Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

107-223 - Permitted obstruction in designated open space

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LAST AMENDED
12/5/2024

The following shall not be considered as obstructions when located in #designated open space#:

(a) Awnings and other sun control devices, pursuant to Section 23-311 (Permitted obstructions in all yards, courts and open areas);

(b) Balconies, unenclosed, subject to the provisions of Section 23-62;

(c) Eaves, gutters or downspouts projecting into such #designated open space# not more than 16 inches;

(d) Fences or walls, conditioned upon certification by the City Planning Commission that:

(1) such fences or walls will not obstruct or preclude public access or circulation of pedestrians, cyclists or horseback riders through the public easement within #designated open space#; and

(2) the location, size, design and materials of such fences or walls are appropriate to the character of the #designated open space#;

(e) #Qualifying exterior wall thickness#, pursuant to Section 23-311;

(f) Solar energy systems on walls pursuant to Section 23-311.

No #accessory# off-street parking facilities shall be permitted in #designated open space#. No #building or other structure# shall be erected in #designated open space# except as permitted by the provisions of Section 107-221 (Active recreational facilities). Any existing #building or other structure# located within the #designated open space# on November 2, 2023, and not complying with

the provisions of this Section or the other Sections specified in the preceding paragraph, shall not be #enlarged# but may be continued as a #non-conforming# #use# or #non-complying# #building# subject to the applicable provisions of Article V (Non-conforming Uses and Non-complying Buildings) in accordance with the underlying district regulations.