



## **Zoning Resolution**

**THE CITY OF NEW YORK**  
**Zohran K. Mamdani, Mayor**

**CITY PLANNING COMMISSION**  
**Daniel R. Garodnick, Chair**

# **107-66 - Developments Partly Within Designated Open Space**

File generated by <https://zr.planning.nyc.gov> on 1/26/2026

---

## **107-66 - Developments Partly Within Designated Open Space**

---

LAST AMENDED

9/11/1975

---

### **107-661 - Modification of permitted obstructions**

---

LAST AMENDED

2/2/2011

For #developments# containing #residences# on #zoning lots# partly within #designated open space#, the City Planning Commission, on application, may modify the requirements of Section [107-45](#) (Required Open Space for Residences) to permit more than 50 percent of the required #open space#, not within the #designated open space#, to be occupied by driveways, private streets, open #accessory# off-street parking spaces or open #accessory# off-street loading berths, if the Commission finds that such facilities are so arranged and landscaped as to afford an acceptable standard of amenity for the #development# and its surroundings.

---

### **107-662 - Modification of required yards of building setbacks**

---

LAST AMENDED

11/2/2023

On application, the City Planning Commission may grant an authorization modifying the #building# setback requirements of Section [107-241](#) (Special provisions for arterials), provided that the

Commission finds that:

- (a) the area of that portion of the #zoning lot# which is designated as #designated open space# on the District Plan in Appendix A of this Chapter, is at least equal to the area of the required #building# setback #front yard# or #yards#, or portion thereof, which is waived;
- (b) along any #front lot line# abutting an #arterial#, a front setback shall be provided having a depth to be determined by the Commission and which shall be improved in accordance with a landscape plan approved by the Commission; and
- (c) #building# placement leaves adequate spaces for the provision of #street# trees.