



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, 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

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LAST AMENDED  
12/15/1961

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### 25-31 - General Provisions

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LAST AMENDED  
6/6/2024

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); or
- (d) for certain #zoning lots#, #developments# or #enlargements# below minimum thresholds pursuant to Section [25-37](#) (Waiver of Requirements for Certain Small Zoning Lots).

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.

For the purposes of applying the loading requirements of this Chapter, #uses# are grouped into the following Parking

Requirement Categories (PRC) based on how requirements are measured. The specific designations for #uses# are set forth in the Use Group tables.

**Parking Requirement Category    Type of Requirement**

PRC – A	square feet of #floor area#
PRC – B	person-rated capacity
PRC – C	square feet of #lot area#
PRC – D	square feet of #floor area#, or number of employees
PRC – E	number of beds
PRC – F	guest rooms or suites
PRC – G	other

**REQUIRED OFF-STREET PARKING SPACES FOR NON-RESIDENTIAL USES**

Parking Requirement Category	PRC - A				PRC- B			PRC - C
	A1 <sup>1</sup>	A2 <sup>1</sup>	A3	A4	B1	B2	B3	
Unit of measurement	per square feet of #floor area# <sup>2</sup>				per persons-rated capacity			per square feet of #lot area#
R1 R2	1 per 100	1 per 150	n/a	n/a	n/a	1 per 8	1 per 10 3	n/a
R3			1 per 400					
R4 R5			1 per 200					
				n/a	n/a			n/a

R6 R7-1 R7B	1 per 300	1 per 400	1 per 800			1 per 16	1 per 20 3
R7-2 R7A R7D R7X R8 R9 R10	None required	None required	None required			None required	None required

- 1 For #accessory# #commercial# #uses# in #large-scale residential developments#.
- 2 For ambulatory diagnostic or treatment facilities listed under Use Group III(B), #cellar# space, except #cellar# space used for storage shall be included to determine parking requirements. However, in #lower density growth management areas#, all #cellar# space, including storage space, shall be used to determine parking requirements.
- 3 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.

Parking Requirement Category	PRC - D		PRC - E			PRC - F	
	D1	D2	E1	E2	E3 <sup>5</sup>	F1	F2
Unit of measurement	per square feet of #floor area# or per employees		per bed			per guest room or suites	
R1 R2	n/a	n/a	1 per 5 4	1 per 6	1 per 10	n/a	n/a
R3							
R4 R5							
R6 R7-1 R7B			1 per 8 4	1 per 12	1 per 20		
R7-2 R7A R7D R7X R8 R9 R10			1 per 10 <sup>4</sup>	None required	None required		

- 4 Parking requirements for #uses# in PRC-E1 are in addition to area utilized for ambulance parking.
- 5 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



Requirement Category	Court houses	Fire or Police stations	Prisons	Docks	Camps, overnight and day	Post offices <sup>8</sup>	Funeral establishments	Riding academies or stables	
Unit of measurement	per square feet of #floor area#	per square feet of #floor area#	per beds-rated capacity	see Section <a href="#">62-43</a>	per square feet of #lot area# or per employees	per square feet of #floor area#	per square feet of #floor area#	per square feet of #floor area#	
R1 R2	n/a	1 per 500	n/a	see Section <a href="#">62-43</a>	1 per 2,000 or 1 per 3	1 per 800	n/a	1 per 500	
R3									
R4 R5									1 per 1,200
R6 R7-1 R7B		1 per 800						1 per 1,500	1 per 800
R7-2 R7A R7D R7X R8 R9 R10		None required						None required	None required

<sup>8</sup> For #accessory# #commercial# #uses# in #large-scale residential developments#.

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## 25-311 - Special Provisions in Certain Areas

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LAST AMENDED  
6/6/2024

In #lower density growth management areas#, the parking requirements for child care services, as listed under the definition of #school# in Section [12-10](#) (DEFINITIONS), in R1 through R5 Districts, shall be 1 per 1,000 square feet.

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

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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)

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

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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

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## 25-331 - Exceptions to application of waiver provisions

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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#.

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

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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.

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## 25-35 - Waiver for Locally Oriented Houses of Worship

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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.

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

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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.

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## **25-37 - Waiver of Requirements for Certain Small Zoning Lots**

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LAST AMENDED  
6/6/2024

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the parking requirements of Section [25-31](#) (General Provisions) for camps, overnight or day, shall only apply to #developments# or #enlargements# with a minimum of either 10,000 square feet of #lot area# or 10 employees.