**Zoning Resolution**

THE CITY OF NEW YORK
**Zohran K. Mamdani, Mayor**

CITY PLANNING COMMISSION
**Sideya Sherman, Chair**

# 78-40 - OFF-STREET PARKING REGULATIONS

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## 78-40 - OFF-STREET PARKING REGULATIONS

LAST AMENDED
8/24/1967

## 78-41 - Location of Accessory Parking Spaces

LAST AMENDED
2/2/2011

When a #large-scale residential development# includes, or will include after subdivision, two or more #zoning lots#, the City Planning Commission may, upon application, authorize permitted or required #accessory# off-street parking spaces or bicycle parking spaces to be located anywhere within the #large-scale residential development# without regard for #zoning# #lot lines#, provided that in each case the Commission shall make the following special findings:

(a) that such off-street parking spaces or bicycle parking spaces will be conveniently located in relation to the #use# or #uses# to which such spaces are #accessory#;

(b) that such location of the off-street parking spaces or bicycle parking spaces will permit better site planning and will thus benefit both the owners, occupants, employees, customers, residents or visitors of the #large-scale residential development# and the City as a whole; and

(c) that such location of the off-street parking spaces or bicycle parking spaces will not increase the number of spaces in any single #block# or the traffic drawn through any one or more of the nearby local #streets# in such measure as to affect adversely other #zoning lots# outside the #large-scale residential development# or traffic conditions in the surrounding area.

Whenever required off-street parking spaces or bicycle parking spaces are authorized to be located without regard for #zoning# #lot lines# in accordance with the provisions of this Section, the number of spaces required for each #building# or #use# shall be kept available for such #building# or #use# throughout its life. Whenever any #zoning lot# within such a #large-scale residential development# is subdivided into two or more #zoning lots#, such subdivision shall be subject to the provisions of Section 78-51 (General Provisions).

## 78-42 - Parking Regulations for Commercial and Community Facility Uses

LAST AMENDED
2/2/2011

For #large-scale residential developments# in R3-2 Districts, R4 through R12 Districts, and #Commercial Districts# mapped within, or with a #residential equivalent# of, such districts, the City Planning Commission may, by special permit, waive the requirements for off-street parking spaces #accessory# to any #commercial# or #community facility# #use# included in such #large-scale residential development# and intended primarily for the use of its residents.

## 78-43 - Modification for Open Space Requirements in Large-scale Developments

LAST AMENDED
2/2/2011

For all #large-scale residential developments# in R5, R6, R7, R8 or R9 Districts, or in #Commercial Districts# in which #residences# are governed by the #bulk# regulations of such #Residence Districts#, the City Planning Commission may modify the requirement for #open space# as set forth in the

definition of #open space# in Section 12-10 (DEFINITIONS) by allowing parking space on the roofs of parking garages not #abutting# another #building# and not more than 23 feet in height above #curb level#, to count as #open space# and by not requiring connections from such roofs to ground level by exterior passageways or ramps, provided that the following findings are made:

(a) that the total area occupied by driveways, private streets, or open #accessory# off-street parking spaces in all areas claimed as common or private #open space# throughout the #large-scale residential development# shall not exceed 40 percent of the total required #open space# for the #large-scale residential development#; and

(b) that such arrangement and use of #open space# results in better site planning and community planning.

## 78-44 - Modification of Curb Cut Regulations

LAST AMENDED
2/2/2011

The City Planning Commission may, upon application, authorize modification of the requirements set forth in Section 25-631 (Location and width of curb cuts in certain districts), provided the Commission finds that the proposed location and width of curb cuts:

(a) results in a more efficient traffic circulation system;

(b) permits better site planning; and

(c) does not unduly increase the amount of traffic on nearby local #streets# so as to adversely affect #zoning lots# outside the #large-scale residential development#.