Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

104-43 - Open Area Standards

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104-43 - Open Area Standards

LAST AMENDED
12/19/2007

104-431 - Access and hours of public accessibility

LAST AMENDED
12/19/2007

All open areas shall be accessible directly from an adjoining public sidewalk, except as otherwise provided in this Chapter. No fences or gates shall be permitted anywhere within the open areas, except as permitted in Section 104-42 (Open Areas).

All open areas except the Square and the East/West Open Area shall be accessible to the public 24 hours per day, seven days a week.

The Square and the East/West Open Area shall be accessible to the public seven days per week, from the hours of 7:00 a.m. to 8:00 p.m., from November 1 through April 14, and from 7:00 a.m. to 11:00 p.m. from April 15 through October 31.

All open areas may be closed not more than one day each year, on a non-holiday weekend day in January, to preserve the private ownership of such areas, except the Square and the East/West Open Area may each be closed by its respective owner for private events and activities for a maximum of 12 days in each calendar year, which days shall not include public holidays. Advance notice of such closing shall be posted at the perimeter of the Square and the East/West Open Area and shall be provided to the Chairperson of the City Planning Commission not less than 24 hours prior to each such closing.

104-432 - Lighting

LAST AMENDED
12/19/2007

All paved areas shall be illuminated with a minimum level of illumination not less than two horizontal foot candles (lumens per foot) throughout. All other areas shall have a minimum level of illumination not less than 0.5 horizontal foot candles (lumens per foot). Such level of illumination shall be maintained from one hour before sunset to one hour after sunrise. Electrical power shall be supplied by one or more outlets furnishing a total of at least 1,200 watts of power for every 4,000 square feet, or fraction thereof, of the area of the open space.

104-433 - Maintenance and operation

LAST AMENDED
12/19/2007

The owner of each open area within Subdistrict A shall be responsible for its maintenance and operation. Maintenance shall include, but not be limited to, necessary repairs, litter control and the care and replacement of vegetation. The owner of an open area may temporarily close the smallest portion reasonably necessary for the shortest period of time reasonably necessary to make repairs or to mitigate hazardous or emergency conditions, or in connection with construction on adjacent Parcels. The owner may establish and enforce rules of conduct for the use of the open areas and standards for permits for events and activities in an open area. Rules and regulations for the open areas will be subject to review and approval by the Chairperson of the City Planning Commission.

No vehicles shall be stored on any of the open areas.