

Chapter 8

Front, Side, and Rear Yards



Front and side yards and areaways are historic features at many residential buildings throughout New York City. They serve an important function, physically and aesthetically separating structures from sidewalks and the street. Yards and areaways are incorporated into private open spaces in front and on the sides of rowhouses and semi-detached rowhouses, and sometimes include driveways and walkways. They have historically been modified to address access issues, safety concerns, and to add or remove greenery. Historic alterations serve as the basis for LPC's rules for work in yards and areaways (see [LPC Rules](#), Section 2-17, available on our website, www.nyc.gov/landmarks).

In This Chapter, You Will Find:



This chapter explains LPC’s rules for work on yards and areaways. Our goal is to help you submit a fully completed permit application for work that conforms to the LPC Rules so you can get your permit more quickly.



Note: If your work in a yard or areaway is related to an addition, excavation, or HVAC and mechanical equipment, refer to *Chapters 6, 7, and 12* for more information.

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Section A

How to Get Started



Before applying for your permit, you should:

Find Information About Your Building

This will help you determine how the LPC Rules apply.

What type of building is it?

Search for your building on the **Discover NYC Landmarks map** to determine how the LPC Rules apply to your specific building type.

Click on your building to find **construction date, architect and style, building and landmark type**, and a link to the **LPC designation report** with additional historical background.

What did your building look like?

Find **historic tax photos** from the 1940s and 1980s, available through the NYC Department of Records & Information Services [NYC Municipal Archives Collections](#).

Additional information, including guidance on finding **historic maps**, can be found in the **LPC Resource Guide** [Researching Historic Buildings in New York City](#), available at www.nyc.gov/landmarks.

How big is your building?

Verify your building's **height** and **street frontage**, as requirements vary depending on building size. See *Section B* for more information on work types.

See if Your Work Requires an LPC Permit

Maybe you don't need a permit.

LPC requires a permit for most work in yards and areaways, but a permit is **not required** for:

Ordinary maintenance, repair, and retrofitting of areaway and yard installations

Installing very low borders around planted areas

Planting, installing, replacing, or maintaining vegetation in existing planted areas

Installing pots, window boxes, or small planters that do not physically attach to any part of the building or sidewalk

Unsure whether your work requires a permit?

Contact LPC at 212-669-7817 or info@lpc.nyc.gov.

What You Will Need

All LPC permit applications and supporting materials are now filed and processed through Portico, the agency’s web-based permit application portal. Applications typically require submitting the materials listed below but additional materials may be required depending on the type of work. See *Section B* for a list of required materials by work type.

Basic Application Materials

☐ **LPC permit application**
filed on Portico

☐ **Color photos of the entire building** and close-ups that identify and provide context of proposed work

☐ **Comparative drawings:**

- Elevation of existing conditions, and proposed yard or areaway alterations and/or installations
- Floor and/or site plans of existing conditions, and locations of proposed yard or areaway alterations and/or installations
- Section of existing conditions, and proposed alterations and/or installations at visible yards and areaways only
- Details of existing conditions, and

proposed alterations and/or installations at visible yards and areaways only

☐ **Color specifications / paint cards** at visible yards and areaways only

☐ **Material specifications or manufacturer cut sheets**

☐ **Department of Buildings (DOB) filing drawings** if proposed work requires a DOB permit

Section B

LPC Rules and Criteria



This is how the Landmarks Preservation Commission works:

The LPC Rules establish criteria

that allow staff to review and approve proposals for certain types of work at landmark properties. Permit applications for work that meets the LPC Rules can be approved faster. If the work does not meet the rules, staff may suggest alternatives that do meet the rules — or your proposal may be presented to the LPC Commissioners for review at a public hearing. LPC staff can guide you through this process. For more information, visit www.nyc.gov/landmarks.

This section explains and illustrates the rules and criteria for the most common types of work involving yards and areaways. See [LPC Rules](#), Section 2-17, for more information.

→ In This Section:

General Criteria

Areaway Alterations

- Making Areaway Alterations
- Installing Areaway Walls and Ironwork
- Making Grade Changes and Alterations to Steps and Landings
- Installing Planting Beds and Built-In Planters
- Installing Garbage Enclosures
- Installing Lampposts
- Installing Basement or Cellar Access Hatches

Side and Rear Yard Work

- Installing Side and Rear Yard Walls and Fences
- Special Provisions for Garden Historic Districts

Work on Driveways

- Repairs and Alterations to Existing Driveways
- Installing New Driveways

Installing Accessory Ramps

General Criteria

Staff can issue permits approving areaway and yard work that meets the following general criteria. Certain types of work may have additional requirements.

If historic materials or features exist within the areaway, such as bluestone paving, masonry wall, or original ironwork, they must be retained in place where feasible. Efforts must be made to minimize damage to these elements.

If the building is part of a row of identical houses, proposed alterations must be in keeping with areaway configurations and features found within the row, and must not detract from the streetscape.

Areaway Alterations

Areaways are the open spaces in front of buildings, typically small residential rowhouses, flats, tenements, or other attached buildings. Historically, areaways were composed of limited areas of paved surface bounded by low ironwork fences. They typically contained utilitarian features like cellar access hatches and window light wells, and were often historically modified to include planting beds.

Making Areaway Alterations

Before proposing alterations to an areaway, document existing conditions and compare them to historic documentation to determine if any historic fabric remains. (See *Section A* for tips on how to find historic information.) Historic elements may include original paving materials, masonry walls, iron fences, and other decorative ironwork. Staff can issue permits approving areaway alterations if they meet the following criteria:

If historic fabric remains, the new areaway design must retain existing historic features wherever possible.

Proposed areaway changes must be compatible with the special architectural and historic character of the building and historic district.



Are you installing light fixtures, mailboxes, security cameras, or intercoms?
See *Chapter 11, Health, Safety, and Utility Equipment*, for more information.

Required Application Materials

- ☐ **Photos** of building facades and areaways
- ☐ **Photos of areas** of alteration or installation at **the areaway or stoop**
- ☐ **Historic 1940s tax photos**, if available. See *Section A* for information on obtaining tax photos
- ☐ **Existing and proposed annotated areaway plans and elevations**
- ☐ **Comparative vertical and horizontal section drawings of existing and proposed**

conditions, showing proposal for altering grade, replacing or installing walls and/or fences, planting beds, steps or railings

— Large-scale detail drawings of walls and/or fences and railings

- ☐ **Material specifications**
- ☐ **Color samples**

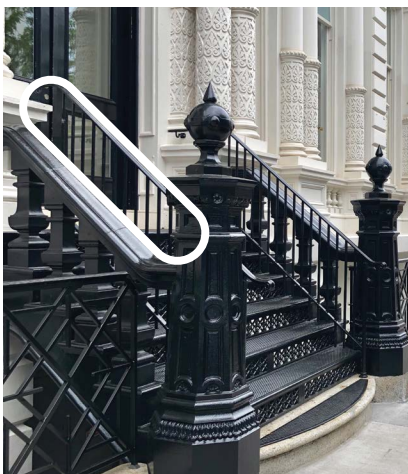
If LPC requires additional materials after your application is reviewed, you will receive a Materials Checklist from LPC staff.

Installing Areaway Walls and Ironwork

Historic masonry areaway walls and ironwork fences and railings were designed to provide safety and security and to harmonize with elements of the facade. Staff can issue permits approving new installations at areaways, stoops, service alleys, or facades, depending on the type and size of the building and whether installation meets the following criteria:

New areaway walls and ironwork fences at small residential buildings do not need to match historic conditions if location, scale, and design are typical for buildings of a similar type, style, and age, or match similar installations at buildings within the row.

Other types of ironwork installations added to existing stairs, stoops, or walls that are not original to the building and



This iron picket railing's simple design and matching color provide a code-compliant installation on the interior side of the original railings that does not detract from the historic ironwork.

have been installed over time, such as safety railings to low stoop walls, can be approved at small and large residential buildings if the visual characteristics of the installation match or recall ironwork typically found on buildings of a similar age, style, and type.

Making Grade Changes and Alterations to Steps and Landings

Since areaways often include entrances to the basement level of rowhouses and other buildings, these spaces sometimes need to be modified to improve access from the sidewalk or under the stoop. Staff can issue permits approving making grade changes and alterations to steps and landings if they meet the following criteria:

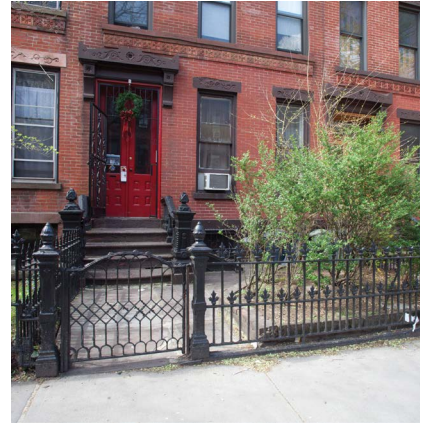
An entire areaway can be lowered by one step to allow for at-grade access from the sidewalk.

Up to 50 percent of the areaway can be excavated for installation of new or reconfigured steps at the basement entrance.

A ramp (with no switchbacks) can be installed in conjunction with partial excavation of the areaway.

If the ramp requires railings, they must be simple and minimal, such as wall-mounted handrails or simple posts with top rails, with no pickets unless required by code.

See *Chapter 9* for more information about accessibility and barrier-free access.



An at-grade planting bed within an areaway with a simple brick border.

Installing Planting Beds and Built-In Planters

New plantings provide color and greenery to areaways and streetscapes and provide other environmental benefits. Please note, LPC regulates the size and scale of planting beds and built-in planters but **not** the landscape features within. Staff can issue permits approving the installation of planting beds and built-in planters if they meet the following criteria:

Size and placement of planting beds or built-in planters must not call undue attention or detract from significant architectural features of the building or streetscape.

Existing and proposed plan drawings must demonstrate that the size and placement of new or expanded planting beds is in proportion to the overall size of the areaway and does not detract from the building or streetscape.



A garbage enclosure with a compatible finish and color attached to non-historic areaway paving.

Installing Garbage Enclosures

Staff can issue permits approving the installation of a garbage enclosure if it is:

Attached to non-historic areaway paving but not attached to the building, fence, or wall.

Simply designed and painted to match the adjacent facade or areaway material, or otherwise with a neutral finish.

Limited in footprint and height to the size of the garbage receptacles it houses.

Installing Lampposts

Staff can issue permits approving new lampposts in historic districts and streetscapes where lampposts were historically found at areaways if:

The lamppost is installed at least several feet from the primary facade through non-historic paving such as concrete.

The lamppost and lantern are of a simple and proportional design, with black painted finish and no exposed conduit.



Lampposts in a black painted finish installed in a rowhouse areaway.

Installing Basement or Cellar Access Hatches

Staff can issue permits approving cellar or basement hatches installed through non-historic paving materials and constructed in wood or metal with a dark or neutral finish.

Side and Rear Yard Work

Side and rear yards have historically been modified to address access and safety concerns. This includes the addition of, and modification to, walls and fences.

Installing Side and Rear Yard Walls and Fences

Staff can issue permits approving the installation of side and rear yard walls and fences at certain types of buildings if they meet the following criteria. See *Section A* to determine building type.

Small Residential Buildings and Attached Houses

Height

At the side yard of a corner rowhouse, the fence must match the height of any areaway fence up to 36 inches in height.

At the rear yard of a small residential building, the fence can be up to six feet in height.

Design and Finish

At the side yard of a corner rowhouse or the rear yard, if visible, fences must be constructed in wood or iron compatible with the building's age and style. Finish must be dark, neutral, or clear.

Iron fences must be simple in design, with a black or other dark finish and based on ironwork found on buildings of a similar type in the historic district.

If installed along the sidewalk at a corner building, rear yard fences must have a perforated or open design.

If the fence is not visible, alternative materials such as masonry or fiber cement paneling can be used.



Staff can issue permits approving the installation of a fence at the side yard of a corner row house, seen here in Brooklyn Heights.

Freestanding Houses

A fence up to six feet high can be placed in the side or rear yard, behind the plane of the street-facing facade and constructed of wood with the finished side facing away from the property. Staff can consider variations in height and material if the fence is not visible from a public thoroughfare or is permanently obscured by mature vegetation.

Large Residential Buildings

Installation of side and rear yard walls and fences at large residential buildings can be approved by staff if restoring a historic condition that was previously altered or removed

(see *Chapter 1, Restoration*).

However, since many large residential buildings did not historically have walls or fences, proposals for new installations must generally be presented to the full Commission for review at a public hearing. Be sure to consult the next section about garden historic districts to see if special provisions apply to your property.

Required Application Materials

- ☐ **Photos** of building facades and yards
- ☐ **Photos of areas** of installation at yards
- ☐ **Historic 1940s tax photos**, if available
- ☐ **Existing and proposed annotated site plans and elevations**
- ☐ **Vertical section drawings** of proposed fences and walls at visible yards:
 - *Large-scale detail drawings of fences and walls at visible yards*
- ☐ **Material specifications or manufacturer cut sheets**
- ☐ **Color samples**

If LPC requires additional materials after your application is reviewed, you will receive a Materials Checklist from LPC staff.

Special Provisions for Garden Historic Districts

Some historic districts contain garden-style houses and apartment buildings that were designated in part for the relationship between open green space and the buildings. Garden historic districts include Sunnyside Gardens Historic District and the Jackson Heights Historic District.

Sunnyside Gardens Historic District

Staff can issue permits approving new fences in the Sunnyside Gardens Historic District if they meet the following criteria:

Rear yard fences may enclose the private rear yard immediately behind the house, but not

the portion of the yard in the historically shared common space. They can be up to 36 inches high and must be constructed of metal pickets with a dark finish.

Staff cannot approve fences in front or side yards in the Sunnyside Gardens Historic District.

This metal fence in Sunnyside Gardens Historic District encloses an immediate rear yard that was not part of the historic shared common space.



Jackson Heights Historic District

Staff can issue permits approving new fences and walls in the Jackson Heights Historic District if they meet the following criteria:

Fences at apartment buildings may be installed at a planting area surrounding the building.

Fences must feature black painted metal pickets with an open quality, and a combined curb and fence height of up to 30 inches.

At single- or two-family houses, low brick retaining walls at the border of the sidewalk and front yard may be installed if they are as short as possible to contain erosion, have no more than five courses of brick, and have a coping of brick or stone.

Brick must match the brick facade of the building, with no decorative elements or ironwork.

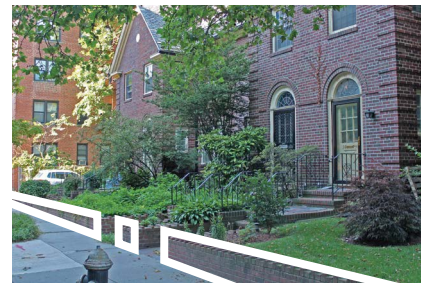
The wall must only border the sidewalk and not return from the sidewalk to the house, except to stairs in proximity to the wall.

Height and design must match an adjacent low garden wall or be compatible with other low retaining walls that meet the requirements in this section.

Staff cannot approve fences at the front yard of single- or two-family houses in the Jackson Heights Historic District.



New fences at apartment buildings in Jackson Heights can be installed around the building's planting area.



At single- or two-family houses in Jackson Heights, staff can issue permits approving the installation of low brick retaining walls in the front yard.

Work on Driveways

Driveways were common features in historic districts with detached single-family dwellings, including the Ditmas Park, Prospect Park South, and Fiske Terrace Historic Districts.

Repairs and Alterations to Existing Driveways

Staff can issue permits approving repairs and alterations to existing driveways if they meet the following criteria:

Repairs and alterations must match the existing driveway in terms of materials, details, and finish.

The existing footprint of the driveway can be altered by widening or creating a bump-out for turning or parking, provided the green yard space is not significantly reduced and the driveway is well scaled to the yard and building.



Driveways are common features at detached single-family dwellings in some historic districts, including in Prospect Lefferts Gardens.

If an original or historic driveway is being replaced, it must match original materials and design but the footprint may be altered as described above.

If an existing driveway that is not original or historic is replaced, it can use different materials and design from the existing, as long as the new materials match the predominant paving material and pattern in the streetscape.

Installing New Driveways

If driveways are a common feature in the historic district, staff may approve a new driveway if the proposed location and design of the driveway and curb cut is consistent with other buildings in the historic district. New driveways must meet the following criteria:

The driveway must not significantly reduce open and planted space within the yard, or eliminate significant architectural or landscape features.

Paving materials must match the predominant paving material and pattern within the streetscape.

Substitute paving material recalls the predominant paving material, if the substitute improves the permeability of the paved surface and otherwise does not detract from the building or streetscape.

Curb Cuts

If no curb cut currently exists, you must provide documentation that your new curb cut complies with the NYC Zoning Resolution and the City Administrative Code, and that you have filed for the curb cut with the DOB and the Department of Transportation.

Required Application Materials

- ☐ **Photos** of building facades and yards
- ☐ **Photos of areas** of installation at yards
- ☐ **Historic 1940s tax photos**, if available
- ☐ **Existing and proposed annotated site plans**
- ☐ **Material specifications or manufacturer cut sheets**

If LPC requires additional materials after your application is reviewed, you will receive a Materials Checklist from LPC staff.

Installing Accessory Ramps

Areaways, side yards, and rear yards at **larger apartment, hotel, and commercial buildings** may need to be adapted to accommodate accessory ramps, which are used for loading and other service functions. Staff can issue permits approving the installation of accessories that are not intended for barrier-free access if they meet the following criteria:

Location

The ramp must be located in a service alley, side yard, or rear yard.

Installation must be significantly obscured from the street by existing masonry walls or ironwork.

The ramp must not block a window or obscure significant architectural features.

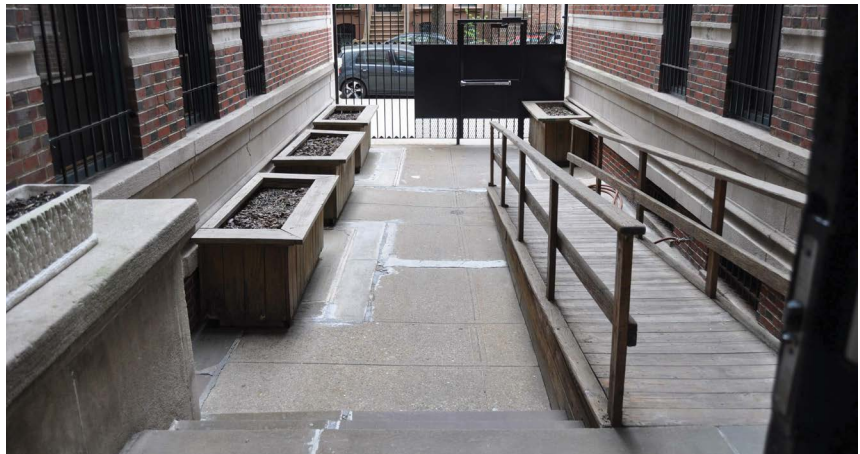
Installation

The ramp must not result in damage to or removal of significant architectural features or historic fabric, including historic paving.

See *Chapter 9* for rules and criteria on barrier-free access installation.

Design

The ramp must have a straight run with no switchbacks. Railings must be simply designed or based on the building's existing ironwork.



An accessory ramp installed at the enclosed areaway of a large apartment building.

Material

The ramp must be made of material that matches the predominant paving or facade material, or is otherwise neutral in appearance and does not detract from the building or streetscape. Railings must have a black or neutral finish.

Required Application Materials

- | | |
|--|--|
| <input type="checkbox"/> Photos of building facades, areaways, alleys, or yards | — Large-scale detail drawings of the accessory ramp, if visible |
| <input type="checkbox"/> Photos of areas of installation at areaways, alleys, or yards | <input type="checkbox"/> Material specifications |
| <input type="checkbox"/> Existing and proposed annotated site plan and elevations | <input type="checkbox"/> Color samples |
| <input type="checkbox"/> Comparative vertical section drawings of the accessory ramp, if visible, showing existing and proposed conditions: | <i>If LPC requires additional materials after your application is reviewed, you will receive a Materials Checklist from LPC staff.</i> |