

ARTICLE XIV  
**Off-Street Parking and Loading**

**§ 331-125. Purposes. [Amended 6-23-2009 by L.L. No. 1-2009; 12-8-2015 by Ord. No. 233-2015]**

The purpose of this article is to prevent or alleviate the congestion of the public streets and to promote the safety and welfare of the public by establishing minimum requirements for the off-street parking, loading and unloading of motor vehicles and bicycles in accordance with the use of the property. All structures and uses shall be provided with a sufficient amount of off-street parking and loading spaces for employees, residents, visitors, clients, patrons, deliverers and other persons at the location of such structures or uses, but not less than the minimum requirements of this chapter. No certificate of occupancy shall be issued for any structure or use, whether for a new structure or a change of use of an existing structure, until all required off-street parking and loading spaces have been established in accordance with this chapter. The continued operation of such facilities in accordance with the requirements of this chapter shall be required as a condition of the continued validity of the certificate of occupancy. In the event of any conflict between Article XIV and the provisions in the Downtown Overlay Zone, the provisions of the Downtown Overlay Zone shall prevail.

**§ 331-126. Schedule of off-street parking and loading space requirements. [Amended 1-15-2002 by Ord. No. 19-2002; 7-16-2002 by Ord. No. 139-2002; 5-21-2003 by Ord. No. 106-2003; 1-20-2004 by Ord. No. 16-2004; 7-20-2004 by Ord. No. 165-2004; 12-14-2004 by L.L. No. 12-2004; 2-15-2005 by Ord. No. 42-2005; 3-15-2005 by Ord. No. 61-2005; 5-19-2005 by Ord. No. 118-2005; 6-14-2005 by L.L. No. 2-2005; 3-21-2006 by L.L. No. 2-2006; 11-21-2006 by Ord. No. 257-2006; 7-17-2007 by Ord. No. 182-2007; 6-17-2008 by Ord. No. 133-2008; 4-13-2009 by Ord. No. 71-2009; 6-15-2010 by Ord. No. 103-2010; 12-14-2010 by Ord. No. 205-2010; 7-19-2011 by Ord. No. 135-2011; 10-16-2012 by Ord. No. 171-2012; 4-17-2014 by Ord. No. 69-2014; 5-20-2015 by Ord. No. 114-2015; 5-20-2015 by Ord. No. 117-2015; 12-8-2015 by Ord. No. 233-2015; 3-15-2016 by Ord. No. 75-2016; 11-15-2016 by Ord. No. 233-2016; 1-16-2018 by Ord. No. 14-2018; 7-17-2018 by Ord. No. 2018-159; 10-16-2018 by Ord. No. 2018-209; 10-16-2018 by Ord. No. 2018-215; 11-16-2021 by Ord. No. 2021-164]**

The schedule of off-street parking and loading space requirements presents the minimum parking space and loading space requirements of this chapter. Where there is more than one use, the minimum requirements shall be cumulative for all uses, except where shared use of parking or loading spaces is permitted by the approving agency pursuant to Subsection A, Subsection G or Subsection H herein. For uses that do not fall within the categories listed, or for uses where no minimum number of spaces is specified, the Building Official or designated representative shall recommend to the Planning Board minimum parking and loading space requirements based upon the specific nature of the proposed facility or use, and the Planning Board shall establish the requirements on that basis. Required spaces developed for specific structures and uses shall be reserved at all times to persons who are employed at or make use of such structures and uses, except where such parking spaces are dedicated to and accepted by the City of New Rochelle as public parking, where arrangements for shared use are made pursuant to Subsection A, Subsection G or Subsection H below, or where a development is built under the provisions of Article XXII of this code.

**Off-Street Parking and Loading Space Requirements**

<b>Use</b>	<b>Minimum Number of Parking Spaces</b>	<b>Minimum Number of Loading Spaces</b>
<b>Residential</b>		
1-family dwelling	2 per dwelling unit	
2-family dwelling	2 per dwelling unit	
Multifamily dwelling	1.25 per dwelling unit, plus .25 for each bedroom; in the CPA <sup>1</sup> District, 1.0 per dwelling unit	1, which may be utilized for parking within requirements of the Zoning Chapter. Area shall be designated on site plan as to size and height, and its feasibility shall be acceptable to the Building Official.
Attached dwelling unit, townhouse	In other than the PUD-AH District or the CPA <sup>1</sup> : 1.25 per dwelling unit, plus 0.4 per bedroom; in the PUD-AH District: 1 per dwelling unit; in the CPA <sup>1</sup> : 1 per dwelling unit	
Bed-and-breakfast	In addition to residential component, 1 per each room rented	
Rooming house	1 per 2 guest rooms	
Senior citizen housing	In other than the PUD-AH District: 0.06 per dwelling unit; 0.4 for publicly assisted senior citizen housing; in the PUD-AH District, for multifamily senior citizen assisted-living residences: 0.3 per dwelling unit; in the PUD-AH District, for medical support facilities: 1 per 350 square feet of gross floor area	
Independent living residences	In the CPA <sup>1</sup> : 0.5 per dwelling unit; elsewhere: 0.65 per dwelling unit	
Adult care facilities	In the CPA <sup>1</sup> : 0.20 per bed	
Athletic facilities accessory to private school, university or college	1 per 10 seats	

**Off-Street Parking and Loading Space Requirements**

<b>Use</b>	<b>Minimum Number of Parking Spaces</b>	<b>Minimum Number of Loading Spaces</b>
Beach club	1 per 3 seats in area(s) of public assembly and 1 per 100 square feet for other uses (conference room, manager's office, etc.)	
Billiard hall	1 per billiard or pool table	
Bowling alley	In CPA <sup>1</sup> : 2 per lane; elsewhere: 4 per lane	
Club, golf	1 per 3 seats in area(s) of public assembly and 1 per 100 square feet for other uses (conference room, manager's office, etc.)	
Commercial indoor recreation facility and health club	In CPA <sup>1</sup> : 1 per 350 square feet of GFA; elsewhere: 1 per 200 square feet of GFA	Up to 10,000 square feet: 1; for each additional 100,000 square feet or major portion thereof: 1 additional
Golf driving range	1 per tee	
Indoor wall or rock climbing facility	In CPA <sup>1</sup> : 1 per 350 square feet of GFA; elsewhere: 1 per 250 square feet of GFA	0 to 10,000 square feet: none; 10,000 to 100,000 square feet: 1; for each additional 100,000 square feet or major portion thereof: 1 additional
Marina	1 per 200 square feet of GFA (not used for storage), plus 1.0 per slip	At least 20% of the parking spaces required shall be 9.5 feet by 35 feet in size to accommodate cars with trailers, except when the marina is accessory to multifamily dwelling and no boat-launching facility is provided, where no such loading space parking shall be required
Skating rink	1 per 1,000 square feet of rink area	
Squash, handball, racquetball and similar courts	In CPA <sup>1</sup> : 1 per court; elsewhere: 2 per court	
Tennis courts	In CPA <sup>1</sup> : 2 per court; elsewhere: 4 per court	
Theaters	In CPA <sup>1</sup> : 1 per 5 seats; elsewhere: 1 per 3 seats	
Semipublic		

### Off-Street Parking and Loading Space Requirements

Use	Minimum Number of Parking Spaces	Minimum Number of Loading Spaces
Church or other places of worship	1 per 5 seats in the sanctuary, and for additional accessory areas and/or uses, parking shall be provided as set forth in this chapter	
College or university	1 for each faculty member, plus 1 per 3 employees, plus 1 per each 3 students not residing on campus	
Congregate care facility, domiciliary care facility	0.45 per bed	0 to 30 beds: none; 31 to 100 beds: 1; 101 to 200 beds: 2; over 200 beds: 3
Hospital	1.25 per bed, plus 1 per 400 square feet of GFA of any outpatient clinic	1 per 100,000 square feet of GFA or major portion thereof
Group home	1 per 5 residents, plus 1 per employee	
Student Residences	In CPA <sup>1</sup> : 1 per 3 student resident beds	
Civic/Institutional use	In CPA <sup>1</sup> : 1 per 500 square feet of GFA	
<b>Community Facilities</b>		
Library	In CPA <sup>1</sup> : 1.3 per 1,000 square feet of GFA; elsewhere: 3.3 per 1,000 square feet of GFA	
<b>Schools</b>		
Nursery and day care	In other than CPA <sup>1</sup> : 1 per 4 children, plus 1 per employee; in CPA <sup>1</sup> : 1 for every 2 employees	
Elementary (Grades K-8)	1 for each faculty member, plus 1 per each 3 staff members and 1 per each 30 students	
Secondary (Grades 9-12)	1 for each faculty member, plus 1 per each 3 staff members and 1 per each 10 students	
<b>Commercial</b>		
Adult-oriented business	1 per 3 seats or 6 per 1,000 square feet of GFA, whichever is greater	

**Off-Street Parking and Loading Space Requirements**

<b>Use</b>	<b>Minimum Number of Parking Spaces</b>	<b>Minimum Number of Loading Spaces</b>
Animal hospital	In CPA <sup>1</sup> : 1 per 500 square feet of GFA; elsewhere: 1 per 350 square feet of GFA	Greater than 5,000 square feet: 1
Bank	6 per 1,000 square feet of GFA, plus 5 queuing spaces per drive-up window	
Bar, cabaret and nightclub	1 per 3 seats or 6 per 1,000 square feet of GFA, whichever is greater	
Clinical laboratory	1 per employee, plus 1 per commercial vehicle kept on the lot, but not less than 1 per 500 square feet of GFA	0 to 5,000 square feet: none; 5,000 to 75,000 square feet or major portion thereof; 1 additional
Car wash	6 queuing spaces per bay, plus 0.80 per employee	
Convenience store	1 per 100 square feet of GFA	
Funeral parlor	For assembly rooms: 1 per 100 square feet of GFA or 1 per 3 seats, whichever is greater, plus 1 per commercial vehicle kept on the lot	1 for each hearse
Hotel	Within the CPA <sup>1</sup> : 0.8 per guest room, plus additional spaces as required for other uses; elsewhere: 1 per guest room, plus additional spaces as required for other uses	1 for the first 100 units, plus 1 for each additional 100 units or major portion thereof, plus additional spaces as required for other uses
Martial arts studio, dance studio and aerobic exercise studio	1 per 150 square feet of GFA	1 to 5,000 square feet: none; 5,000 to 15,000 square feet: 1
Motor vehicle dealership	Sales: 1 per 300 square feet of GFA; service: 5 for the first service bay and 2 per every service bay thereafter; in the C-1M Zone, 5 for each service bay; 1 per 2 employees	1 a minimum of 50 feet in length is required
Motor vehicle filling station	1 per pump island, plus 5 per service bay	
Motor vehicle rental agency	1 per 100 square feet of GFA in addition to spaces required for the storage of vehicles for rent	

**Off-Street Parking and Loading Space Requirements**

<b>Use</b>	<b>Minimum Number of Parking Spaces</b>	<b>Minimum Number of Loading Spaces</b>
Motor vehicle service and/or body repair facility	5 for the first service bay and 2 for every bay thereafter	
Office: business, professional, governmental	In CPA <sup>1</sup> : 1 per 400 square feet of GFA; elsewhere: 1 per 250 square feet of GFA	0 to 5,000 square feet: none; 5,000 to 75,000 square feet or major portion thereof: 1 additional
Office: medical/dental	In CPA <sup>1</sup> : 1 per 350 square feet of GFA; elsewhere: 1 per 250 square feet of GFA	
Office: in residence of professional person	2, plus spaces required for residence	
Restaurant and catering halls	1 per 3 seats or 1 per 150 square feet of GFA, whichever is greater	
Restaurant, carry-out	Same as above	
Restaurant, fast-food	1 per 80 square feet of GFA	
Retail laundry or dry cleaner	2.5 per 1,000 square feet of GFA	
Retail, national brand establishment	In CPA <sup>1</sup> : 1 per 400 square feet of GFA; elsewhere: 1 per 250 square feet of GFA	0 to 5,000 square feet: none; 5,000 to 15,000 square feet: 1; 15,000 to 30,000 square feet: 2; 30,000 to 60,000 square feet: 3; 60,000 to 100,000 square feet: 4; each additional 50,000 square feet or major portion thereof: 1 additional

**Off-Street Parking and Loading Space Requirements**

Use	Minimum Number of Parking Spaces	Minimum Number of Loading Spaces
Retail, store, shop, and personal service establishments	In CPA <sup>1</sup> : 1 per 400 square feet of GFA; elsewhere: 1 per 250 square feet of GFA	0 to 5,000 square feet: none; 5,000 to 15,000 square feet: 1; 15,000 to 30,000 square feet: 2; 30,000 to 60,000 square feet: 3; 60,000 to 100,000 square feet: 4; each additional 50,000 square feet or portion thereof for other than retail use occupying a total of not less than 140,000 square feet of GFA in the DMU District: 1 additional; each additional 100,000 square feet or portion thereof of retail use occupying a total of not less than 140,000 square feet of GFA in the DMU District, as determined by the Planning Board in connection with site plan approval
Accessory to multifamily residential development	1 per 1,000 square feet of GFA	
Retail, large-scale	In CPA <sup>1</sup> : 1 per 400 square feet of GFA; elsewhere: 1 per 200 square feet of GFA	Same as above
Retail, membership club	In CPA <sup>1</sup> : 1 per 400 square feet of GFA; elsewhere: 1 per 250 square feet of GFA	Same as above
<b>Industrial</b>		
Light industrial	0.80 per employee, plus 1 per commercial vehicle kept on the lot, but not less than 1 per 1,000 square feet of GFA	From 0 to 25,000 square feet: 1; from 25,001 to 40,000 square feet: 2; from 40,001 to 60,000 square feet: 3; from 60,001 to 100,000 square feet: 4; for each additional 50,000 square feet or major portion thereof: 1
Self-storage facility	1 per 100 storage units	1 per 500 storage units
Manufacturing, fabrication, finishing or assembling of products	0.80 per employee, plus 1 per commercial vehicle kept on the lot, but not less than 1 per 1,000 square feet of GFA	Same as above

**Off-Street Parking and Loading Space Requirements**

Use	Minimum Number of Parking Spaces	Minimum Number of Loading Spaces
Wholesale business, storage, distribution, or warehousing	0.80 per employee, plus 1 per commercial vehicle kept on the lot, but not less than 1 per 2,000 square feet of GFA	Same as above

**NOTES:**

<sup>1</sup>CPA: Central Parking Area (See Zoning Map and § 331-126H for eligibility.)

A. Shared use of parking. The total number of off-street parking and loading spaces required shall be the sum of the requirements for each individual use, except that such total may be reduced in mixed-use districts by the Planning Board where the applicant demonstrates to the satisfaction of the Board that the capacity of the facility will satisfy the purposes of this chapter by reason of variation in the probable time of maximum use by residents, visitors, patrons, deliverers and/or employees as well as use of certain alternative modes of transportation.

(1) The applicant may submit a Parking Management Plan by using the standards provided in the most recent edition of Shared Parking published by the Urban Land Institute and other supporting nationally and locally recognized standards to demonstrate to the Planning Board the maximum parking demand required for each development. Where two or more uses on the Site or Off-Site locations complying with § 331-126A are able to share the same parking spaces because their parking demands occur at different times, the same parking spaces may be counted to satisfy the off-street parking requirements for each use upon the approval of a Parking Management Plan by the Planning Board. Applications for a Parking Management Plan approval shall include:

- (a) The names and addresses of the uses and of the owners or tenants who will share the parking.
- (b) The location and number of parking spaces to be shared.
- (c) An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of all uses as prepared by a parking consultant or traffic engineer.
- (d) A legal instrument, such as a lease, easement or deed restriction, that guarantees the parking will be provided on site or off site so long as the associated uses remain, and access to the parking for multiple uses according to an approved Parking Management Plan, which shall be submitted to the Corporate Counsel of the City for review and approval. No parking spaces to be shared shall be reserved or allotted to any individual.

(2) Approval of Shared Parking: The Planning Board may grant an application for shared parking associated with a Parking Management Plan if it finds that:

- (a) The analysis provided presents a realistic projection of parking demands likely to be generated.
- (b) Peak demand is sufficiently distinct so that the Planning Board is able to clearly identify a



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number of spaces for which there will rarely be an overlap of parking demand.

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(c) Rights to the use of spaces are clearly identified so as to facilitate enforcement.

- B. Limitations on reserved spaces. No more than 10% of the minimum required off-street parking spaces designed to serve nonresidential uses and no more than one space per dwelling unit in multifamily residential developments shall be permitted to be reserved for the exclusive use of individual dwelling units, persons and/or business establishments. Limitations on reserved spaces do not apply to parking spaces provided in excess of the minimum requirements of this chapter.
- C. Limitations on leasing. All spaces required to serve the principal use shall not be leased to serve other uses, unless a valid special permit has been issued for valet operations on a site. Developments built under the provisions of Article XXII of this code shall not be subject to this provision.
- D. Effect on existing structures and uses. Structures and uses legally in existence or for which building permits have been issued prior to the effective date of this chapter shall not be subject to the parking or loading space requirements of this chapter, provided that any parking and loading facilities existing or approved to serve such structures or uses shall not in the future be reduced or redesignated to serve other structures or uses, except to the extent that they exceed such requirements. At the time of any enlargement, change or expansion of existing structures or uses in the future, the following requirements shall apply:
- (1) Required parking and loading facilities for that part of the structure or use which constitutes an enlargement or expansion shall be provided in accordance with all requirements of this chapter.
  - (2) To the maximum extent deemed feasible and reasonable by the Planning Board, during site plan review and approval, parking and loading facilities shall also be provided to serve the existing portion of such structure or use that does not conform to all parking and loading space requirements of this chapter.
  - (3) At the time of any change of use which would result in an increased off-street parking or loading space requirement, the additional parking and loading spaces so required shall be provided in accordance with all applicable requirements of this chapter.
  - (4) The provisions in § 331-126D(1) through (3), regardless of use, shall not apply to existing commercial spaces with less than 3,000 square feet of gross floor area, and an occupancy that does not exceed 49 people. Any applicant seeking reductions pursuant to this section of the Code shall satisfy the requirements specified in § 331-115.5 of the Code. **[Amended 5-18-2021 by Ord. No. 2021-63]**
- E. Alternate methods of complying with parking and loading requirements.
- (1) Parking requirements as provided in this chapter may otherwise be satisfied for any new construction, new use or change of use where the nearest entrance of such new construction, new use or change of use is located within 1,350 feet, measured along public streets, of a municipal parking garage or a municipal parking lot, and where the applicant demonstrates that such garage or lot can accommodate the required parking for such new construction, new use or change of use, by submission of proof based upon available permit spaces and lot usage, which submission shall be reviewed by the City official responsible for municipal parking facilities. Where it is determined that the required parking cannot be accommodated, then the applicant shall either seek a variance from the Board of Appeals on Zoning or otherwise provide the required parking. Notwithstanding the foregoing, within the Central Parking Area, as shown on the Zoning Map and further defined in § 331-126H, no new residential construction, new

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residential use, or change of use to residential, which includes any dwelling unit including living/loft use, shall be eligible to have its parking requirements satisfied by the provisions of this Subsection E(1) except pursuant to the residential fee-in-lieu procedure set forth in Subsection H(6) below.

- (2) (Reserved)
- (3) Alternate locations. Required off-street parking facilities shall be provided on the same lot with the structure or use which they serve, except as follows:
  - (a) The Planning Board may allow all or part of the parking spaces required to serve structures or uses to be located on any lot entirely within 500 feet of the structures or uses to be served, provided such parking is a lawful use in the district in which it is to be located and further provided that the Planning Board determines that it is impractical to provide parking on the same lot with the structures or uses being served.
  - (b) In any H, RMF-SC-4.0, or NA District, the required parking spaces may be provided on any lot within 500 feet of the structures or uses to be served.
  - (c) Where the Planning Board approves the location of such parking spaces on a lot different from the lot occupied by the structure or use served, the Planning Board shall require a legal instrument, in form and filing satisfactory to the Corporation Counsel, assuring the continued use of said parking spaces in connection with the uses or structures served and recorded in the Westchester County Land Records in the County Clerk's office.
  - (d) This section shall not apply to off-street parking being addressed through Article XXI or § 331-54.2C(3) of this Code.
- (4) Parking in the front yard contiguous to side yard. In all one- and two-family zoning districts, parking of a maximum of two registered private passenger vehicles may be located within a paved driveway constructed in accordance with a valid building permit, which is located within that portion of the front yard immediately contiguous to and an extension of a garage which is integral with the residence structure and has its entrance door within the front wall thereof; or that portion of the front yard immediately contiguous to and an extension of either side yard but not closer than six feet to the nearest side lot line.
- (5) Parking in the front yard. In all one- and two-family zoning districts, the Building Official may allow a parking area for a maximum of two registered private passenger vehicles within a front yard, provided the following conditions are satisfied:
  - (a) The topography of the lot is such that there is no vehicular access to any alternative location.
  - (b) The parking spaces shall cover no more than 50% of the front yard nor exceed 400 square feet in size.
  - (c) There is insufficient area within the side and/or rear yards to locate the parking spaces.
  - (d) The parking spaces shall be used solely by the residents of the dwelling on the same lot as the residence.
  - (e) All parked vehicles shall be a minimum of five feet from the frame of the residence.
- (6) Off-street parking adjacent to nonresidence districts. Off-street parking may also be permitted

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on a lot in an RMF Residence District, subject to the issuance of a special permit by the Planning Board and subject to compliance with the following special standards and requirements:

- (a) Such parking shall be permitted only on a lot immediately adjacent to, or directly across the street from, a nonresidence district and only when located entirely within 250 feet of the structures or uses served.
  - (b) Such parking shall be limited to locations which do not require traffic to pass through residential neighborhoods prior to entering or exiting the facility.
  - (c) All points of vehicular ingress and egress to such parking shall be located either within the nonresidence district or directly across the street from the nonresidence district.
  - (d) The hours of operation, exterior lighting, signage, fencing, landscaping and/or screening (in accordance with § 331-119B<sup>1</sup> of this chapter) along street frontages and adjacent residential property lines, shall all be subject to such requirements as may be imposed by the Planning Board to protect neighboring residential properties and uses.
  - (e) The width of landscaped screening areas abutting or facing lots in residence districts shall be no less than 10 feet and shall otherwise comply with the requirements of § 331-130.
- (7) Loading facilities. Required off-street loading facilities shall be provided on the same lot with the structure or use which they serve. However, the Planning Board may allow off-street loading spaces to be located within the building being served, provided that the applicant demonstrates to the satisfaction of the Planning Board that such spaces shall be permanently available for their intended purpose.
- (8) Parking of commercial vehicles. Where commercial vehicles are proposed to be parked overnight on a nonresidential property, the following requirements shall apply:
- (a) They shall be parked only in spaces specifically designated for such uses on an approved site plan.
  - (b) They shall be vehicles which are accessory to and used on a regular basis in connection with a permitted principal use on the premises.
  - (c) They shall not be used for the storage of goods.
- (9) Parking of taxicabs and livery vehicles in driveways. Pursuant to the authority set forth in § 181 of the General Municipal Law, livery vehicles in excess of 220 inches and taxicabs shall not be parked in driveways.
- F. Off-street private passenger car parking in residential districts. Off-street parking spaces (whether open or enclosed) in residential districts shall be restricted to the parking of private passenger cars.
- G. Other Parking Credits.
- (1) Nonreserved Parking: For a residential development that has 50 or more parking spaces, the applicant is eligible for a parking reduction of up to 10% if none of the residential spaces are reserved or assigned to any individual. This credit is subject to approval by the Planning Board based upon a parking study.

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1. Editor's Note: See now § 331-119.1.

- § 331-126 (2) Car Share Parking: For parking facilities of 50 spaces or more (related to any use), the applicant can get a credit of three conventional parking spaces for every shared car (e.g., zip car) parked on site. This credit is subject to a maximum of 15% of the total parking requirement and subject to Planning Board Approval based upon a parking study. § 331-126

H. Parking within the Central Parking Area.

- (1) Eligibility: Only those developments that are a) located within the Downtown Overlay Zone and b) fulfill the minimum requirements of the Downtown Overlay Zone are eligible to utilize the parking standards of the Central Parking Area defined in § 331-126H.
- (2) Potential Reductions of Required Parking Spaces. In the Central Parking Area, as set forth in § 331-126H(1) above, where applicants can demonstrate that certain additional off-street parking space reductions are justified, the minimum number of parking spaces required to be provided by an applicant seeking Site Plan approval may be reduced. The following parking space reductions from the total requirements may be granted by the Planning Board where an applicant demonstrates to the Board the following parking reductions are justified:
  - (a) Nonreserved Parking:
    - [1] For parking facilities of greater than 50 spaces, applicants are eligible for a parking reduction of up to 10% where 100% of residential parking is not reserved or dedicated for individuals or groups.
    - [2] For parking facilities of greater than 50 spaces, applicants are eligible for a parking credit of up to 5% where 75% of residential parking is not reserved or dedicated for individuals or groups.
    - [3] All such reductions are at the discretion of the Planning Board.
  - (b) Attendant and Valet Parking:
    - [1] For parking facilities of greater than 50 spaces and offering attendant parking facilities operated at least 16 hours per day, a parking reduction of up to 15% shall be available at the discretion of the Planning Board.
    - [2] Parking facilities designed exclusively for use by attendant parking facilities may be designed to permit tandem parking and other compact parking formats.
    - [3] All attendant and valet parking facilities shall comply with the standards established in Article XXI, Valet and Attendant Parking.
  - (c) Car Share Parking:
    - [1] For facilities of 20 spaces or more, total required parking spaces may be reduced by three conventional parking spaces for every one car share space provided up to a maximum reduction of 15% of the total parking required.
- (3) After considering all parking reductions permitted in § 331-126A(1) and H(2) above, in no event shall the total required parking be reduced by more than (i) 50% in DO-1 and DO-2 or (ii) 30% in DO-3, DO-4, DO-5 and DO-6 below the base requirements established in § 331-126, Schedule of Off-Street Parking and Loading Space Requirements.
- (4) Off-Site Parking.

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- (a) For a Development Site located within the Downtown Overlay Zone, off-site municipal or private parking may be provided within 1,350 feet from such site.
  - (b) Up to 100% of on-site parking demand may be fulfilled by off-site parking.
- (5) Mechanical Parking.
- (a) Applicants seeking to utilize mechanically assisted parking facilities must demonstrate to the satisfaction of the Planning Board that safety, operational and dimensional design considerations have been met to receive permission to use this alternate parking facility type.
- (6) Fee-In-Lieu within the Central Parking Area.
- (a) Where an applicant seeks to reduce the required number of off-street parking spaces within the Central Parking Area, the applicant shall pay a fee-in-lieu to the applicable parking agency according to a fee schedule established by the City Council in Chapter 133, Fees.
  - (b) The fee schedule shall establish a one-time fee-in-lieu payment as well as an annual fee-in-lieu payment.
  - (c) The fee-in-lieu payments, including one-time and ongoing fees, applicable to a specific site plan application shall be established at a site plan approval and shall remain in place according to a fixed schedule of payments.
  - (d) The fee-in-lieu payments shall be dedicated to:
    - [1] Construction and operation of shared parking facilities.
    - [2] Construction and operation of transit facilities or a transit service that will reduce the demand for parking in the downtown.
    - [3] General infrastructure improvements to facilitate new development projects providing on-site parking in the Central Parking Area.
  - (e) The Department of Development may accept such fees to replace a portion of the required parking spaces which will not be provided on site; however, in no case shall the reduction of parking exceed the standard established in § 331-126H(3). Where appropriate, the Department of Development may require the submission of studies and plans by the applicant demonstrating that practical considerations preclude the provision of such parking spaces on site.

**§ 331-126.1. Off-street bicycle parking facilities. [Added 6-23-2009 by L.L. No. 1-2009]**

- A. Applicability. Off-street bicycle parking facilities shall be provided for any structure or use requiring site plan approval, pursuant to the following requirements.
- B. Bicycle Parking Spaces or Bicycle Lockers Required.
  - (1) For Multifamily Dwellings and Attached Dwelling Units containing 10 or more dwelling units on a Building Lot, a minimum of one bicycle parking space or bicycle locker shall be provided for each 10 dwelling units except that in no event shall fewer than two bicycle parking spaces or bicycle lockers be provided on such Lot.
  - (2) For mixed uses and all nonresidential uses requiring 10 or more motor vehicle parking spaces

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on a Building Lot, one bicycle parking space or bicycle locker shall be provided for each 10 required automobile parking spaces, except that in no event shall fewer than two bicycle parking spaces or bicycle lockers be provided on such Lot.

- (3) Where not more than two bicycle parking spaces or bicycle lockers are provided, a single inverted U-frame rack shall be acceptable, provided adequate parking and access space is provided to be able to easily secure such two bicycles.

C. Design Criteria for Bicycle Parking Facilities.

- (1) Off-street parking for bicycles shall include provision for secure storage of bicycles. Such facilities shall provide bicycle lockers or racks or equivalent structures in or upon which the user may lock a bicycle.
- (2) A bicycle parking facility includes any structure or fixture constructed so as to enable a person to secure bicycles by locking the frame and one wheel of each bicycle therein. Inverted U-frame racks that support the bicycle at two or more points above and on either side of the bicycle's center of gravity are desired, except that the Commissioner of Development may approve an alternate style of rack or enclosure that provides a comparable level of security and convenience. Racks shall be easily usable with both U-locks and cable locks. Racks shall support the bicycles in a stable upright position so that a bike, if bumped, will not fall or roll down. **[Amended 10-16-2012 by Ord. No. 171-2012]**
- (3) Each bicycle parking space or bicycle locker shall measure as least two feet by six feet.
- (4) A minimum four-and-one-half-foot (four feet six inches) wide access aisle shall be provided to enable bicyclists to enter and leave the bicycle parking area. In high-traffic areas, the aisle width shall be greater.
- (5) A minimum of three feet (36 inches) shall be provided between bicycle racks to allow biker access to bicycles, with more width if possible to allow better ease of access. Bicycle racks shall be installed a minimum of two feet (24 inches) from a parallel wall or other obstruction and three feet (36 inches) from a perpendicular wall. If adjacent to a walkway, a minimum distance of six feet shall be maintained from walkway curb to the limit of bicycle parking space. (See Standard for Installation Layouts and Space Requirements on file in Building Bureau.)
- (6) Bicycle parking facilities shall be located in well-lighted areas and in close proximity to the building's entrance, within 50 feet whenever possible, and clustered in groups not to exceed 16 spaces each. If the parking facility is not highly visible, a sign shall be placed at the building's entrance indicating the location of bicycle parking.
- (7) Bicycle parking facilities shall be securely anchored to the floor or ground so they cannot be easily removed and shall be of sufficient strength to resist theft and vandalism.
- (8) The surfacing of such facilities shall be designed and maintained to be mud- and dust-free. The use of rock or gravel areas for bicycle parking is permitted, provided that edging materials, such as landscape timbers, are used so that the bicycle parking area is clearly demarcated and the rock material is contained. In all cases the facility shall be maintained to allow for easy access and use.
- (9) Bicycle parking facilities shall be sufficiently separated from off-street parking areas to protect parked bicycles from damage by motor vehicles. The separation may be accomplished through grade separation, distance or physical barrier, such as curbs, wheel stops, poles or other similar

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features.

- (10) Bicycle parking facilities shall not impede pedestrian or vehicular circulation and should be harmonious with their environment. Bicycle parking facilities shall complement, whenever possible, building design or street furniture.
- (11) Planning Board review shall also include specifications for interior bicycle storage facilities which are to be located within a building.
- (12) Whenever possible, bicycle parking facilities shall be compatible with the natural elements. **[Amended 7-19-2011 by Ord. No. 135-2011]**
- (13) Dimensional requirements may be modified by the Planning Board based on site and building conditions.
- (14) Notwithstanding the foregoing, under circumstances where it is determined by the Commissioner of Development to be futile to require the construction of bicycle parking facilities on site, the Commissioner of Development in conjunction with the Commissioner of Public Works may allow the placement of such required facilities at a specific off-site location. **[Added 7-19-2011 by Ord. No. 135-2011; amended 10-16-2012 by Ord. No. 171-2012]**

**§ 331-126.2. Payment in lieu of off-street bicycle parking facilities. [Added 6-23-2009 by L.L. No. 1-2009]**

In lieu of providing off-street bicycle parking facilities as required by § 331-126.1 of this Article, an applicant for site plan approval may make payment of an in-lieu fee, prior to issuance of the first building permit for the project subject to such site plan approval, which fee shall be deposited to the City's Bicycle Rack Fund. Such fee shall be paid in accordance with the payment schedule set forth in Chapter 133, Fees.

**§ 331-127. Setbacks.**

Required off-street parking and loading facilities shall comply with the following setback requirements:

- A. R1 and R2 Residence Districts. In R1 and R2 Residence Districts, in addition to the required spaces, up to two additional spaces may be provided, which spaces may be located within the required yards but not within six feet of any side lot line.
- B. RMF Districts. In RMF Districts, off-street parking and loading spaces shall comply with all front, side and rear yard setback requirements, except that the minimum side and rear yard setbacks for unenclosed parking shall be five feet where adjacent to other lots in an RMF or nonresidence district and 10 feet where adjacent to an R1 or R2 District. Buffer landscaping within such setback areas shall be provided in accordance with the requirements of § 331-130 of this chapter. **[Amended 3-17-2009 by Ord. No. 53-2009]**
- C. Any H or RMF-SC-4.0 District. In any H or RMF-SC-4.0 District, off-street parking and loading spaces shall comply with all front, side, and rear yard setback requirements, except that minimum front, side and rear yard setbacks for unenclosed parking shall be only five feet. When this section is in conflict with any other section of the Code with respect to setback requirements, this section shall govern. **[Amended 7-19-2011 by Ord. No. 135-2011]**
- D. Nonresidence districts. In nonresidence districts, off-street parking and loading spaces shall be required to be set back from front, side and rear lot lines only to the extent necessary to provide

§ 331-127 landscaped buffer areas in accordance with the requirements of § 331-130 of this chapter, unless a front yard is required. § 331-128

- E. Except where located within or adjacent to an R1 or R2 Residence District, enclosed off-street parking and loading spaces, which are to be below existing grade and covered with landscaping or a landscaped terrace, shall not be required to comply with the building setback requirements of this chapter, provided that their location and design is approved by the Planning Board.
- F. In RMF Districts where the FAR is greater than 1.0 and abuts a nonresidence district, off-street parking and loading spaces shall comply with all front, side and rear yard setback requirements, except that the minimum side and rear setback requirements for unenclosed parking or parking structures shall be five feet. **[Added 3-17-2009 by Ord. No. 53-2009]**

**§ 331-128. Design and layout.**

A. Access driveways. All off-street parking and loading spaces, except those serving one- and two-family residences on their own building lots, shall be provided with unobstructed access and shall be designed to prevent the backing of any vehicle across a sidewalk or into a street and shall be subject to the approval of the City Engineer on all City streets and the Westchester County Department of Public Works or the New York State Department of Transportation for access onto county or state roads, respectively. Access driveways connecting off-street parking and loading facilities to the street or streets from which they derive access shall be designed in accordance with the following requirements: **[Amended 4-20-2004 by Ord. No. 90-2004]**

- (1) Access driveways serving one- and two-family residences on their own building lots shall be designed in accordance with the following standards:
  - (a) Shall not be less than 10 feet in width for one car, 20 feet for two cars, but no more than 25 feet in width, nor closer than three feet to any side or rear lot line.
  - (b) Shall be connected to the street with a radius return at each intersection corner of not less than 25% of its width and shall be aligned at approximately right angles to the street.
  - (c) A driveway ramp serving residence use shall not exceed a slope of 4% within 10 feet of the front property line, except a grade up to 15% may be allowed by the Building Official for a driveway serving a single-family residence if necessary due to existing site conditions. **[Amended 10-20-2009 by Ord. No. 199-2009]**
  - (d) No more than one access driveway curb cut shall be permitted to serve any one- or two-family residence except that a circular driveway with two curb cuts shall be permitted on a lot with 120 feet or more of road frontage.
  - (e) No curb cut shall be permitted within 25 linear feet of a street intersection area required for sight visibility pursuant to § 331-14C(2).
- (2) Access driveways serving multifamily and nonresidence districts shall be designed in accordance with the following standards:
  - (a) Shall be not less than 24 feet in width for two-way drives and 12 feet in width for one-way drives, nor closer than three feet to the side or rear lot line. **[Amended 7-16-2002 by Ord. No. 139-2002]**
  - (b) Access ramps to parking garages (maximum percent grade). Access ramps shall not



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exceed a grade of 10%. [Amended 10-20-2009 by Ord. No. 199-2009]

- (c) Each such drive shall be connected to the street with a radius return at each corner of not less than 25% of its width and shall be aligned at approximately right angles to the street.
- (d) They shall also not exceed a grade of 3%, except that a grade of 8% may be allowed by the Building Official, provided that such grade would be appropriate for the purpose of reducing environmental impact. [Amended 2-19-2013 by Ord. No. 39-2013]
- (e) Notwithstanding the above, the Planning Board may allow lesser dimensions for a driveway providing access to fewer than 20 spaces. Similarly, it may require greater dimensions where determined necessary based upon the number of spaces served and/or the nature of the intended use.
- (f) A minimum of 25 feet is required between an access drive and the right-of-way line at a street intersection. Entrances and exits for all parking lots shall not exceed 25 feet in width in the aggregate for the first 100 feet or fraction thereof of street frontage, and an additional 25 feet in width in the aggregate for each additional 100 feet of frontage.
- (g) Sight distance. An unobstructed view shall be provided in both directions at all exit points.

(3) Interconnection of off-street parking facilities. In order to provide maximum efficiency, minimize curb cuts, and encourage safe and convenient traffic flow, the Planning Board may require the interconnection of parking facilities via circulation drives within and between adjacent lots, where feasible. To help assure the accomplishment of this, the Planning Board may require written assurance, such as deed restrictions satisfactory to the Corporation Counsel, binding the owner, heirs, and assigns to permit and maintain such interconnection of parking facilities and recorded in the Westchester County Land Records in the County Clerk's office.

B. Dimensional requirements. All off-street parking and loading facilities shall comply with at least the following minimum dimensional requirements:

- (1) Parking space dimensions. All off-street parking spaces shall be nine feet in width and 18 feet in length, except that a width of 8.5 feet may be permitted by the Planning Board for long-term (commuter, worker, or residential) use. The Planning Board may also permit a one-foot-lesser paved depth where an unobstructed vehicle overhang area is provided, as in the case of landscaped traffic islands.
- (2) Loading space dimensions. Each loading space shall have the following dimensions.

**Off-Street Loading Space Dimensions**

<b>Dimension</b>	<b>Size (feet)</b>
Width	15 (12 for adjacent loading spaces)
Length	35 (55 for tractor-trailers)
Height	14

- (3) Handicapped parking spaces. Handicapped parking spaces shall comply with all the requirements of the New York State Building Code.
- (4) Compact car spaces. In any off-street parking facility containing 50 or more spaces, the

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Planning Board may permit up to 1/3 of such spaces to be specifically designed and limited in their use to compact cars subject to the following conditions: **[Amended 11-15-2016 by Ord. No. 240-2016]**

- (a) Compact car parking space dimensions shall be 7.5 feet in width and 15 feet in length.
  - (b) Compact car spaces shall be conveniently located for both vehicular and pedestrian access.
  - (c) Compact car spaces shall be clearly identified by appropriate signage and shall be located in groups of not fewer than five contiguous spaces.
  - (d) Applications providing compact parking in accordance with the provisions herein shall provide a parking analysis prepared by a professional engineer to demonstrate the functionality of the plan.
- (5) Aisle dimensions. All driveway aisles providing access to off-street parking and loading spaces shall be of sufficient width in accordance with the following schedule:

**Aisle Dimensions**

<b>Type of Parking Space</b>	<b>Required Aisle Width (feet)</b>
Perpendicular (90° angle parking)	24 standard space; 20 compact space
60° angle parking (one-way)	18
45° angle parking (one-way)	13
30° angle parking (one-way)	12
Parallel parking (one-way)	12

- C. Tandem parking. Tandem parking spaces may be permitted by the Planning Board to satisfy a portion of the minimum required parking space requirement in parking areas containing 25 or more spaces, provided the following conditions are met:
- (1) It is demonstrated to the satisfaction of the Planning Board that the projected timing of parking space turnover is such that tandem parking will not result in an inconvenience to parkers or an inadequate supply of short-term spaces.
  - (2) Tandem spaces shall not be permitted to exceed 15% of the total number of parking spaces required by this article.
  - (3) This section shall not apply to off-street parking being addressed through § 331-54.2C(3) of this Code.
- D. Valet parking as part of a site plan application. As part of a site plan application, valet parking (space size shall be 7.5 feet by 15 feet) may be permitted by the Planning Board to satisfy the requirements for up to 35% of the total number of spaces required by this article, provided the following conditions are met: **[Amended 5-20-2015 by Ord. No. 114-2015]**
- (1) The Planning Board determines that such valet parking is customary and appropriate for the use it is intended to serve.
  - (2) A sufficient number of valets are to be made available at all hours of the day and all days of the week as determined necessary by the Planning Board.

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- (3) Queuing areas are to be provided as determined necessary by the Planning Board, but in no case are they to have a capacity of less than 5% of the total number of approved valet parking spaces.
- (4) Legal instruments, in form and filing satisfactory to the Corporation Counsel, shall be provided by the property owner guaranteeing the continued use of valet services so long as the uses or structures they serve shall be continued.
- (5) Valet operations shall obtain a special use permit pursuant to Article XXI. **[Added 5-20-2015 by Ord. No. 114-2015]**
- (6) Where more restrictive, the requirements set forth in Article XXI shall govern. **[Added 5-20-2015 by Ord. No. 114-2015]**

### § 331-129. Improvements.

All off-street parking and loading facilities shall be maintained in accordance with plans and specifications approved by the Planning Board.

- A. Surface. All off-street parking, loading facilities, and driveways shall be surfaced with asphaltic cement concrete, Portland cement concrete, paving stone or brick and shall not have a slope in excess of 3%, excluding access ramps. Gravel or other pervious paving may be permitted where conditions require.
- B. Grading and drainage. All off-street parking and loading facilities, other than those serving one- or two-family dwellings, shall be provided with an interior network of drains and/or retention basins capable of retaining and treating the first 1/2 inch of runoff or the runoff resulting from a one year, twenty-four-hour storm event, whichever is greater, from the runoff of the newly constructed impervious areas. If it can be demonstrated to the satisfaction of the Planning Board that retention basins or extended detention facilities are not practical alternatives, other methods recommended in the current NYSDEC Stormwater Management Guidelines, such as reducing the impacts of stormwater runoff from new development, may be used as substitutes. Substitutes may also include the use of dry wells, swales, grit and/or oil separators and filter strips. The basin and all the necessary appurtenances shall be per the Department of Public Works requirements. In addition, the applicant shall utilize the Westchester County Best Management Practices Manual for Erosion and Sediment Control to prepare a sediment control plan acceptable to the Building Official. **[Amended 4-20-2004 by Ord. No. 90-2004]**
- C. Space delineation. For all uses, other than one- or two-family dwellings, all required parking and loading spaces shall be individually delineated by means of painted pavement marking four to six inches in width running the entire length of each space. Standard and compact parking spaces shall be marked with a white-color painted pavement marking, handicap spaces with a blue-color painted pavement marking.
- D. Signage. Appropriate signs and pavement markings shall be provided in all off-street parking and loading facilities as necessary to direct internal traffic flow. Such signs shall generally not exceed two square feet in area.
- E. (Reserved)<sup>2</sup>
- F. Snow storage. All off-street parking and loading facilities shall provide storage areas for snow which will not displace any required parking or access thereto nor impact any landscaping or fencing on

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2. Editor's Note: Former Subsection E, Lighting, was repealed 3-15-2016 by Ord. No. 73-2016.

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the site.

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**§ 331-130. Landscaping and screening. [Amended 5-21-2003 by Ord. No. 106-2003; 4-20-2004 by Ord. No. 90-2004]**

Except for off-street parking lots and spaces accessory to a one- or two-family dwelling, all off-street parking lots and loading facilities shall be curbed, screened and landscaped with appropriate trees, shrubs, ground cover and other plant materials to the establishment of a safe, convenient and attractive facility. Such landscaping and screening shall be planted and maintained in accordance with § 331-119.1 of this chapter and adhere to the following requirements:

- A. Perimeter landscaping. In all off-street parking lots which contain 10 or more parking spaces, perimeter landscaping shall be provided in accordance with the following standards:
  - (1) Landscape strip along right-of-way. A minimum five-foot-wide landscape strip between a right-of-way and the parking lot, planted with a minimum of one deciduous tree and 10 shrubs for every 35 linear feet of frontage (excluding driveway openings), shall be provided.
  - (2) Perimeter landscaping. For all sides of a parking lot not abutting a right-of-way, a landscape strip at least five feet in width, that includes at least one deciduous tree for every 35 linear feet of the perimeter and a continuous row of evergreen shrubs, shall be required, except that the requirements of § 331-119 shall control where more restrictive in terms of buffer setbacks.
- B. Interior landscaping within an off-street parking facility. In all off-street parking facilities which contain 10 or more parking spaces and which are not located in parking garages, interior landscaping (in addition to perimeter landscaping required) shall be provided in accordance with the following schedule: **[Amended 12-11-2007 by Ord. No. 294-2007; 3-17-2009 by Ord. No. 53-2009]**

<b>Total Area of Parking Lot (square feet)</b>	<b>Percent of Total Area of Lot That Must Be an Interior Planting Area</b>
0 - 6,999	0%
7,000 - 49,999	6%
50,000 - 149,999	8%
150,000 or larger	10%

- (1) Raised planting islands shall be provided for all interior landscaping areas and shall be a minimum of eight feet in width, with a curb radius of not less than three feet. Each landscape island shall contain at least one deciduous tree, of not less than three inches caliper and at least six feet in height at the time of planting, with ground cover (including grass and shrubs) and be protected from vehicular encroachment with a concrete or granite curb at least six inches in height.
- (2) Number of trees required. At least one deciduous tree shall be provided within an raised planting island for every 200 square feet of interior planting area required in accordance with Subsection B above.
- (3) Location of raised planting islands shall be provided as necessary to guide vehicle movement, to provide adequate space for plant growth and, where appropriate, to provide for pedestrian circulation and vehicle overhang. Such raised planting islands and the landscaping within them shall be designed and arranged so as to provide vertical definition to major traffic circulation

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aisles, entrances and exits, to channel internal traffic flow, to prevent indiscriminate diagonal movement of vehicles and to provide cooling shade and relief from the visual monotony and summer heat of a large paved parking area. Curbs of such islands shall be designed so as to facilitate surface drainage and to prevent vehicles from overhanging sidewalks and damaging landscaping materials.

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- (a) A raised planting island, at least eight feet in width, shall be provided between opposing rows of parking spaces.
  - (b) Within rows of parking, raised landscape islands shall be provided for every 25 parking spaces, to divide up rows into not more than 25 contiguous spaces.
  - (c) The edge of each landscaping row shall be defined with a raised landscape island.
- (4) The selection, amount and location of all landscaping materials shall be subject to approval by the Building Official for off-street parking lots and spaces accessory to a one- or two-family dwelling and shall be subject to approval by the Planning Board for all other indoor and outdoor off-street parking lots, and parking spaces accessory to all dwelling units and all other uses, which are part of a site plan application, based upon considerations of the adequacy of the proposed landscaping to serve its intended purpose (and the purpose of § 331-119.1 of this chapter) with minimal maintenance, including plant care, snowplowing, leaf removal, and general compatibility with motor vehicles and pedestrians.
  - (5) All landscaping shall continue to be maintained in a healthy growing condition throughout the duration of the structure or use which it is intended to serve in accordance with § 331-119.1. Any planting not so maintained shall be replaced with new plants at the beginning of the next, immediately following, growing season.
  - (6) The design and maintenance of landscaping and screening shall create no obstruction to driver vision at traffic intersection areas.

C. Screening.

- (1) All off-street parking lots and loading facilities shall be screened along their perimeter where they abut streets, public spaces, and residence districts in accordance with these regulations. The Planning Board may allow a wall or fence of location, height, design, and material determined suitable to be substituted for or to supplement the required screening.
- (2) Where a parking lot in a nonresidential district is adjacent to a residential district, it shall be screened along the entire property line abutting the residence district with an opaque wooden stockade fence (at least six feet in height) in addition to the required perimeter landscaping required above.
- (3) The Planning Board may waive the requirements for deciduous and evergreen plantings and may substitute alternative species when, in its judgment, such substitution is desirable. The Planning Board may also waive the requirement for the opaque wooden stockade fence referred above and may substitute alternative fencing, landscaping or screening when, in its judgment, such substitution is desirable.

**§ 331-131. Operation and maintenance.**

- A. Permanent maintenance. Required off-street parking and loading facilities shall be maintained so long as the use or structure exists which the facilities are designed to serve.

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B. Operation. The operation of off-street parking and loading facilities shall be conducted in such a manner as to limit their use to licensed motor vehicles on a transient basis. The servicing, repair, fueling or storage of motor vehicles or trailers shall not be permitted in such areas.

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