Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

119-215 - Landscaping controls to preserve trees, shrubs and ground cover

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LAST AMENDED
2/2/2011

(a) In any #area of no disturbance#, existing vegetation and #topsoil# shall not be removed, except in accordance with a #tree protection plan# or as authorized by the City Planning Commission, pursuant to the provisions of Section 119-313 (Modification of landscaping, tree preservation and tree planting requirements).

(b) To the maximum extent possible, existing trees, shrubs and ground cover shall be retained. Vegetation may only be removed or destroyed as a result of a #development#, #enlargement# or #site alteration#, provided that:

(1) it is located in areas to be occupied by #buildings#, #private roads#, driveways, areas for required #accessory# parking or within a distance of 15 feet of a #building# foundation and, provided that it is not practical to avoid such removal by adjustments in the arrangement of such #buildings#, #private roads#, driveways or required parking areas;

(2) the continued presence of the vegetation would interfere with the growth or health of trees of six-inch #caliper# or more designated for preservation and belonging to a species listed in Appendices A, B or C;

(3) the continued presence of the vegetation would create special hazards or dangers to persons or property, which would not be possible or practical to eliminate by pruning or routine maintenance; or

(4) an authorization has been granted by the City Planning Commission under the provisions of Section 119-313 approving the removal of such vegetation.

(c) Any vegetation or #topsoil# that cannot be preserved as a result of a proposed #development#, #enlargement# or #site alteration# and is not permitted to be removed under paragraph (b) of this Section shall be replaced as follows: for every square foot of #lot area# of removed vegetation or #topsoil#, there shall be provided the following plantings of the size and number indicated in paragraphs (c)(1) through (c)(4) of this Section. The area of removed vegetation shall be measured so as to include any portions of the #zoning lot# that were located within the #critical root zone# of a removed tree of six-inch #caliper# or more. Species of ground cover and shrubs shall be selected from Appendix A (Selection List for Ground Covers and Shrubs). Species of on-site trees shall be selected from Appendix B (Selection List for On-site Trees).

(1) Ground cover shall be planted one at one foot on center and at the rate of one plant for every square foot of #lot area# of removed vegetation; and

(2) Large trees shall be planted at the rate of one three-inch #caliper# tree for every 500 square feet of #lot area# of removed vegetation; or

(3) Small trees shall be planted at a rate of one eight-foot high tree for every 100 square feet of #lot area# of removed vegetation; or

(4) #Shrubs# shall be planted at a rate of one gallon container-grown material for every 25 square feet of #lot area# of removed vegetation.