report.

The waiver provisions of Sections 25-27 or 25-34 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden) shall apply when the Commissioner of Buildings has certified that there is no way to arrange the spaces with access to the #street# to conform to the provisions of this Section.

(2/2/11)

25-631

Location and width of curb cuts in certain districts

All curb cuts on #zoning lots# with #buildings# containing #residences# shall comply with the provisions of this Section, except that, in #lower density growth management areas#, the provisions of Section 25-632 shall apply. The minimum width of a curb cut shall be eight feet, including splays. In addition, for #non-conforming buildings# in all districts, the provisions of Section 25-633 (Curb cut restrictions for certain buildings in R1 through R5 Districts) shall apply.

R2A

- (a) In the district indicated, the maximum width of a curb cut shall be 18 feet, and the maximum width of a driveway within a #front yard# shall be 20 feet. All #zoning lots# shall maintain at least 18 feet of uninterrupted curb space along each #street# frontage.

R2X R3 R4 R5

(b) In the districts indicated, except R4B and R5B Districts, curb cuts shall comply with the following provisions:

(1) For #zoning lots# containing #residences# where not more than two #accessory# parking spaces are required:

(i) for #zoning lots# with less than 50 feet of frontage along a #street#, only one curb cut, having a maximum width, including splays, of 10 feet, shall be permitted;

(ii) for #zoning lots# with at least 50 feet of frontage along a #street#, no more than two curb cuts shall be permitted along such #street# frontage. If one curb cut is provided, such curb cut shall have a maximum width, including splays, of 18 feet. If two curb cuts are provided, the maximum width of each curb cut, including splays, shall be 10 feet, and a minimum distance of 30 feet of uninterrupted curb space shall be provided between such curb cuts;

(iii) wherever #accessory# parking spaces are provided in adjacent #side lot ribbons# on #zoning lots# subdivided after June 30, 1989, the curb cuts giving access to such #side lot ribbons# shall be contiguous (paired), so that only one curb cut, having a maximum width of 18 feet, including splays, shall serve both #side lot ribbons#; and

(iv) a minimum distance of 16 feet of uninterrupted curb space shall be maintained between all curb cuts constructed after June 30, 1989, provided that this requirement shall not apply to #zoning lots# existing both on June 30, 1989, and April 14, 2010, that are less than 40 feet wide and where at least 16 feet of uninterrupted curb space is maintained along the #street# in front of the #zoning lot#; or

(2) For #zoning lots# containing #residences# where more than two #accessory# parking spaces are required:

(i) #zoning lots# with 35 feet or more of frontage along a #street# shall maintain a minimum distance of 16 feet of uninterrupted curb space along such #street#;

- (ii) a minimum distance of 16 feet of uninterrupted curb space shall be maintained between all curb cuts constructed after June 30, 1989, provided that this requirement shall not apply to any #zoning lot# existing both on June 30, 1989 and April 14, 2010, that is less than 40 feet wide and where at least 16 feet of uninterrupted curb space is maintained in front of such #zoning lot# along the #street#;
- (iii) all driveways shall be located at least 13 feet from any other driveway on the same or adjoining #zoning lots#. However, driveways may be paired with other driveways on the same or adjoining #zoning lots#, provided the aggregate width of such paired driveways, including any space between them, does not exceed 20 feet. Curb cuts accessing such paired driveway shall have a minimum width of 15 feet and a maximum width, including splays, of 18 feet; and
- (iv) except for paired driveways as set forth in paragraph (b)(2)(iii) of this Section, the maximum width of a curb cut accessing less than 50 parking spaces shall be 12 feet, including splays, and the maximum width of a curb cut accessing more than 50 parking spaces shall be 22 feet, including splays. However, where Fire Department regulations set forth in the Administrative Code of the City of New York require curb cuts of greater width, such curb cuts may be increased to the minimum width acceptable to the Fire Department.

R4B R5B

- (c) In the districts indicated, curb cuts are permitted only on #zoning lots# with at least 40 feet of #street# frontage and existing on the effective date of establishing such districts on the #zoning maps#. Any such #zoning lot# may be subdivided; however, curb cuts are permitted only for a resulting subdivided #zoning lot# that has at least 40 feet of #street# frontage. For #detached#, #semi-detached# and #zero lot line buildings#, the width and location of curb cuts shall be in accordance with paragraph (b)(1), inclusive, of this Section. For #attached buildings# and #building segments#, and for multiple dwellings in R5B Districts, at least 34 feet of uninterrupted curb space shall be maintained between all curb cuts constructed after June 30, 1989, provided that this requirement shall not

apply to #zoning lots# existing on both June 30, 1989, and April 14, 2010, that are less than 76 feet wide and where at least 34 feet of uninterrupted curb space is maintained along the #street# in front of the #zoning lot#.

For #zoning lots# with less than 40 feet of #street# frontage and existing on the effective date of establishing such districts on the #zoning maps#, curb cuts shall be prohibited.

R6 R7 R8

- (d) In the districts indicated without a letter suffix, for #zoning lots# containing non-#Quality Housing buildings# or non-#Quality Housing building segments#, each of which contains not more than three #dwelling units#, #accessory# off-street parking spaces shall be located in accordance with the provisions of paragraph (b)(2), inclusive, of this Section.

R6 R7 R8

- (e) In the districts indicated, except as provided for in paragraph (d) of this Section, only one curb cut, having a maximum width of 12 feet, including splays, shall be permitted on any #street# frontage of a #zoning lot#. However, where a curb cut accesses a #group parking facility# with 50 or more spaces, the maximum width of a curb cut shall be 22 feet, including splays, or alternatively, two curb cuts shall be permitted to access such #group parking facility#, each with a maximum width of 12 feet, including splays, and spaced at least 60 feet apart. For #zoning lots# subdivided after April 14, 2010, curb cuts shall only be permitted along the #street# frontage of such subdivided #zoning lot# where at least 34 feet of uninterrupted curb space is maintained, and shall comply with the width and spacing requirements of this paragraph, (e).

These curb cut provisions shall apply as follows:

- (1) In R6, R7 and R8 Districts without a letter suffix, to non-#Quality Housing buildings# or non-#Quality Housing building segments#, any of which contain four or more #dwelling units#;
- (2) In R6, R7 and R8 Districts without a letter suffix, to #Quality Housing buildings# or #Quality Housing building segments#;

- (3) In R6A, R7A, R7D, R7X, R8A and R8X Districts, to all #buildings#; and
- (4) In R6B, R7B and R8B Districts, to #zoning lots# occupied by a #building# with a #street wall# at least 40 feet in width or, for #zoning lots# with multiple #building segments#, only where such curb cut is in front of a #building segment# with a #street wall# at least 40 feet in width. On such #zoning lots#, curb cuts shall be permitted only on the #street# frontage that is at least 40 feet wide. On all other #zoning lots# in R6B, R7B and R8B Districts, curb cuts shall be prohibited.

(f) Modification of curb cut location requirements:

R2X R3 R4 R5 R6 R7 R8

- (1) In the districts indicated, the location and width of curb cuts, as required by the provisions of this Section, may be modified if the Commissioner of Buildings certifies that the specified curb cut locations would require the removal of shade trees maintained by the City of New York. The Commissioner of Buildings may refer such matter to the Department of Parks and Recreation and the Department of Transportation for reports, and may base the determination on such reports.

R6 R7 R8

- (2) In the districts indicated, except R6, R7 or R8 Districts with a letter suffix, the City Planning Commission may authorize modification of the location and width of curb cuts as required by the provisions of this Section provided that the Commission finds that:
 - (i) the proposed modification does not adversely affect the character of the surrounding area; and
 - (ii) where more than one curb cut is provided, the curb cuts are arranged to foster retention of curbside parking spaces along the #street frontage# of the #zoning lot#.

(4/14/10)

Driveway and curb cut regulations in lower density growth management areas

The provisions of this Section shall apply to all #zoning lots# with #buildings# containing #residences# within all #lower density growth management areas#, except that these provisions shall not apply to any #zoning lot# occupied by only one #single-family detached residence# with at least 60 feet of frontage along one #street# and, for such #residences# on #corner lots#, with at least 60 feet of frontage along two #streets#.

- (a) For #zoning lots# with less than 33 feet of frontage along a #street#, only one curb cut, having a maximum width, including splays, of 10 feet, shall be permitted.
- (b) For #zoning lots# with at least 33 feet of frontage along a #street#, multiple curb cuts are permitted. The maximum width of a curb cut serving a driveway 12 feet or less in width shall be 10 feet, including splays. Driveways wider than 12 feet at any point within a #front yard# shall be accessed by a single curb cut with a minimum width of 17 feet and a maximum width, including splays, of 18 feet.
- (c) The center line of each curb cut shall be coincident with the centerline of the driveway that it serves.
- (d) All driveways shall be located at least 13 feet from any other driveway on the same or adjoining #zoning lots#. However, driveways may be paired with other driveways on adjoining #zoning lots# provided the aggregate width of such paired driveways, including any space between them, does not exceed 20 feet.
- (e) All #zoning lots# with #buildings# containing #residences# shall maintain a minimum distance of 16 feet of uninterrupted curb space between all curb cuts constructed after June 30, 1989.
- (f) The requirements of paragraphs (d) and (e) of this Section may be waived where the Commissioner of Buildings certifies that, due to the location of driveways and curb cuts on adjacent #zoning lots#, there is no way to locate the driveways and curb cuts in compliance with this requirement of this Section, and that at least 16 feet of uninterrupted curb space is maintained along the #street# in front of the #zoning lot#.
- (g) For multiple #buildings# on a single #zoning lot#, access to all parking spaces shall be provided entirely on the same #zoning lot#.

(2/2/11)

25-633

Curb cut restrictions for certain buildings in R1 through R5 Districts

R1 R2 R3-1 R3A R3X R4-1 R4A R5A

- (a) In the districts indicated, curb cuts are prohibited for #attached buildings# except where such #building# is bounded on one side by a #side yard# at least eight feet in width. For such #buildings#, a curb cut shall be permitted only along that portion of the #street# frontage of the #zoning lot# directly in front of a #side yard# that is at least eight feet wide and accesses a parking space located beyond the #street wall# or prolongation thereof.

R1 R2 R3A R3X R4A R5A

- (b) In the districts indicated, for #semi-detached buildings#, a curb cut shall only be permitted along that portion of the #street# frontage of the #zoning lot# directly in front of a #side yard# that is at least eight feet wide and accesses a parking space located beyond the #street wall# or prolongation thereof.

(11/28/07)

25-634

Curb cut regulations for community facilities

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, any #development# or #enlargement# containing a #community facility use# with an unenclosed parking area shall comply with the provisions of this Section.

Curb cuts serving one travel lane shall have a maximum width of 12 feet, excluding splays, and curb cuts serving two travel lanes shall have a maximum width of 24 feet, excluding splays. For parking lots with more than 100 parking spaces, curb cuts of up to 30 feet, excluding splays, shall be permitted.

However, where Fire Department regulations set forth in the

Administrative Code of the City of New York require curb cuts of greater width, such curb cuts may be increased to the minimum width acceptable to the Fire Department.

For #zoning lots# with 100 feet or less of #street frontage#, only two curb cuts shall be permitted. For every additional 50 feet of #street# frontage, one additional curb cut shall be permitted.

A minimum distance of 18 feet from any other curb cut on the same or adjacent #zoning lots# shall be maintained, except where the Commissioner of Buildings determines that, due to the location of curb cuts constructed prior to November 28, 2007, on adjacent #zoning lots#, there is no way to locate the curb cut 18 feet from such adjacent existing curb cuts.

(4/30/08)

25-635

Maximum driveway grade

R1 R2 R3 R4 R5

In the districts indicated, the maximum grade of a driveway shall not exceed 11 percent in any #front yard#. Driveways existing on April 30, 2008, which exceed a grade of 11 percent, may be used to access parking spaces required for #residences# constructed after April 30, 2008.

(4/14/10)

25-64

Restrictions on Use of Open Space for Parking

Restrictions on the use of open space for parking and driveways are set forth in this Section, in accordance with the provisions of Section 23-12 (Permitted Obstructions in Open Space).

- (a) In R1, R2, R3, R4-1, R4A and R4B Districts, driveways, #private roads#, open #accessory# off-street parking spaces, unenclosed #accessory# bicycle parking spaces or open #accessory# off-street loading berths may occupy no more than 50 percent of the #lot area# not covered by #buildings# containing #residences#;
- (b) In R4 Districts, except for R4-1, R4A and R4B Districts, and

in R5 Districts, driveways, #private roads#, open #accessory# off-street parking spaces, unenclosed #accessory# bicycle parking spaces or open #accessory# off-street loading berths may occupy no more than 66 percent of the #lot area# not covered by #buildings# containing #residences#; and

- (c) In R6, R7, R8, R9 and R10 Districts without a letter suffix, driveways, private streets, open #accessory# off-street parking spaces, unenclosed #accessory# bicycle parking spaces or open #accessory# off-street loading berths may not use more than 50 percent of the required #open space# on any #zoning lot#. The provisions of this paragraph (c) shall not apply to #Quality Housing buildings#.

(11/28/07)

25-65

Surfacing

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all open off-street parking spaces shall be surfaced with asphaltic or Portland cement concrete, or other hard-surfaced dustless material, at least four inches thick, except that where required parking spaces are located in #side lot ribbons#, hard surface ribbons may be permitted. However, permeable paving materials may be used in open parking areas where the Commissioner of Buildings determines that such materials are appropriate.

(11/28/07)

25-66

Screening

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

- (a) In all districts, as indicated, except where such districts are located in #lower density growth management areas#, all open off-street parking areas or groups of individual garages with 10 spaces or more, that are located either at natural grade or on a roof, shall be screened from all adjoining #zoning lots#, including such #zoning lots# situated across a #street#, by either:

- (1) a strip at least four feet wide, densely planted with shrubs or trees that are at least four feet high at the time of planting and that are of a type which may be expected to form a year-round dense screen at least six feet high within three years; or
- (2) a wall or barrier or uniformly painted fence of fire-resistant material at least six feet high, but not more than eight feet above finished grade (or above the roof level, if on a roof). Such wall, barrier or fence may be opaque or perforated, provided that not more than 50 percent of the face is open.

For community facilities located in R1, R2, R3, R4 or R5 Districts, except for any parking that is located on a roof, all such parking shall be screened pursuant to paragraph (a)(1) of this Section.

In addition, such screening shall be maintained in good condition at all times, may be interrupted by normal entrances or exits and shall have no #signs# hung or attached thereto other than those permitted in Section 22-323 (Signs for parking areas).

- (b) In #lower density growth management areas#, all open parking areas with five or more spaces shall be screened from adjoining #zoning lots# by a landscaped strip at least four feet wide densely planted with evergreen shrubs at least four feet high at time of planting, and of a type that may be expected to form a year-round dense screen at least six feet high within three years. Such screening shall be maintained in good condition at all times.

The provisions of paragraphs (a) and (b) of this Section shall not apply at the #street line# of #zoning lots# where the planting requirements of Section 37-921 (Perimeter landscaping) apply.

(2/2/11)

25-67

Parking Lot Landscaping

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the provisions of Section 37-90 (PARKING LOTS), inclusive, shall apply to open parking areas that

contain 18 or more spaces or are greater than 6,000 square feet in area, as follows:

- (a) #developments# with #accessory# open parking areas in which 70 percent or more of the #floor area# on the #zoning lot# is occupied by a #community facility use#;
- (b) #enlargements# of a #building# with #accessory# open parking areas or the #enlargement# of an open parking area that result in:
 - (1) an increase in the total number of parking spaces #accessory# to #commercial# or #community facility uses# on the #zoning lot# that is at least 20 percent greater than the number of such spaces existing on November 28, 2007; or
 - (2) an increase in the total amount of #floor area# on the #zoning lot# that is at least 20 percent greater than the amount of #floor area# existing on November 28, 2007, and where at least 70 percent of the #floor area# on the #zoning lot# is occupied by #commercial# or #community facility uses#; and
- (c) existing #buildings# with new #accessory# open parking areas in which 70 percent or more of the #floor area# on the #zoning lot# is occupied by a #commercial# or #community facility use#.

The provisions of this Section shall not apply to surface parking located on the roof of a #building#, indoor parking garages, #public parking garages#, structured parking facilities, or #developments# in which at least 70 percent of the #floor area# or #lot area# on a #zoning lot# is used for automotive #uses# listed in Use Groups 9 or 16.

For the purposes of this Section, an "open parking area" shall mean that portion of a #zoning lot# used for the parking or maneuvering of vehicles, including service vehicles, which is not covered by a #building#. Open parking areas shall also include all required landscaped areas within and adjacent to the open parking area.

Notwithstanding the provisions of this Section, where parking requirements are waived, pursuant to Section 25-33, on #zoning lots# subdivided after November 28, 2007, and parking spaces #accessory# to #community facility uses# or curb cuts accessing #community facility uses# are shown on the site plan required pursuant to Section 25-623, the provisions of Section 37-921 (Perimeter landscaping) shall apply.

(9/29/10)

25-68

For Parking Facilities Containing Car Sharing Vehicles

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Within an off-street parking facility that contains #car sharing vehicles#, an information plaque shall be placed within 20 feet of either the entrance to the parking facility or the attendant's station, at a location accessible to and visible to users of such facility. The plaque shall be fully opaque, non-reflective and constructed of permanent, highly durable materials and shall contain the following statements in lettering no less than one inch high:

- (a) "Total parking spaces in facility:" which shall specify the total number of parking spaces permitted within such parking facility;
- (b) "Maximum number of car sharing vehicles:" which shall specify the total number of #car sharing vehicles# permitted within such parking facility; and
- (c) where such parking facility contains #accessory residential# parking spaces, "Accessory residential parking spaces shall be made available to residents of this building within 30 days after a written request is made to the landlord."

Off-Street Loading Regulations

(12/15/61)

25-70

GENERAL PURPOSES

The following regulations on permitted and required accessory off-street loading berths are adopted in order to provide needed space off public streets for loading and unloading activities, to restrict the use of the streets for such activities, to help relieve traffic congestion in residential areas within the city, and thus to promote and protect public health, safety and general welfare.

(12/15/61)

25-71

Permitted Accessory Off-street Loading Berths

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, #accessory# off-street loading berths, open or enclosed, may be provided for #residences#, for permitted #community facility uses#, for #commercial uses# permitted as #accessory uses# in #large-scale residential developments#, or for #uses# permitted by special permit, under rules and regulations promulgated by the Commissioner of Buildings, and subject to the provisions set forth in Sections 25-75 (Location of Access to the Street), 25-76 (Surfacing), and 25-77 (Screening).

(2/2/11)

25-72

Required Accessory Off-street Loading Berths

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, #accessory# off-street loading berths, open or enclosed, shall be provided in conformity with the requirements set forth in the following table for all #development# or #enlargement# after December 15, 1961, for the #uses# listed in the table, as a condition precedent to the #use# of such #development# or #enlargement#.

After December 15, 1961, if the #use# of any #building or other structure# is #enlarged#, the requirements set forth in the table shall apply to the #floor area# of the #enlarged# portion of such #building#.

REQUIRED OFF-STREET LOADING BERTHS FOR DEVELOPMENTS OR ENLARGEMENTS

Type of #Use#	For #Floor Area# (in square feet)	Required Berths	District
Hospitals and related facilities*	First 10,000	None	R1 R2 R3 R4
	Next 290,000	1	R5 R6 R7 R8 R9 R10

	Each additional 300,000 or fraction thereof	1							
#Commercial uses# in #large-scale residential developments#	First 8,000	None	R1	R2	R3	R4			
	Next 17,000	1			R5	R6			
	Next 15,000	1							
	Next 20,000	1							
	Next 40,000	1							
	Each additional 150,000 or fraction thereof	1							
#Commercial uses# in #large-scale residential developments#	First 25,000	None	R7	R8	R9	R10			
	Next 15,000	1							
	Next 60,000	1							
	Each additional 150,000 or fraction thereof	1							

* Requirements are in addition to area utilized for ambulance parking.

(12/15/61)

25-73

Special Provisions for Zoning Lots Divided by District Boundaries

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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

(12/15/61)

25-74

Size of Required Berths

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all required off-street loading berths, open or enclosed, shall conform to the regulations on minimum dimensions set forth in the following table. The dimensions of off-street berths shall not include driveways or entrances to or exits from such off-street berths.

MINIMUM DIMENSIONS FOR REQUIRED ACCESSORY OFF-STREET LOADING
BERTHS
(in feet)

	Length	Width	Vertical clearance
Hospitals and related facilities	33	12	12
#Commercial uses# in #large-scale residential developments#	33	12	14

(12/15/61)

25-75

Location of Access to the Street

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, no permitted or required #accessory# off-street loading berth, and no entrance or exit thereto, shall be located less than 50 feet from the intersection of any two #street lines#. However, a location closer to such intersection may be permitted if the Commissioner of Buildings certifies that such a location is not hazardous to traffic safety and not likely to create traffic congestion.

The requirements for #accessory# off-street loading berths set forth in Section 25-72 (Required Accessory Off-street Loading Berths) shall not apply to any #building# as to which the Commissioner of Buildings certifies that there is no way to arrange the required berths to conform to the provisions of this Section.

The Commissioner of Buildings may refer such matters requiring certification to the Department of Transportation for report and may base his determination on such report.

(12/15/61)

25-76

Surfacing

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all permitted or required open off-street loading berths shall be surfaced with asphaltic or Portland cement concrete, or other hard-surfaced dustless material, at least six inches thick.

(12/15/61)

25-77

Screening

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all permitted or required open off-street loading berths shall be screened from all adjoining #zoning lots#, including such #zoning lots# situated across a #street# by either:

- (a) a strip at least four feet wide, densely planted with shrubs or trees that are at least four feet high at the time of planting and that are of a type which may be expected to form a year-round dense screen at least six feet high within three years; or
- (b) a wall or barrier or uniformly painted fence or fire-resistant material, at least six feet but not more than eight feet above finished grade. Such wall, barrier or fence may be opaque or perforated, provided that not more than 50 percent of the face is open.

In addition, such screening:

- (1) shall be maintained in good condition at all times;
- (2) may be interrupted by normal entrances and exits; and
- (3) shall have no #signs# hung or attached thereto other than those permitted in Section 22-32 (Permitted Non-illuminated Accessory Signs).

(2/2/11)

25-80

BICYCLE PARKING

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the provisions of this Section, inclusive, related to bicycle parking spaces shall apply to:

- (a) #developments#;
- (b) #enlargements# that increase the #floor area# within a #building# by 50 percent or more;
- (c) #dwelling units# created by #conversions# of non-#residential floor area#;
- (d) new #dwelling units# in #buildings# or #building segments# constructed after April 22, 2009;
- (e) new enclosed #accessory group parking facilities# with 35 or more automobile parking spaces; and
- (f) open parking areas #accessory# to #commercial# or #community facility uses# that contain 18 or more automobile parking spaces or are greater than 6,000 square feet in area.

In addition, the provisions of Section 25-85 (Floor Area Exemption) shall apply to all #buildings# as set forth therein.

The number of #accessory# bicycle parking spaces provided pursuant to this Section, the total area, in square feet, of bicycle parking spaces and the total area, in square feet, excluded from the calculation of #floor area# for such spaces shall be noted on the certificate of occupancy.

(4/22/09)

25-81

Required Bicycle Parking Spaces

(3/22/16)

25-811

Enclosed bicycle parking spaces

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, enclosed #accessory# bicycle parking spaces shall be provided for at least that amount specified for the applicable #use# set forth in the table in this Section. For the purposes of calculating the number of required bicycle parking spaces, any fraction of a space 50 percent or greater shall be counted as an additional space. For #residences#, the #accessory# bicycle parking requirement shall be calculated separately for separate #buildings# or #building segments#.

Where any #building# or #zoning lot# contains two or more #uses# having different bicycle parking requirements as set forth in the table, the bicycle parking requirements for each type of #use# shall apply to the extent of that #use#.

Where an enclosed #accessory group parking facility# is provided, the required number of bicycle parking spaces for the #use# to which such facility is #accessory# shall be the amount set forth for such #use# in the table, or one for every 10 automobile parking spaces that are enclosed within a #building or other structure# or located on the roof of a #building#, whichever will require a greater number of bicycle parking spaces.

REQUIRED BICYCLE PARKING SPACES FOR RESIDENTIAL OR COMMUNITY FACILITY USES

Type of #Use#	Bicycle Parking Spaces Required in Relation to Specified Unit of Measurement
FOR RESIDENTIAL USES	
Use Group 1	None required
Use Group 2	1 per 2 #dwelling units#
#Affordable independent residences for seniors#	1 per 10,000 square feet of #floor area#
FOR COMMUNITY FACILITY USES*	
College or #school# student dormitories or fraternity and sorority student houses	1 per 2,000 square feet of #floor area#
Colleges, universities, or seminaries**	1 per 5,000 square feet of #floor area#
(a) Classrooms, laboratories, student centers or offices	
(b) Theaters, auditoriums, gymnasiums or stadiums	1 per 20,000 square feet of #floor area#
Libraries, museums or non-commercial art galleries	1 per 20,000 square feet of #floor area#
Monasteries, convents or	None required

novitiates; houses of worship, rectories or parish houses; Use Group 4B	
All other Use Group 3 and Use Group 4 #uses# not otherwise listed in this table	1 per 10,000 square feet of #floor area#

* #Non-profit hospital staff dwellings# shall be subject to the requirements for Use Group 2 #residential uses#

** Up to half of required spaces may be provided as unenclosed bicycle parking spaces pursuant to the requirements of Section 25-83 (Restrictions on Operation, Size and Location of Enclosed Bicycle Parking Spaces)

However, the bicycle parking requirements set forth in the table shall be waived for bicycle parking spaces that are #accessory# to:

- (a) #buildings# or #building segments# containing 10 #dwelling units# or less;
- (b) colleges, universities or seminaries where the number of required bicycle parking spaces is six or less;
- (c) college or #school# student dormitories or fraternity and sorority student houses where the number of required bicycle parking spaces is five or less; or
- (d) all other #community facility uses# not otherwise listed in the table where the number of required bicycle parking spaces is three or less.

(4/22/09)

25-812

Unenclosed bicycle parking spaces

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for open parking areas #accessory# to #community facility uses# that contain 18 or more spaces or are greater than 6,000 square feet in area, which meet the applicability standards of Section 25-67 (Parking Lot Landscaping), unenclosed #accessory# bicycle parking spaces shall be provided as follows:

- (a) One bicycle parking space shall be provided for every 10 automobile parking spaces, up to 200 automobile parking spaces. Thereafter, one bicycle parking space shall be provided for every 100 automobile parking spaces. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one bicycle parking space.
- (b) Each bicycle rack shall allow for the bicycle frame and at least one wheel to be locked to the rack. If bicycles can be locked to each side of the rack without conflict, each side may be counted toward a required space. Thirty inches of maneuverable space shall be provided between parallel bicycle racks and an eight foot wide aisle shall be provided between bicycle rack areas.
- (c) Bicycle racks shall be provided within 50 feet of a main entrance of a #building# and a minimum of 24 inches from any wall. However, if more than 40 bicycle parking spaces are required, 50 percent of such spaces may be provided at a distance of up to 100 feet from the main entrance of a #building#. Department of Transportation bicycle racks provided on a fronting sidewalk may be counted toward this requirement, provided such racks meet the standards of this paragraph, (c).

(4/22/09)

25-82

Authorization for Reduction of Spaces

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the City Planning Commission may authorize a reduction in the number of required bicycle parking spaces set forth in Section 25-811 (Enclosed bicycle parking spaces), or a waiver of all such spaces, upon finding there are subsurface conditions, below-ground infrastructure or other site planning constraints that would make accommodating such bicycle parking spaces on or below the first #story# of the #building# infeasible. The Commission may request reports from licensed engineers or registered architects in considering such reduction.

(4/22/09)

25-83

Restrictions on Operation, Size and Location of Enclosed Bicycle Parking Spaces

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all #accessory# bicycle parking spaces shall be provided on the same #zoning lot# as the #building# or #use# to which such spaces are #accessory#, except as provided in Section 25-84 (Certification for Off-site Bicycle Parking Spaces).

All enclosed #accessory# bicycle parking spaces shall be surrounded on all sides by a solid enclosure, except where a parking garage is open at the sides, and covered by a roof for weather protection. Each bicycle space shall adjoin a rack or similar system for securing the bicycle. Bicycle parking spaces shall be located in an area secured by a lock or similar means, or adjoin a securely-anchored rack to which the bicycle frame and at least one wheel can be locked. Fifteen square feet of area shall be provided for each bicycle space. However, the area for each bicycle space may be reduced by up to nine square feet per bicycle if the Commissioner of Buildings certifies that a layout has been submitted to adequately accommodate the specified number of bicycles.

A plaque shall be placed at the exterior of the entry to the bicycle parking area, outside any locked door, with lettering at least three-quarter inches in height stating "Bicycle Parking."

For colleges, universities or seminaries, one-half of required enclosed #accessory# bicycle parking spaces may be provided as open unenclosed spaces, provided that such spaces meet the standards of paragraph (b) of Section 25-812 (Unenclosed bicycle parking spaces).

All bicycle parking spaces which are #accessory# to #residences# shall be made available for the storage and independent access of the bicycles used by the occupants of such #residences#.

All required bicycle parking spaces which are #accessory# to a #community facility use# shall be made available for the storage and independent access of the bicycles used by the employees of such #use#, except that bicycle parking spaces #accessory# to colleges or universities shall be accessible to all authorized users of such #building#, and that bicycle parking spaces #accessory# to community facilities with sleeping accommodations may be accessible to the occupants of such facility.

Bicycle spaces may be located in a room secured by a lock or similar means, provided that access is through a commonly

accessible area and access is made available to eligible users on an equal basis.

(4/22/09)

25-84

Certification for Off-site Bicycle Parking Spaces

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for colleges, universities, seminaries, hospitals and related facilities, except animal hospitals, #accessory# bicycle parking spaces required pursuant to Section 25-811 (Enclosed bicycle parking spaces) may be provided on a #zoning lot# other than the same #zoning lot# as the #use# to which such spaces are #accessory#, provided that the Chairperson of the City Planning Commission certifies to the Department of Buildings that all such bicycle parking spaces are:

- (a) located on a #zoning lot# not further than 1,000 feet from the nearest boundary of the #zoning lot# occupied by the #use# to which they are #accessory#, or within a subsurface parking and other service facility that serves multiple #zoning lots#, including the #zoning lot# occupied by the #use# to which they are #accessory#; and
- (b) subject to deed restrictions filed in an office of record, binding the owner and his heirs and assigns to maintain the required number of spaces as accessible throughout the life of the #use# generating the #accessory# bicycle parking spaces.

A plaque shall be placed within 30 feet of a #building# entrance, with lettering at least three-quarter inches in height stating "Bicycle Parking" followed by information directing users to the address of the off-site location.

The number of off-site #accessory# bicycle parking spaces provided pursuant to this Section and the area of such bicycle parking spaces, in square feet, shall be noted on the certificate of occupancy for both the #building# in which the off-site bicycle parking spaces are located, and the #building# containing the #use# to which such bicycle parking spaces are #accessory#.

(3/22/16)

25-85

Floor Area Exemption

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, space provided for enclosed #accessory# bicycle parking spaces pursuant to the standards of this Section, shall be excluded from the calculation of #floor area#, provided that:

- (a) the space excluded from #floor area# does not exceed an amount equal to 15 square feet multiplied by the number of required spaces or, if spaces are waived pursuant to paragraphs (a), (b), (c) or (d) of Section 25-811 (Enclosed bicycle parking spaces), the number that would have been required but for the waiver, or, if spaces are not required because the #building# was constructed prior to April 22, 2009, the number that would be required if such #building# were newly constructed; and
- (b) the #accessory# bicycle parking spaces provided meet the standards for required bicycle parking of Section 25-83 (Restrictions on Operation, Size and Location of Enclosed Bicycle Parking Spaces).

Notwithstanding the provisions of paragraph (a) of this Section, for the #uses# listed in the table, the amount of space that may be excluded from the calculation of #floor area# shall not exceed an amount equal to 15 square feet multiplied by the number of spaces set forth in the table.

MAXIMUM BICYCLE PARKING SPACES EXCLUDED FROM FLOOR AREA

Type of #Use#	Maximum Bicycle Parking Spaces Excluded from #Floor Area# in Relation to Specified Unit of Measurement
FOR RESIDENTIAL USES	
#Affordable independent residences for seniors#	1 per 2,000 square feet of #floor area#
FOR COMMUNITY FACILITY USES*	
Philanthropic or non-profit institutions with sleeping accommodation	1 per 2,000 square feet of #floor area#
Proprietary, non-profit or voluntary hospitals and related facilities, except animal hospitals	1 per 5,000 square feet of #floor area#

However, in no event shall this Section apply to #single-# or

#two-family residences# and in no event shall this Section apply to #accessory# bicycle parking spaces provided off-site pursuant to Section 25-84 (Certification for Off-site Bicycle Parking Spaces).

Space provided for #accessory# bicycle parking spaces within an #accessory group parking facility# shall not be counted as #floor area# provided that such portion of the #accessory group parking facility# does not count as #floor area#.

(4/22/09)

25-86

Waiver or Reduction of Spaces for Subsidized Housing

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except in the Special Southern Hunters Point District, the number of required bicycle parking spaces set forth in Section 25-811 (Enclosed bicycle parking spaces) may be reduced or waived by the Commissioner of Buildings, provided that the Commissioner of the Department of Housing Preservation and Development has submitted a letter certifying that:

- (a) at least 50 percent of the #dwelling units# in the #building# or #building segment# will be income-restricted pursuant to the provisions of Section 23-90 (INCLUSIONARY HOUSING PROGRAM) or pursuant to the terms of a grant, loan or subsidy from any Federal, State or local agency or instrumentality, including, but not limited to, the disposition of real property for less than market value, purchase money financing, construction financing, permanent financing, the utilization of bond proceeds and allocations of low income housing tax credits. An exemption or abatement of real property taxes shall not qualify as a grant, loan or subsidy for the purposes of this paragraph;
- (b) there is insufficient space within the #building# to accommodate the required number of bicycle parking spaces on or below the first #story# of the #building#, including within an enclosed #accessory group parking facility#;
- (c) if permitted automobile parking spaces are provided, the required bicycle spaces cannot be accommodated within an enclosed #group parking facility# by reconfiguring automobile parking spaces or removing three or fewer permitted automobile parking spaces;

- (d) additional space cannot reasonably be constructed based on the amount of subsidy available to the project; and
- (e) the number of required bicycle parking spaces is being reduced by the minimum amount necessary to address these limitations.