



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **25-20 - REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES**

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## 25-20 - REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES

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LAST AMENDED  
12/15/1961

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### 25-21 - General Provisions

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LAST AMENDED  
3/22/2016

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.

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### 25-211 - Application of requirements to conversions and certain enlargements

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LAST AMENDED  
3/22/2016

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#.

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## **25-22 - Requirements Where Individual Parking Facilities Are Provided**

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LAST AMENDED

2/2/2011

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#.

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## **25-23 - Requirements Where Group Parking Facilities Are Provided**

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LAST AMENDED

3/22/2016

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 <sup>1</sup>
R4 R4B R5A	100
R5	85
R6	70 <sup>2</sup>
R5B R5D	66
R7-1	60 <sup>2</sup>
R6A R6B R7-2 R7A R7B R7D R7X R8B <sup>3</sup>	50 <sup>2</sup>
R8 R9 R10	40

<sup>1</sup> 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#

<sup>2</sup> 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#

<sup>3</sup> 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

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## 25-231 - Modification of requirements to facilitate affordable housing

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LAST AMENDED  
3/22/2016

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).

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## 25-24 - Modification of Requirements for Small Zoning Lots

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LAST AMENDED  
12/15/1961

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.

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## 25-241 - Reduced requirements

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LAST AMENDED  
3/25/2010

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.

## **25-242 - Waiver of requirements for small zoning lots in high bulk districts**

LAST AMENDED  
8/14/1987

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.

## **25-243 - Waiver of requirements for narrow zoning lots in certain districts**

LAST AMENDED  
6/29/1989

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 lot# that has a width along a #street# less than 25 feet.

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

LAST AMENDED  
3/22/2016

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).

## **25-251 - Income-restricted housing units**

LAST AMENDED  
3/22/2016

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.

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## **25-252 - Affordable independent residences for seniors**

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LAST AMENDED  
3/22/2016

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).

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## 25-253 - Other government-assisted dwelling units

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LAST AMENDED 3/22/2016

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

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## 25-26 - Waiver of Requirements for Small Number of Spaces

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LAST AMENDED

3/22/2016

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.

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## 25-261 - For developments or enlargements

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LAST AMENDED

3/22/2016

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.

## **25-262 - For conversions**

LAST AMENDED  
2/2/2011

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).

## **25-27 - Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden**

LAST AMENDED  
4/14/2010

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).

## **25-28 - Special Provisions for Zoning Lots Divided by District Boundaries**

LAST AMENDED  
8/14/1987

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.