Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

107-312 - Regulations within plan review sites

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LAST AMENDED
12/5/2024

On any portion of a #plan review site# not within #designated open space#, #development#, #enlargement#, or #site alteration# shall be permitted only in accordance with the provisions of this Section or by authorization of the City Planning Commission pursuant to the provisions of Section 107-65 (Authorization for Modifications of Natural Features) or by certification of the Chairperson of the City Planning Commission pursuant to the provisions of Section 107-51 (Certification of Certain Plan Review Sites).

The ground elevation of land existing on November 2, 2023, may be modified by up to two feet of cut or fill, provided that such modification shall not result in the destruction of trees of six-inch #caliper# or more, unless authorized pursuant to other provisions of this Chapter. Modification of topography to a greater extent and removal of trees of six-inch #caliper# or more shall only be permitted:

(a) within 20 feet of an existing #building's# foundations or in an area designated for utilities;

(b) in order to meet the legal mapped grades of a #street#, the existing topography of that portion of the #zoning lot# abutting such #street# may be modified to create a slope on the #zoning lot# of not less than one foot vertical to each two feet horizontal, provided the slope is landscaped to prevent erosion;

(c) within an existing #group parking facility#, or within existing landscaping required pursuant to Section 107-483 (Planting and screening for parking areas), which does not result in the removal of parking spaces or travel lanes;

(d) where such modification of topography takes place more than 20 feet from the boundary of an area of #designated open space#, a #side lot line#, or a #rear lot line#; or

(e) where such tree interferes with another tree of six-inch #caliper# or more, and such tree to be preserved belongs to a species pursuant to the provisions of Section 107-32 (Tree Requirements).

If an existing tree of six-inch #caliper# or more is removed without prior approval from the Department of Buildings or the City Planning Commission and does not meet the provisions of this Section, any permit issued by the Department of Buildings for a #site alteration#, #enlargement#, #development#, or any #use# on the #zoning lot# shall not be granted a letter of completion, certificate of occupancy, or similar sign-off until such tree is replanted, or proposed to be replaced, as applicable, in accordance with Section 107-32. A violation for tree removal without prior permission or approval shall be recorded against such site.