Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

107-21 - Modification of Designated Open Space

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LAST AMENDED
8/18/1983

The City Planning Commission may adjust the boundaries of a #designated open space# on a #zoning lot# provided that such adjustment will not place the new boundary closer than 60 feet to a watercourse. As a condition for such adjustment in the boundaries, the Commission shall find that:

(a) such adjustment shall:

(1) result in a substantial improvement in the quality and usefulness of the #designated open space#; and

(2) permit #development# which better satisfies the purpose of this Chapter and include new features in the #designated open space# which will be at least equal in quality to those which are displaced from it; and

(3) provide an equivalent area replacement for the area removed from the #designated open space#; or

(b) such adjustment shall:

(1) be permitted to exclude:

(i) a #zoning lot# which is contiguous to exempted #zoning lots# along at least two #lot lines#; or

(ii) a #zoning lot# which would otherwise be contiguous to exempted #zoning lots# along at least two #lot lines# but for the separation by a #street#; or

(iii) #streets# #abutting# exempted #zoning lots#; and

(2) not substantially alter the utility and quality of the #designated open space#; or

(c) such adjustment shall:

(1) be in conjunction with a public improvement project approved by the City prior to September 11, 1975, for funding to exclude in whole or in part the bed of a mapped #street# and/or adjacent #zoning lots# or portions thereof; and

(2) not substantially alter the utility and quality of the #open space network#; or

(d) such adjustment shall:

(1) exclude, in whole or in part, private property contiguous with a #public park# which has been mapped since September 11, 1975; and

(2) not preclude the continuity to the #designated open space# or the public pedestrian way or the #waterfront esplanade#; and

(3) not substantially alter the utility and quality of the #designated open space#.