



## **Zoning Resolution**

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

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

# **105-434 - Modification of requirements for private roads and driveways**

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## 105-434 - Modification of requirements for private roads and driveways

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LAST AMENDED

1/19/2016

For any #development#, #enlargement# or #site alteration#:

- (a) the City Planning Commission may authorize variations in the requirements for #private roads# and driveways on any #Tier II site# as set forth in Section [105-35](#) (Tier II Site Requirements for Driveways and Private Roads), as well as the requirements of Sections [25-621](#) (Location of parking spaces in certain districts) and [25-631](#) (Location and width of curb cuts in certain districts) provided that:
  - (1) the #development# or #enlargement# is not feasible without such modification, or that the requested modification will permit a #development#, #enlargement# or #site alteration# that satisfies the purposes of this Chapter;
  - (2) such modification is the least modification required to achieve the purpose for which it is granted;
  - (3) the modification will not disturb the drainage pattern and soil conditions of the area;
  - (4) the modification has minimal impact on the existing natural topography and vegetation and blends harmoniously with it; and

(5) such modification will enhance the quality of the design of the #development#, #enlargement# or #site alteration#; or

(b) located on a #zoning lot# containing historic buildings designated by the Landmarks Preservation Commission within the New York City Farm Colony-Seaview Hospital Historic District, as shown on Map 2 in Appendix A of this Chapter, the City Planning Commission may authorize modifications or waivers of the requirements for #private roads# as set forth in Section [26-20](#) (SPECIAL REQUIREMENTS FOR LOTS WITH PRIVATE ROADS) through Section [26-27](#) (Waiver of Bulk Regulations Within Unimproved Streets), inclusive, and Section [26-30](#) (SPECIAL REQUIREMENTS FOR LOTS WITH PRIVATE ROADS IN LOWER DENSITY GROWTH MANAGEMENT AREAS) through [26-33](#) (Screening), inclusive, provided that such modification or waiver:

(1) results in greater environmental conservation or preservation of existing natural features;

(2) results in a superior site and landscape plan that will not unduly disturb the drainage pattern and soil conditions of the area;

(3) results in greater preservation of historic #buildings# or other architectural elements of the Historic District designated by the Landmarks Preservation Commission;

- (4) enhances vehicular and pedestrian connections between #buildings# on the site and the surrounding neighborhood;
- (5) will not impair the essential character of the Historic District and the surrounding area;
- (6) is the least required to achieve the purpose for which it is granted; and
- (7) will not reduce the required minimum width of the #private road# to a width less than 34 feet unless the Fire Department has approved such reduction and determined that emergency vehicles can adequately access and move within the site.