Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

119-313 - Modification of landscaping, tree preservation and tree planting requirements

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LAST AMENDED
12/7/1999

The City Planning Commission may authorize modifications to Sections 119-111 (Tier I tree preservation requirements), 119-112 (Tier I tree planting requirements), paragraph (b)(8) of Section 119-214 (Tier II requirements for driveways and private roads), 119-215 (Landscaping controls to preserve trees, shrubs and ground cover) and 119-216 (Tier II tree planting requirements).

In order to grant such authorizations, the Commission shall find that:

(a) the #development#, #enlargement# or #site alteration# is not feasible without such modifications, or that the requested modification will permit a #development#, #enlargement# or #site alteration# that satisfies the purposes of this Chapter;

(b) such modification is the least modification required to achieve the purpose for which it is granted; and

(c) the ecology and soil conditions of the site are such that the substitution of other plant material would be as appropriate as the tree preservation or planting requirements being modified.

Where on-site restoration of vegetation would result in overcrowding or would adversely affect the ecology of the site, the Commission may authorize planting of one or more trees on adjoining public sidewalks or in a nearby public area within the #Special Hillsides Preservation District#. The Commission may also allow the substitution of other plant material, provided a detailed landscaping plan is filed with the Commission for approval and certification.