

ARTICLE X
Off-Street Parking and Loading

§ 43-127. Off-street parking and loading spaces required.

Except as provided for in § 43-130, all uses of land, buildings and structures shall be required to meet the off-street parking and loading spaces regulations and standards as required herein. No certificate of occupancy shall be issued for any use, building or structure, whether for a new, enlarged, otherwise altered building or structure or for a change of use of land, building or structure, until such off-street parking and loading spaces have been established in accordance with the requirements of this chapter. All uses for which handicapped spaces are required shall provide parking spaces for the handicapped in accordance with the requirements of the Americans with Disabilities Act and the New York State Uniform Fire Prevention and Building Code.

§ 43-128. Schedule of off-street parking requirements.

The following schedules represent the minimum number of off-street parking spaces (Table 43-4) and minimum number of off-street loading spaces (Table 43-5) that shall be provided in conjunction with all uses, buildings and structures within the City of Yonkers except as provided for in §§ 43-130 and 43-132.²⁵ Except as provided in § 43-132C, where a lot contains more than one use, the minimum requirements shall be satisfied for each and every such use. Where the calculation of number of parking spaces required results in a whole number with a fraction, the required number shall be rounded up to the next whole number. For uses that do not fall within the categories listed, or for uses for which no minimum number of parking or loading spaces is provided in the schedules, the approving board shall utilize the next closest use category or shall request the Traffic Engineer to recommend a minimum off-street parking or loading requirement for such use based upon the specific nature of such use and upon accepted engineering practice.

§ 43-129. Limitation on reserved spaces and visitor spaces.

- A. In any private open-air parking lot or private parking garage accessory to a multifamily residential use or any semipublic parking lot or semipublic parking structure where a total of more than 20 parking spaces are provided to meet the minimum requirements of this chapter, at least 10% of such spaces shall be set aside for visitors or shall be unassigned spaces.
- B. Parking spaces in semipublic open-air parking lots and semipublic parking structures may be shared or jointly utilized by two or more uses, including joint use by residential tenants and nonresidents, provided that the standards of §§ 43-132C and 43-134 have been met.

§ 43-130. New buildings or structures exempt from providing off-street parking and loading. [Amended 4-11-2006 by G.O. No. 1-2006; 12-8-2009 by G.O. No. 8-2009; 6-25-2013 by G.O. No. 5-2013]

New building or structures, or enlarged or otherwise altered buildings or structures in a

25. Editor's Note: Table 43-4 and Table 43-5 are included at the end of this chapter.

historic district in the D-MX District, shall be exempt from providing new or additional off-street parking and loading spaces for nonresidential uses (except restaurant and eating and drinking establishments) with less than or equal to 4,000 square feet per establishment up to a total of 9,000 square feet in total nonresidential uses per building.

§ 43-131. Parking for existing uses, buildings or structures.

- A. Uses or buildings and structures in existence or for which building permits have been granted 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 then existing to serve such uses, buildings or structures shall not in the future be reduced, or redesignated to serve other buildings, structures or uses, except to the extent that they exceed such requirements.
- B. At the time of any enlargement or expansion of such existing uses, buildings or structures in the future:
- (1) Required parking and loading spaces for that part of the use, building or structure that constitutes an enlargement or an expansion shall be provided in accordance with the requirements of this chapter. The provisions of § 43-131 above to the contrary notwithstanding, to the extent deemed physically possible, feasible and reasonable by the agency approving a site plan or special use permit, required parking and loading facilities shall be provided in accordance with the requirements of this chapter on the same lot with the use, building or structure for the existing portion of such structure that is legally nonconforming as to parking and loading space requirements.
 - (2) The approving agency shall not permit a reduction or elimination of whatever quantity of parking or loading space that may already exist, except to the extent that it may exceed such requirements.
- C. At the time of any change of uses of such existing building or structure or at the time of any change to such existing building or structure other than an enlargement or expansion in the future:
- (1) Required parking and loading facilities shall be provided in accordance with the requirements of this chapter to the extent that the requirements for such establishments were increased by the change.
 - (2) The provisions of § 43-131B(1) above to the contrary notwithstanding, to the extent deemed physically possible, feasible and reasonable by the agency approving a site plan or special use permit, required parking and loading spaces shall be provided in accordance with the requirements of this chapter on the same lot with the use, building or structure for that portion of the requirements not attributable to any such change in the case of a use, building or structure that is legally nonconforming as to parking or loading requirements.
 - (3) The approving agency shall not permit a reduction or elimination of whatever quantity of parking or loading space that may already exist, except to the extent that it may exceed such requirement.

§ 43-132. Alternate methods of providing parking.

- A. Applicability. In the districts so indicated on the schedule of accessory parking uses, any applicant required to provide off-street parking in connection with a use, building or structure, may make an application by special use permit to provide an alternative means of satisfying the off-street parking requirements for that use, building or structure, as provided herein.
- B. Fee in lieu of parking.
- (1) In lieu of providing all or a portion of the required off-street parking spaces, an applicant may request the City Council to accept, following an affirmative vote in favor thereof by the Planning Board, a cash payment to the City of Yonkers Parking Reserve Fund to satisfy the number of parking spaces required in this chapter: The City Council may at its discretion accept all or a portion of the offered fee in lieu of parking in substitution for all or a portion of the required parking spaces. Where appropriate, it may require the submission of studies and plans demonstrating that practical considerations preclude the provision of such parking spaces by the applicant.
 - (2) The amount of the fee in lieu of parking required in such cases shall be established and reviewed on an annual basis by the Planning Board and approved by the City Council, based on the projected construction cost for municipal provision of the required parking spaces, operating costs where the parking spaces are not revenue producing and any loss in taxes resulting from municipal provision of such parking spaces. Provision may be made for periodic payment of an amount to cover operation and maintenance costs.
 - (3) By acceptance of the fee in lieu of parking, the City of Yonkers undertakes to provide parking of a type, location and quantity appropriate for the particular use within a reasonable period of time, taking into account the existing supply and demand for parking in the area of said use. The City may charge for the use of such spaces an amount generally consistent with the charge for other publicly provided parking in the same area.
 - (4) At least that portion of the fee in lieu of parking which is based on the projected construction cost shall be placed in the City of Yonkers Parking Reserve Fund. The expenditure of revenues from such Parking Reserve Fund shall be limited exclusively to those actions designed to increase the quantity and/or the quality of parking spaces available to serve properties within the district in which the fee in lieu of parking has been accepted.
- C. Shared parking. The agency approving a site plan may allow off-street parking and loading spaces required for uses, buildings or structures on the same or on adjacent lots to be provided in a common semipublic parking lot, or more than one said lots, or in a semipublic parking garage, subject to the following:
- (1) The total capacity of the common facility shall be the sum of the requirements of each individual use, except that said total capacity may be reduced by the approving agency, provided that the applicant provides credible evidence to the satisfaction of the approving agency that the peak parking demand of the two or more uses sharing such a facility do not coincide, and that the

accumulated parking demand at any one time of the two or more uses sharing the facility shall not exceed the total capacity of the facility. Such evidence shall indicate the use of the facility by residents, employees, customers and visitors on both weekdays and weekends and both during the day and overnight.

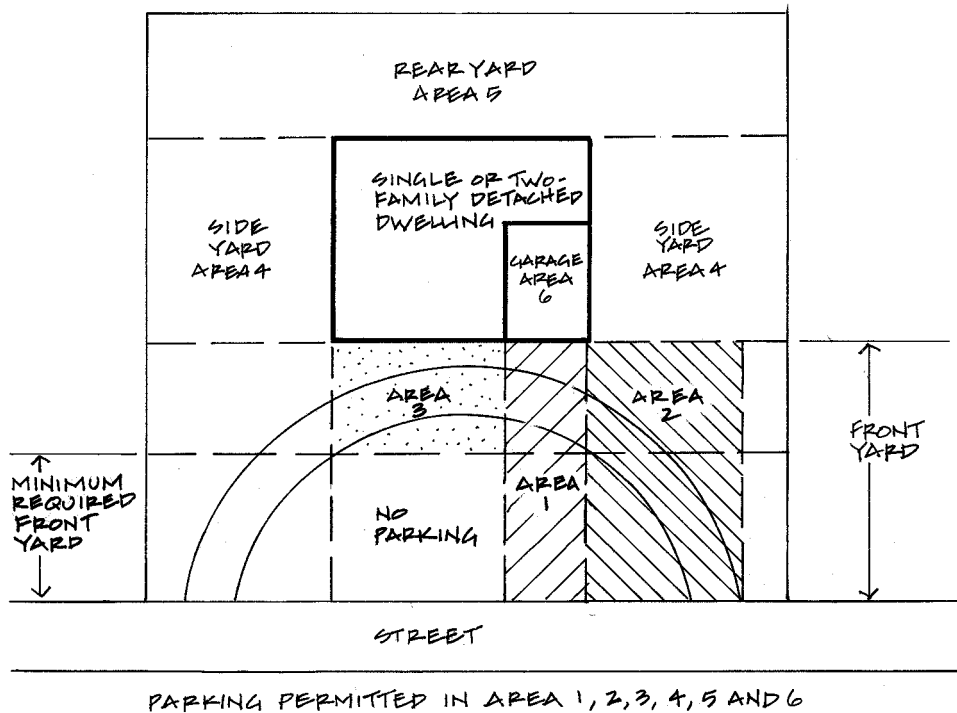
- (2) As a condition of its approval, the approving agency shall require a legal instrument satisfactory to the Corporation Counsel of the City of Yonkers assuring the continued existence and use of such shared parking spaces in connection with the uses, buildings and structures that they serve. Such instrument shall also guarantee that, upon termination of such use, each individual participant shall provide off-street parking and loading spaces for its own use in accordance with all requirements of this chapter.
 - (3) No shared parking facility shall be located more than 300 feet from any of the uses, buildings or structures which it serves as measured from the property line of the use, building or structure to the property line of the shared parking facilities.
- D. Shared parking in the GC, CB and DW Districts. The agency approving a site plan may allow off-street parking and loading spaces required for uses, buildings or structures on the same or different lots to be provided in one or more semipublic parking structures or semipublic open-air parking areas, and in the GC, CB and DW District, one or more public parking garages or public parking lots, subject to the following: **[Added 5-19-2009 by G.O. No. 3-2009]**
- (1) The total capacity of the common facility shall be the sum of the requirements of each individual use, except that said total capacity may be reduced by the approving agency, providing the applicant provides credible evidence to the satisfaction of the approving agency that the peak parking demands of the two or more uses sharing such a facility do not coincide, and that the accumulated parking demand at any one time of the two or more uses sharing the facility shall not exceed the total capacity of the facility. Such evidence shall indicate the use of the facility by residents, employees, customers and visitors on both weekdays and weekends and both during the day and overnight.
 - (2) As a condition of its approval, the approving agency shall require a legal instrument satisfactory to the Corporation Counsel of the City of Yonkers assuring the continued existence and use of such shared parking spaces in connection with the uses, buildings and structures that they serve. Such instrument shall also guarantee that upon termination of such use, each individual participant shall provide off-street parking and loading spaces for its own use in accordance with all requirements of this chapter.
 - (3) No shared semipublic parking facility shall be located more than 300 feet and no shared public parking facility shall be located more than 500 feet, measured by the shortest publicly available route for pedestrian travel, from the property line of the uses, buildings or structures which such shared parking facility serves to the pedestrian entrance of such shared parking facility closest to such property line.

§ 43-133. Location of off-street parking and loading spaces.

A. Off-street parking spaces shall be provided in accordance with the following requirements:

- (1) Single- and two-family dwellings. Off-street parking spaces shall be provided on the same lot as the structure or use they serve and shall only be located within a building or in a side or rear yard. (See Illustration No. 29.)

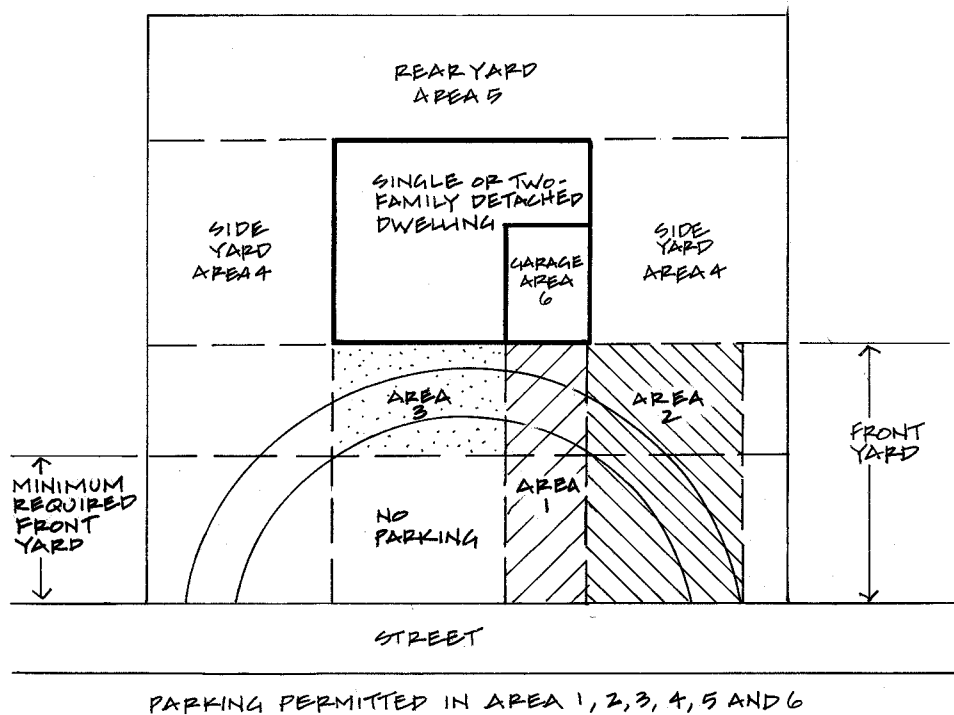
ILLUSTRATION 29: PARKING ON DETACHED SINGLE- AND TWO-FAMILY LOTS



- (2) Other residential uses. Off-street parking spaces shall be provided within the rear yard, except that, for multifamily residential buildings which have views of the Hudson River, parking may be located in other yards so as to preserve such views of the river.
- (3) In nonresidential districts, required off-street parking spaces may not be located within the minimum front and side yard setback, and not closer than 10 feet to the principal building on the lot, subject to review and approval in accordance with § 43-134, as appropriate.
- (4) For properties containing single- and two-family dwellings, parking spaces for a maximum of two private passenger vehicles, currently licensed and in active use, may also be located within a paved driveway, constructed in accordance with a valid building permit, which is located within that portion of the front yard:

- (a) Directly in front of a garage which is integral with the residence structure and has its entrance door within the front wall thereof (Area 1 in Illustration No. 29);
- (b) Immediately contiguous to and an extension of the side yard immediately abutting the driveway (Area 2 in Illustration No. 29);
- (c) Immediately abutting the driveway which is not within the minimum required front yard setback and is not an extension of the side yard and provided that the edge immediately abutting the minimum required front and side yards are adequately landscaped (Area 3 in Illustration No. 29); or
- (d) Between any building and the minimum required front yard in cases of circular driveways with two curb cuts. (See Illustration No. 29.)

ILLUSTRATION 29: PARKING ON DETACHED SINGLE- AND TWO-FAMILY LOTS



- (5) In the case of corner lots for single- and two-family detached dwellings, off-street parking spaces shall be set back from all street lines a distance equal to the front yard requirements on such side street, unless corner lots are back to back, in which case such off-street parking spaces shall be set back at least 10 feet.
- (6) Access to a semipublic open-air parking lot or a semipublic parking garage serving a nonresidential use shall not be permitted through a lot containing a single- or two-family detached dwelling or through a single- and two-family

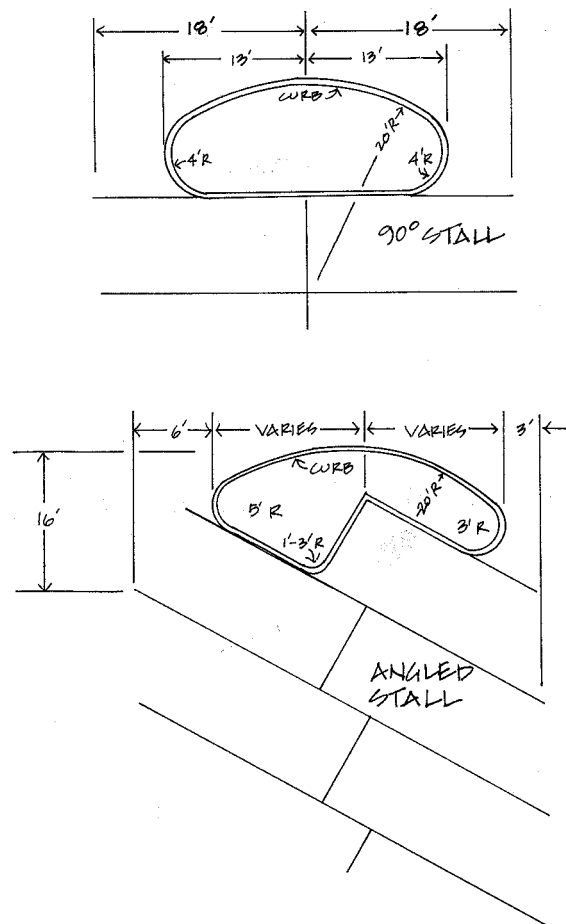
residential district.

- B. Off-street loading spaces may be located within any building, within a side or rear yard, or within a required off-street parking lot provided that such spaces do not block access to such parking lot or any parking space.

§ 43-134. Design and layout of off-street parking and loading spaces.

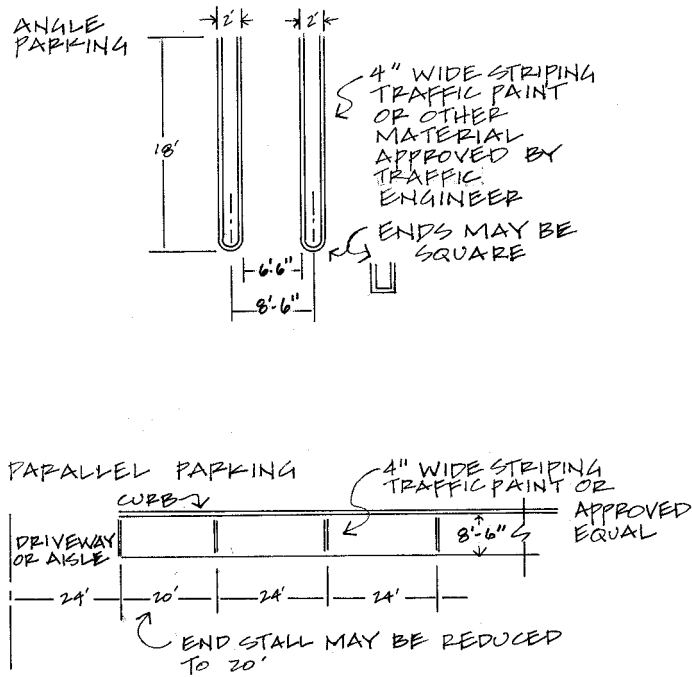
- A. Layout. All off streets parking lots shall be designed in accordance with the following requirements:
- (1) Unobstructed access from a parking or loading area to and from a street shall be designed so as to not require the backing of any vehicle across a sidewalk or into a street, except for permitted single- and two-family dwellings. One of the minimum required parking spaces for each dwelling unit in a single- or two-family lot may have its access obstructed by the other parking space provided for that same dwelling unit.
 - (2) In order to provide maximum efficiency, minimize curb cuts and encourage safe and convenient traffic circulation, an applicant may apply, or the agency approving a site plan may require, that an interconnection of parking lots via access drives within and between adjacent lots be provided. The agency may require written assurance such as deed restrictions, satisfactory to the Corporation Counsel, binding the owner and his heirs and assigns to permit and maintain such interconnection of parking lots.
 - (3) Off-street parking areas shall be designed to prevent the maneuvering of vehicles into or out of parking spaces or the storage of vehicles within any portion of an entrance driveway or driveway that is within 10 feet of the right-of-way line of any road.
 - (4) No required off-street parking space, including adjacent parking access lanes or maneuvering space, shall be located within the existing or proposed right-of-way of any road, nor within 10 feet of any existing or proposed right-of-way line of a public street or highway. Fire lanes shall be provided to give access to buildings for fire fighting, as required by the Commissioner of the Department of Housing and Buildings.
 - (5) Parking spaces shall be usable without requiring excessive maneuvering when all other spaces are occupied by vehicles. The approving agency shall make a determination of whether the parking space is usable. Parking spaces that are not usable shall not count towards satisfying any parking requirement and shall not be approved.
 - (6) In order to provide visibility and definition at the ends of parking aisles, a planted area enclosed by concrete curbing shall be provided. Applicants shall be encouraged to provide such planted areas as shown in Illustration No. 30.

ILLUSTRATION 30: END ISLANDS FOR PARKING AISLES



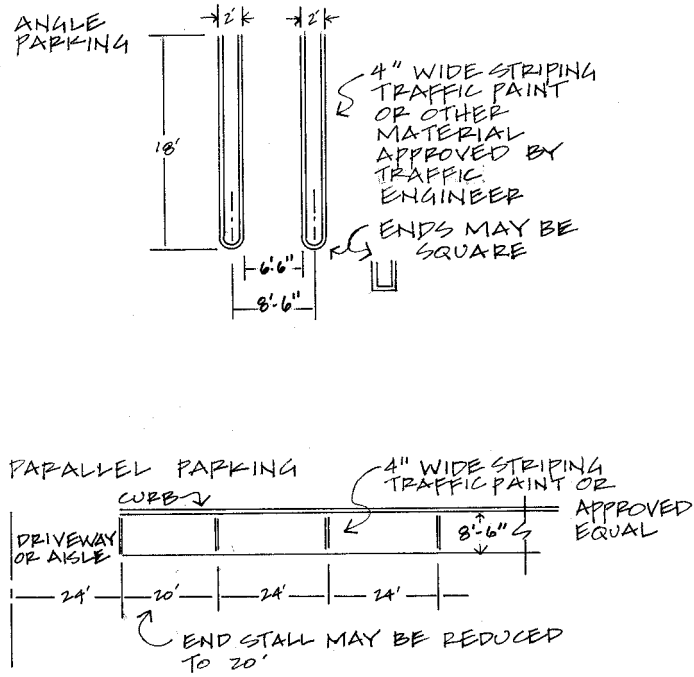
- (7) Dead-end parking aisles shall not be permitted except where unavoidable, as determined by the approving agency.
- (8) Concrete wheel stops or raised curbing or other appropriate means shall be provided as required by the approving agency and shall be so located as to prevent the overhang of any vehicle into any pedestrian sidewalk or landscaped area or required buffer area.
- (9) Each parking space shall be not less than 8 1/2 feet wide and 18 feet long, except that, where parking is parallel to a curb or along the wall of a building, spaces shall be 8 1/2 feet wide by 24 feet long for all spaces other than the front end and back end of the line of spaces provided, which may be 20 feet in length. (See Illustration No. 31.) Parking spaces for the handicapped shall be in accordance with the Americans with Disabilities Act and the New York State Uniform Fire Prevention and Building Code. The approving agency may allow perimeter parking spaces to be 17 feet long where a two-foot bumper overhang space is provided, which space shall not count toward the amount of required planting or planted buffer area.

ILLUSTRATION 31: TYPICAL PARKING STALLS



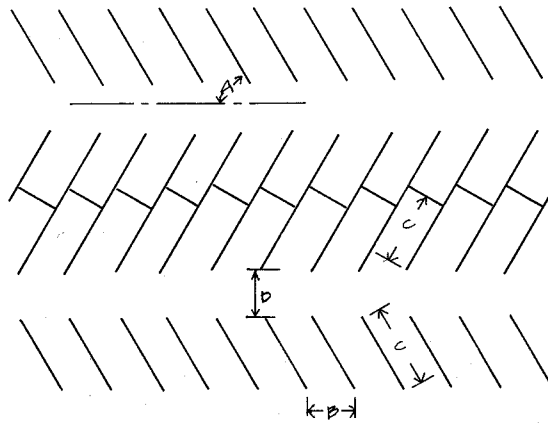
- (10) The side perimeter of each parking space shall be delineated by painted lines on the pavement. These and other markings in parking areas shall conform to the specifications shown in Illustration No. 31.

ILLUSTRATION 31: TYPICAL PARKING STALLS



- (11) The facilities provided in any parking area and their arrangement shall not be changed without due consideration and approval by the Planning Board. Furthermore, any modification of fire lanes in a parking area shall also be reviewed and approved by the City Fire Commissioner.
- (12) Parking aisles and parking stalls shall be provided in accordance with the specifications shown in Illustration No. 32, except that for parking lots of less than 10 cars a one-way parking aisle for angled parking may be 12 feet and a two-way aisle may be 18 feet in width.

ILLUSTRATION 32: PARKING STALL LAYOUTS



PARKING ANGLE - A	CURB LENGTH - B	STALL DEPTH - C	AISLE - D
30°	18'-0"	17'-4"	16'-0"
45°	12'-9"	19'-10"	16'-0"
60°	10'-5"	21'-0"	18'-0"
90°	8'-6"	18'-0"	24'-0"

(13) The approving agency may, on the recommendation of the Traffic Engineer, waive or grant exceptions or modifications to the dimensions required in this subsection, based on consideration of expected turnover, nature of occupancy, volume and pattern of traffic circulation, vehicle size, angle of parking, nature of the structure and accepted engineering practice.

B. Off-street loading spaces.

- (1) Off-street loading berths shall be located entirely upon the lot, and no truck or trailer truck occupying any such berth shall project into or encroach upon a public sidewalk or upon the roadway of a public street.
- (2) Such truck loading and unloading berths may be provided within the building lines or on the same lot as the building or in an area designed to serve jointly two or more buildings within the same block, provided that such joint area is adequate in both capacity and general layout.
- (3) Each off-street loading space shall measure at least 15 feet in width, at least 14 feet in height, and 40 feet in length, exclusive of access and turning areas, except that adjacent loading spaces may be each 12 feet in width.

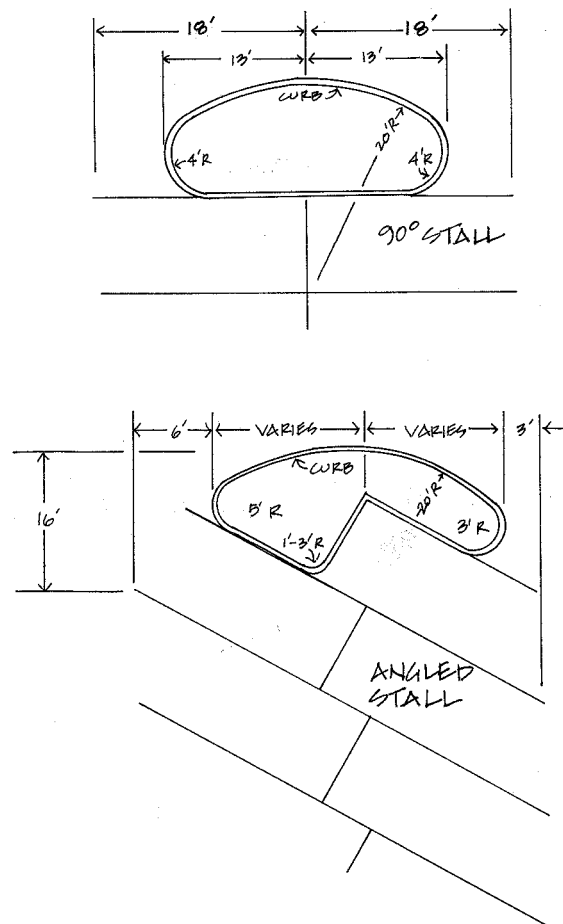
C. Paving and grading.

- (1) Parking areas, aisles, parking spaces and private roadways and driveways shall be paved with an impervious surface in accordance with Yonkers building codes. However, the approving agency may require paving with material that is not impervious if drainage conditions on the site, upstream or downstream of the site, warrant it, or to allow for settling in a particular area.
- (2) A parking area shall be drained so as to properly dispose of all surface water

falling thereon.

- (3) In off-street parking lots or garages a parking space shall have a minimum grade of 1% and a maximum grade of 8% or as required by the Traffic Engineer.
- D. Parking lot illumination. Outdoor parking areas shall be illuminated in accordance with the standards provided for in § 43-121B.
- E. Parking lot landscaping.
- (1) Except for parking serving single- and two-family dwellings, suitable landscaping shall be provided, as required by the agency approving the site plan, along the periphery of all parking lots, parking garages and loading spaces where they abut streets, public spaces and residential districts. Such screening shall be in accordance with the requirements of § 43-121H.
 - (2) Except for parking lots accessory to one- or two-family dwellings, and parking lots with less than 20 total spaces, parking lots and loading spaces shall be curbed, screened and landscaped with appropriate trees, shrubs, ground cover and other plant materials within the parking lot to assure the establishment of a safe, convenient and attractive facility. Such landscaping shall be planted and maintained in accordance with the following requirements:
 - (a) At least 6% of the total parking lot area shall be so landscaped, and at least one tree, of not less than three inches caliper, shall be provided within such parking lot for each 12 parking spaces.
 - (b) Raised planting islands as shown in Illustration No. 30 shall be provided as necessary to guide vehicle movement and to separate opposing rows of parking spaces and to provide adequate space for plant growth, 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 aisles, entrances and exits, to channel internal traffic flow, to prevent indiscriminate diagonal movement of vehicles and to provide cooling shade and visual relief from the visual monotony and summer heat of a large paved parking lot. Curbs of such islands shall be designed so as to facilitate surface drainage and to prevent vehicles from overhanging sidewalks and damaging landscaping materials.

ILLUSTRATION 30: END ISLANDS FOR PARKING AISLES



- (3) The selection, amount and location of all landscaping materials shall be subject to approval by the agency approving the site plan, based upon considerations of the adequacy of the proposed landscaping to serve its intended purpose with minimal maintenance problems, including plant care, snow plowing and leaf removal.
 - (4) All landscaping shall continue to be maintained in a healthy growing condition throughout the duration of the use, building or structure which it is intended to serve. Any planting not so maintained shall be replaced with new plants at the beginning of the next, immediately following, growing season.
 - (5) The placement of landscaping shall not obstruct a driver's vision at traffic intersections or driveway openings.
- F. Parking signage. Appropriate signs shall be provided in parking lots and parking garages to direct internal traffic flow. Such signs shall generally not exceed one square foot in area except that the approving agency, on the advice of the Traffic Engineer, may recommend a standard different from the above, where it is

determined to be appropriate, based on the particular circumstances involved and based on accepted engineering practice.

§ 43-135. Parking lot or facility operation and maintenance.

Required off-street parking facilities shall be maintained so long as the use, building or structure exists which the facilities are designed to serve. Required parking spaces developed for specific uses, buildings or structures shall be reserved for the tenants, employees, residents, customers and guests who make use of such uses, buildings or structures.

§ 43-136. Deferred parking improvement.

Where the agency approving a site plan determines, in connection with its review of a site plan, that less than the required number of parking or loading spaces may be required to satisfy the intent of this chapter, such agency may defer the paving and improvement of a portion of the lot, but for not more than 1/3 of the total number of parking spaces required by this chapter. In all cases, it shall be expressly demonstrated on the site plan that sufficient space remains for the provision of the total amount of off-street parking as required, and the site plan shall bear such a designation. Such unimproved portion of the parking lot shall be used and maintained as additional landscaped grounds until required for parking. Written guaranties, satisfactory to the Corporation Counsel, shall be submitted by the applicant ensuring the improvement of such spaces within six months of the date of written notice to the property owner by the agency, stating that all or a portion of such spaces have now been determined to be necessary and should be so improved.

§ 43-137. Required parking in CB District and GC District. [Added 5-19-2009 by G.O. No. 3-2009]

A. Notwithstanding § 43-128 and Table 43-4 in the CB District and GC District in a designated development site, the minimum number of required off-street parking spaces for the following uses shall be set forth below:

Use	Minimum Number of Spaces
Apartments	1 per dwelling unit
Commercial recreation uses, outdoor-minor league, baseball park	1 per 4 spectator seats
Offices	1 per 500 square feet of gross floor area
Medical offices	1 per 400 square feet of gross floor area
Planned shopping centers	1 per 350 square feet of gross floor area
Restaurants	1 per 150 square feet of gross floor area
Retail craft uses	1 per 450 square feet of gross floor area
Retail establishments	1 per 350 square feet of gross floor area
Supermarkets	1 per 350 square feet of gross floor area
Wholesale price clubs and big-box retail stores	1 per 350 square feet of gross floor area

Use	Minimum Number of Spaces
Theaters or movie theaters	1 per 3 seats

B. For all other uses the minimum required number of off-street parking spaces shall be as set forth in Table 43-4.

§ 43-138. Reduced parking requirements for certain apartment houses and live-work buildings. [Added 12-8-2009 by G.O. No. 8-2009; amended 6-25-2013 by G.O. No. 5-2013]

For new construction of apartments and live-work units within 1/4 of a mile, by available pedestrian routing, of an active train station used for passenger rail-transportation purposes, the minimum number of required parking spaces shall be one parking space per apartment and/or live-work unit. For the purpose of this section, the measurement of 1/4 of a mile shall begin from the residential lot line of the apartment house or live-work building and end at the entrance to the train station by a route of pedestrian travel using public sidewalks or such alternate routes, as approved by the Yonkers Planning Board, that are determined to be safe and permanent.

§ 43-139. through § 43-141. (Reserved)