Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Daniel R. Garodnick, Chair

26-51 - Special at-grade Screening and Enclosure Regulations

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LAST AMENDED
12/5/2024

In all districts, all #energy infrastructure equipment# and #accessory# mechanical equipment shall be subject to the following provisions when not located on a #building# rooftop or within a #completely enclosed building#, whether or not such equipment is located within a required #open space#, #yard#, or #court#:

(a) all generators and cogeneration equipment utilizing fossil fuels which are #accessory# to #buildings# other than #single-# or #two-family# #residences# shall be completely enclosed within a #building or other structure#, except as necessary for mechanical ventilation;

(b) all other types of equipment, including generators and cogeneration equipment serving #single-# or #two-family# #residences#, may be unenclosed, provided that such equipment is located at least five feet from any #lot line# and, where located between a #street wall# or prolongation thereof, and the #street line#, such equipment is within three feet of a #street wall#;

(c) where the area bounding all such equipment, as drawn by a rectangle from its outermost perimeter in plan view, exceeds 25 square feet, such equipment shall be screened in its entirety on all sides. Such screening may be opaque or perforated, provided that where perforated materials are provided, not more than 50 percent of the face is open;

(d) where any equipment is located in a #front yard#, or is located between the #street wall, or prolongation thereof, and a #street line#, the entire width of such portion of such equipment facing a #street#, whether open or enclosed, shall be fully screened by vegetation; and

(e) where #energy infrastructure equipment# is located within 15 feet of a #zoning lot line#, the equipment shall be fully screened from adjoining #zoning lots#, including such #zoning lots# situated across a #street#, by:

(1) a wall or barrier or uniformly painted fence at least as tall as the equipment it is screening, but need not exceed 15 feet in height. Such wall, barrier or fence may be opaque or perforated, provided that not more than 50 percent of the face is open; and

(2) a strip at least four feet wide and densely planted with vegetation that, at the time of planting are at least half as tall in height as the screen required by paragraph (1), and are of a type which may be expected to form a year-round dense screen at least six feet high within three years.

(f) However, no screening shall be required for:

(1) equipment with a depth limited to 18 inches from an exterior wall;

(2) solar energy systems; and

(3) wind energy systems.

Such screening shall be maintained in good condition at all times, may be interrupted by normal entrances or exits and shall have no signs hung or attached thereto.