Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

134-45 - Fences

File generated by https://zr.planning.nyc.gov on 11/15/2026

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LAST AMENDED
5/27/2021

Fences, where provided, shall be considered permitted obstructions within any of the connections or open spaces required by Section 134-40 (REQUIREMENTS FOR CONNECTIONS AND OPEN AREAS), inclusive, provided they comply with the requirements of this Section:

(a) no fence shall be permitted within any clear circulation path required by Section 134-40, inclusive;

(b) within any required connection or open space, fences shall only be permitted:

(1) at the perimeter of recreation spaces, such as any playgrounds, tot lots, or dog runs, provided within such connection of open space; and

(2) along the boundary of an adjoining open #commercial# #use# or other private area;

(c) a fence shall have a maximum height of four feet measured from the adjoining grade level, and must be at least 70 percent open; and

(d) chain link fencing or barbed or razor wire fencing shall not be permitted.

The City Planning Commission may authorize modification of provisions of paragraphs (a) and (b) of this Section, upon a finding that such modification is necessary to facilitate site safety and operations, and does not adversely impact access to the required connection or open s[pace during operable hours. Fences which are permitted pursuant to this authorization may rise to a maximum height of five feet

measured from the adjoining grade.

Any application to authorize modification of the provisions of paragraphs (a) and (b) of this Section shall be referred to the local Community Board. The Commission shall not grant such authorization prior to forty-five (45) days following the referral.