Zoning Resolution

THE CITY OF NEW YORK
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CITY PLANNING COMMISSION
Sideya Sherman, Chair

93-80 - OFF-STREET PARKING REGULATIONS

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93-80 - OFF-STREET PARKING REGULATIONS

LAST AMENDED
5/8/2013

In Subdistricts A, B, C, D and E, the regulations governing permitted #accessory# off-street parking spaces of Article I, Chapter 3 (Comprehensive Off-street Parking and Loading Regulations in the Manhattan Core), and Article II, Chapter 5; Article III, Chapter 6; and Article IV, Chapter 4 (Accessory Off-street Parking and Loading Regulations) shall not apply, except as set forth in this Section. In lieu thereof, the provisions of this Section, inclusive, shall apply.

In Subdistricts F and G, the regulations of Article I, Chapter 3, shall apply.

93-81 - Definitions

LAST AMENDED
8/14/2025

Hudson Yards parking regulations applicability area

The “Hudson Yards parking regulations applicability area” is comprised of Subdistricts A, B, C, D and E of the #Special Hudson Yards District#, the 42nd Street Perimeter Area of the #Special Clinton District#.

Hudson Yards development parking supply

The "Hudson Yards development parking supply" shall be the aggregate number of off-street parking spaces in #accessory# individual or #group parking facilities#, #public parking lots# and #public parking garages# in the #Hudson Yards parking regulations applicability area#:

(a) that have been constructed, pursuant to the as-of-right regulations in effect subsequent to January 19, 2005, and before April 14, 2010, to the extent that such spaces satisfy the ratios of Section 93-821;

(b) that have been constructed, pursuant to a City Planning Commission special permit approved subsequent to January 19, 2005, and before April 14, 2010;

(c) for which the Chairperson has issued a certification, pursuant to Section 93-821, paragraph (e); and

(d) that have been approved by Board of Standards and Appeals variance, pursuant to Section 72-21 , to the extent that such spaces satisfy the ratios of Section 93-821.

However, all off-street parking on Site 1, as shown on the map of the Special 42nd Street Perimeter Area in Appendix A of the #Special Clinton District# (Article IX, Chapter 6), shall be counted toward the #Hudson Yards development parking supply#.

For purposes of this definition, "constructed" shall include any off-street parking spaces in #accessory# or #group parking facilities#, #public parking garages# or #public parking lots#, where such #accessory# or #group parking facilities#, #public parking garages# or #public parking lots# were completed on April 14, 2010, under construction on such date with the right to continue construction pursuant to Section 11-331 or granted a City Planning Commission special permit after January 19, 2005, where such permit had not lapsed as of April 14, 2010.

Public parking

"Public parking" shall be off-street parking that is open to the public during the business day for hourly, daily or other time-defined rental of parking spaces, for which a fee is charged.

Reservoir deficit

The "reservoir deficit" shall be the amount by which the #reservoir surplus# is less than zero.

Reservoir parking supply

The "reservoir parking supply" shall be the sum of:

(a) all off-street parking spaces lawfully operating as of May 27, 2009, in the #Hudson Yards parking regulations applicability area# as #public parking#; and

(b) any off-street parking spaces for which a valid building permit had been issued, as of May 27, 2009, and which have been constructed before April 14, 2010.

However, any off-street parking space that satisfies the definition of the #Hudson Yards development parking supply# in this Section shall not be counted as part of the #reservoir parking supply#.

For purposes of this definition, "constructed" shall include any off-street parking spaces in #accessory# individual or #group parking facilities#, #public parking garages# or #public parking lots#, where such #accessory# or #group parking facilities#, #public parking garages# or #public parking lots# were either completed on April 14, 2010, or under construction on such date with the right to continue construction pursuant to Section 11-331.

Reservoir surplus

The initial #reservoir surplus# shall be 3,600 off-street parking spaces. The "reservoir surplus" shall be increased by:

(a) the aggregate number of off-street parking spaces in the #reservoir parking supply# for which a building permit has been issued, pursuant to the as-of-right regulations in effect subsequent to January 19, 2005, and before April 14, 2010;

(b) the number of off-street parking spaces in the #Hudson Yards parking regulations applicability area# above the ratios permitted in Section 93-821, either certified by the Chairperson pursuant to Section 93-822, paragraph (c), or by City Planning Commission special permit,

pursuant to Section 93-823; and

(c) the number of off-street parking spaces lawfully added in the #Hudson Yards parking regulations applicability area#, other than those permitted pursuant to Section 93-80, inclusive, except for any increase by Board of Standards and Appeals variance that is counted as part of the #Hudson Yards development parking supply#;

The #reservoir surplus# shall be decreased by:

(a) the aggregate number of parking spaces counted at any time in the #reservoir parking supply#, that subsequently are:

(1) reduced through modification or discontinuance of the applicable Department of Consumer Affairs license or certificate of occupancy or otherwise cease operation permanently; or

(2) not constructed in accordance with the applicable building permit, as reflected in a modification of such building permit or the issuance of a certificate of occupancy for a reduced number of spaces; or

(b) the issuance of a certificate of occupancy for a #development# or #enlargement# providing a smaller number of spaces than allowed, pursuant to Section 93-821, to the extent of the

difference between the number of #accessory# off-street parking spaces allowed, and the number provided. However, this paragraph shall not apply to Sites 2, 3, 4 and 5, as shown on Map 6 of Appendix A, and shall apply to no more than 200 #accessory# off-street parking spaces on Site 6 as shown on Map 6.

Substantial construction

"Substantial construction" shall mean the substantial enclosing and glazing of a new #building# or of the #enlarged# portion of an existing #building#.

93-82 - Permitted Parking

LAST AMENDED
4/14/2010

#Developments# or #enlargements# in the #Hudson Yards parking regulations applicability area# may provide #accessory# parking spaces in accordance with the provisions of this Section. The provisions of Sections 36-52 (Size, Location and Identification of Spaces) and 36-53 (Width of Curb Cuts and Location of Access to the Street) shall apply to all permitted #accessory# off-street parking spaces.

93-821 - Permitted parking when the reservoir surplus is greater than or equal to zero

When the #reservoir surplus# is greater than or equal to zero, off-street parking spaces may be provided only in accordance with the provisions of this Section.

(a) For #residences#, #accessory# off-street parking spaces may be provided for not more than 30 percent of the total number of #dwelling units#, except that where such #dwelling units# are comprised of #low income floor area#, #moderate income floor area# or #middle income floor area#, as defined in Section 27-11, #accessory# off-street parking spaces may be provided for not more than eight percent of the total number of such #dwelling units#.

(b) For #transient hotels# listed under Use Group V, the applicable provisions of Section 13-12 (Permitted Parking for Non-residential Uses) shall apply with respect to the number of permitted #accessory# off-street parking spaces, provided that the number of such spaces does not exceed 0.16 for every 1,000 square feet of #floor area#.

(c) For Office #uses# listed under Use Group VII, not more than 0.16 #accessory# off-street parking spaces may be provided for every 1,000 square feet of #floor area#.

(d) In the Eastern Rail Yard Subarea A1, paragraphs (a) through (c) of this Section shall not apply, and any #accessory# off-street parking shall comply with the provisions of this paragraph (d):

(1) for #residences#, #accessory# off-street parking spaces may be provided for not more than 40 percent of the total number of #dwelling units#;

(2) for #commercial# and #community facility uses#, not more than 0.325 #accessory# off-street parking spaces may be provided for every 1,000 square feet of #floor area#, provided that in no event shall the number of off-street parking spaces #accessory# to #commercial# or #community facility uses# exceed 350 spaces; and

(3) in no event shall the total number of #accessory# off-street parking spaces for all #uses# exceed 1,000.

(e) The Department of Buildings shall not issue a building permit for any #accessory# off-street parking pursuant to paragraphs (a) through (c) of this Section, unless the Chairperson has certified that:

(1) the sum of the permitted parking spaces set forth in the following paragraphs, (e)(1)(i), (e)(1)(ii) and (e)(1)(iii), is less than or equal to 5,084 spaces:

(i) the #reservoir surplus# or zero;

(ii) the #Hudson Yards development parking supply#; and

(iii) the number of spaces proposed to be added by the #development# or #enlargement# for which certification is sought; and

(2) the sum of the permitted parking spaces set forth in the following paragraphs, (e)(2)(i), (e)(2)(ii), (e)(2)(iii) and (e)(2)(iv), is less than or equal to 5,905 spaces:

(i) all off-street parking spaces in the #Hudson Yards parking regulations applicability area# that have been categorized, in accordance with the definition in Section 93-81, as part of the #reservoir parking supply#, less any such off-street parking spaces that have been categorized as decreasing the #reservoir surplus# in accordance with paragraph (a) of the second part of the definition of #reservoir surplus# in Section 93-81;

(ii) all off-street parking spaces in the #Hudson Yards parking regulations applicability area# that have been categorized as increasing the #reservoir surplus# in accordance with paragraphs (b) and (c) of the first part of the definition of #reservoir surplus# in Section 93-81;

(iii) the #Hudson Yards development parking supply#; and

(iv) the number of spaces proposed to be added by the #development# or #enlargement# for which certification is sought.

(3) Notwithstanding paragraphs (e)(1) and (2) of this Section, if the Chairperson determines that final certificates of occupancy have been issued by the Department of Buildings for all #buildings# shown in the site plan for the Eastern Rail Yard Subarea A1 as required by the provisions of Section 93-70, and that upon the completion of all such #buildings#, fewer than 1,000 #accessory# off-street parking spaces have been provided in such subarea, any difference between the number of #accessory# off-street parking spaces provided in the Eastern Rail Yard Subarea A1, and 1,000, may be added to the limits of 5,084 and 5,905 spaces set forth in paragraphs (e)(1) and (e)(2), respectively.

(4) Any certification granted by the Chairperson, pursuant to this Section, shall lapse after two years if #substantial construction# of the #development# or of the #enlarged# portion of an existing #building#, which includes the subject #accessory# off-street parking spaces, has not occurred. In making a certification pursuant to this Section, the Chairperson shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution. However, for Site 6, as shown on Map 6 in Appendix A of this Chapter, any such certification shall lapse after six years if #substantial construction# of the new #building# that includes the subject #accessory# off-street parking spaces, has not occurred.

93-822 - Permitted parking when a reservoir deficit exists

LAST AMENDED
6/6/2024

When a #reservoir deficit# exists, additional off-street parking spaces may be provided in accordance with the provisions of this Section. However, this Section shall not apply in the Eastern Rail Yard Subarea A1.

(a) The number of permitted #accessory# off-street parking spaces for Use Group V hotels may exceed 0.16 for every 1,000 square feet of #floor area#, up to the number permitted by the applicable provisions of Section 13-12 (Permitted Parking for Non-residential Uses).

(b) The number of permitted #accessory# off-street parking spaces for #uses# included under Offices in Use Group VII may be increased by up to 33 percent of the number permitted pursuant to Section 93-821, paragraph (b).

(c) The Department of Buildings shall not issue a building permit for any additional #accessory# off-street parking spaces permitted pursuant to this Section unless the Chairperson has certified that:

(1) a #reservoir deficit# exists;

(2) the number of #accessory# off-street parking spaces in excess of the number permitted by Section 93-821, proposed to be added by the #development# or #enlargement# for which certification is sought, does not exceed such #reservoir deficit#; and

(3) such additional #accessory# off-street parking spaces, when added to the sum of the parking spaces specified in paragraphs (e)(2)(i), (e)(2)(ii) and (e)(2)(iii) of Section 93-821 does not exceed 5,905 spaces, except insofar as the limit of 5,905 spaces set forth in paragraph (e)(2) has been adjusted pursuant to the provisions of paragraph (e)(3) of Section 93-821.

(d) Any certification granted by the Chairperson pursuant to this Section shall lapse after two years if #substantial construction# of the new #building# or of the #enlarged# portion of an existing #building#, which includes the subject #accessory# off-street parking spaces, has not occurred. In making a certification pursuant to this Section, the Chairperson shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution. However, for Site 6, as shown on Map 6 in Appendix A of this Chapter, any such certification shall lapse after six years if #substantial construction# of the new #building# that includes the subject #accessory# off-street parking spaces, has not

occurred.

93-823 - Parking permitted by special permit

LAST AMENDED
6/6/2024

When a #reservoir deficit# exists, the City Planning Commission may allow, by special permit, #uses# included under Offices in Use Group VII to exceed the number of #accessory# off-street parking spaces permitted by Section 93-822, provided that:

(a) within the vicinity of the site, there are insufficient parking spaces available;

(b) the facility will not create or contribute to serious traffic congestion nor unduly inhibit vehicular and pedestrian movement;

(c) the facility is so located as to draw a minimum of vehicular traffic to and through local #residential streets#; and

(d) adequate reservoir space is provided at the vehicular entrance to accommodate vehicles equivalent in number to 20 percent of the total number of parking spaces, up to 50 parking spaces, and five percent of any spaces in excess of 200 parking spaces, but in no event shall such reservoir spaces be required for more than 50 vehicles. However, in the case of a facility with a capacity of 10 vehicles or less, the Commission may waive this condition.

In addition, the Commission shall find that the number of #accessory# off-street parking spaces in excess of the number permitted by Section 93-821, proposed to be added by the #development# or #enlargement# that is the subject of the application under review, does not exceed the #reservoir deficit#; and that such additional #accessory# off-street parking spaces, when added to the sum of the parking spaces specified in paragraphs (e)(2)(i), (e)(2)(ii) and (e)(2)(iii) of Section 93-821 do not exceed

5,905 spaces, except insofar as the limit of 5,905 spaces set forth in paragraph (e)(2) has been adjusted pursuant to the provisions of paragraph (e)(3) of Section 93-821. In making such finding, the Commission shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution.

93-824 - Publication of data

LAST AMENDED
4/14/2010

The Department of City Planning shall make available, in a form easily accessed by the public, regularly updated calculations of the current #Hudson Yards development parking supply#, #reservoir parking supply#, spaces described in paragraphs (e)(2)(i) and (e)(2)(ii) of Section 93-821, and #reservoir surplus# or #reservoir deficit#, as applicable.

93-83 - Use and Location of Parking Facilities

LAST AMENDED
6/6/2024

The provisions of this Section shall apply to all off-street parking spaces within the #Special Hudson Yards District#.

(a) All off-street parking spaces #accessory# to #residences# shall be used exclusively by the occupants of such #residences#. Except in the Eastern Rail Yard Subarea A1, all off-street parking spaces #accessory# to #transient hotels# listed under Use Group V and #uses# included under Offices in Use Group VII may be made available for public use. No #accessory# off-street parking spaces shall be located on a #zoning lot# other than the same #zoning lot# as the #use# to which they are #accessory#.

(b) All off-street parking spaces shall be located within facilities that, except for entrances and exits, are:

(1) entirely below the level of any #street# or publicly accessible open area upon which such facility, or portion thereof, fronts; or

(2) located, at every level above-grade, behind #commercial#, #community facility# or #residential floor# #area#, so that no portion of such parking facility is visible from adjoining #streets# or publicly accessible open areas.

93-831 - Authorization for above-grade parking

LAST AMENDED
2/2/2011

The City Planning Commission may authorize parking facilities that do not comply with the provisions of paragraph (b) of Section 93-83 (Use and Location of Parking Facilities) and may authorize floor space used for parking and located above a height of 23 feet to be exempt from the definition of #floor area#, provided that:

(a) below-grade parking has been provided to the fullest extent feasible, and such above-grade facility is necessary due to subsurface conditions such as the presence of bedrock, railroad

rights-of-way or other conditions that impose practical difficulties for the construction of below-grade parking facilities;

(b) the scale of the parking facility is compatible with the scale of #buildings# in the surrounding area;

(c) the materials and articulation of the #street wall# of the parking facility are compatible with #buildings# in the surrounding area;

(d) the ground floor level of such parking facilities that front upon #streets# is occupied by #commercial#, #community facility# or #residential uses# that activate all such adjoining #streets#, except at the entrances and exits to the parking facility. Where site planning constraints make such #uses# infeasible, the parking facility shall be screened from adjoining #streets# or public access areas with a densely planted buffer strip at least 10 feet deep. Where such screening is not desirable, such ground floor wall of the parking facility shall be articulated in a manner that provides visual interest;

(e) any floor space above the ground floor level utilized for parking is located, to the greatest extent feasible, behind #commercial#, #community facility# or #residential# #floor area#, to minimize the visibility of the parking facility from adjoining #streets# or public access areas. Any exterior wall of the parking facility visible from an adjoining #street# or public access area shall be articulated in a manner that is compatible with #buildings# in the surrounding area;

(f) for portions of parking facilities that are visible from #streets#, publicly accessible open areas or nearby properties, interior lighting and vehicular headlights are shielded to minimize glare on such #streets#, public access areas or properties; and

(g) the location of vehicular entrances and exits will not unduly inhibit surface traffic and pedestrian flow.

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

93-84 - Curb Cut Restrictions

LAST AMENDED
4/14/2010

Along all avenues in the #Special Hudson Yards District#, and along Hudson Boulevard and West 34th Street, and along the north side of West 35th, West 36th, West 37th and West 38th Streets between Tenth and Eleventh Avenues, no driveway curb cuts for parking facilities or loading berths shall be permitted, except:

(a) for entrances or exits to a public parking garage located beneath Hudson Boulevard and the adjacent #public parks#; or

(b) where the Commissioner of Buildings determines there is no alternative means of access to required off-street parking spaces or required loading berths from other #streets# bounding the #zoning lot#. However, in no event shall curb cuts be permitted on or within 40 feet of Hudson Boulevard.

93-841 - Curb cut restrictions in the Large-Scale Plan Subdistrict A

LAST AMENDED

4/14/2010

In Subarea A2 of the Large-Scale Plan Subdistrict A, curb cuts for parking and loading facilities shall be prohibited on West 34th Street, Tenth Avenue, Hudson Boulevard and Eleventh Avenue except where the City Planning Commission certifies there is no frontage available on West 33rd Street or West 35th Street to access a required parking or loading facility.

93-842 - Curb cut restrictions in the Farley Corridor Subdistrict B

LAST AMENDED
4/14/2010

No curb cuts shall be permitted on Eighth or Ninth Avenues between West 31st and West 33rd Streets. In the Pennsylvania Station Subarea B4, the maximum aggregate width of curb cuts on West 33rd Street shall be 90 feet. On the south side of West 33rd Street between the Lincoln Tunnel Approach and Ninth Avenue, the maximum aggregate width of curb cuts shall be 90 feet.

93-85 - Authorization for Additional Curb Cuts

LAST AMENDED
4/14/2010

Along the north side of West 35th, West 36th, West 37th and West 38th Streets between Tenth and Eleventh Avenues, for #zoning lots# greater than 20,000 square feet, the City Planning Commission may authorize curb cuts, provided the Commission finds that such curb cuts are needed for required loading berths, do not unduly inhibit surface traffic or pedestrian flow and do not impair the essential character of the surrounding area. Loading berths shall be arranged so as to permit head-in and head-

out truck movements to and from the #zoning lot# and thereby permit a more efficient loading operation.