Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

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.