



Zoning Resolution

THE CITY OF NEW
YORK
Bill de Blasio, Mayor

CITY PLANNING COMMISSION
Marisa Lago, Chair

25-30 - REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR PERMITTED NON-RESIDENTIAL USES

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25-30 - REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR PERMITTED NON-RESIDENTIAL USES

LAST AMENDED
12/15/1961

25-31 - General Provisions

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 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 sq ft	R3
	1 per 500 sq ft	R4 R5
	1 per 800 sq ft	R6 R7-1 R7B
Clubs, community centers or settlement houses; 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	Rated Capacity: None required	R7-2 R7A R7D R7X R8 R9 R10
	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 stadiums	Rated capacity:	
	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	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 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	None required	R7-2 R7A R7D R7X R8 R9 R10
	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 sq ft	R1 R2
For child care services in #lower density growth management areas#:	1 per 1,000 sq ft	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 sq ft	R1 R2 R3
	1 per 200 sq ft	R4 R5
	1 per 300 sq ft	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 sq ft	R1 R2 R3
	1 per 300 sq ft	R4 R5
	1 per 400 sq ft	R6 R7-1
Post offices	Square feet of #floor area# : None required	R7-2 R7A R7D R7X R8 R9 R10
	1 per 800 sq ft	R1 R2 R3
	1 per 1,200 sq ft	R4 R5
	1 per 1,500 sq ft	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 sq ft	R1 R2 R3 R4 R5
	1 per 800 sq ft	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 sq ft	R1 R2 R3 R4 R5
	1 per 800 sq ft	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.

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

LAST AMENDED
12/15/1961

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)

25-33 - Waiver of Requirements for Spaces Below Minimum Number

LAST AMENDED
3/22/2016

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

25-331 - Exceptions to application of waiver provisions

LAST AMENDED
1/18/2011

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#.

25-34 - Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden

LAST AMENDED
12/15/1961

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.

25-35 - Waiver for Locally Oriented Houses of Worship

LAST AMENDED
9/9/2004

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.

25-36 - Special Provisions for Zoning Lots Divided by District Boundaries

LAST AMENDED
9/9/2004

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.