Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

107-46 - Yard and Court Regulations

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107-46 - Yard and Court Regulations

LAST AMENDED
6/29/1989

107-461 - Side yards

LAST AMENDED
12/5/2024

In R2 and R3 Districts, for #zoning lots# containing only #single-# or #two-family detached residences#, two #side yards#, each with a minimum width of five feet, and a total width of 15 feet, shall be provided.

107-462 - Side yards for permitted non-residential use

LAST AMENDED
12/5/2024

For #community facility# #buildings# or other #buildings# used for permitted non-#residential uses# in #Residence Districts#, the provisions of Section 24-35 (Minimum Required Side Yards) shall apply to such #community facility# #buildings#, except that no #side yard# shall have a width less than 10 feet and, in the case of #buildings# more than three #stories# in height, the required total width of both #side yards# shall not be less than 25 feet.

Where greater widths of #side yards# are required by the provisions of Section 24-35 than by the provisions of this Section, such requirement of greater width shall apply.

107-463 - Modifications of special yard regulations for certain zoning lots

LAST AMENDED
12/5/2024

On application, the City Planning Commission may, by certification, modify the underlying #rear yard# regulations and thereby allow #single-# or #two-family residences# to be built on the #side# or #rear lot line#, provided the following conditions are satisfied:

(a) When a #building# is located on the #side lot line#, the entire required #side yard# equivalent shall be provided along the other #side lot line# of the same #zoning lot#. On the adjacent #zoning lot# there shall be a #side yard# of at least 10 feet, #abutting# the #building# wall which is located on the #side lot line#.

(b) When a #single-# or #two-family residence# is located on the #rear lot line#, the #zoning lots# #abutting# the entire #rear lot line# shall provide a #rear yard# of at least 40 feet. If the #building# on either #zoning lot# has a height greater than two #stories#, then such #building# shall have a 10-foot rear setback above the height of the second #story#.

(c) When #single-# or #two-family residences# share a party wall along the #rear lot line#, if at any level either #building# is set back from the #rear lot line#, each #building# shall have a setback at the same height and such rear setback shall be at least 20 feet in depth.

The Commission shall also find that:

(1) such modifications of #side# or #rear yards# or equivalents blend harmoniously with the entire development;

(2) there is no adverse effect with regard to adequate light and air to the #residences#;

(3) such modification results in the maximum preservation of trees;

(4) there is an agreement which provides access for maintenance of the #building# wall located on the #lot line#; and

(5) a condition to the grant of any certification shall be that the requirements of Section 107-90 (SPECIAL ADMINISTRATIVE PROVISIONS FOR RECORDATION) have been satisfied.

107-464 - Court regulations

LAST AMENDED
12/5/2024

The #court# regulations as set forth in Section 23-35 shall apply except as modified by this Section.

For any #building# containing #residences# not more than one #story# in height, the area of an #inner court# shall not be less than 225 square feet and the minimum dimension of such #inner court# shall not be less than 15 feet.

For any #building# containing #residences# more than one #story# in height, the area of an #inner court# shall not be less than 400 square feet and the minimum dimension of such #inner court# shall not be less than 20 feet.

No court regulations shall apply to #single-# and #two-family# #detached# #residences#.

107-465 - Modifications of yard and court regulations

LAST AMENDED
12/5/2024

The #yard# and #court# regulations as set forth in Section 107-46 may be modified by authorization of the City Planning Commission in accordance with the provisions of Section 107-62 (Yard, Court and Parking Regulations).