STREET TREES TEXT AMENDMENT

Approved by the City Planning Commission – March 24, 2008
As approved, with modifications, by the City Council – April 30, 2008

Matter in underline is new, to be added;
Matter in ~~strikeout~~ is to be deleted;
Matter with # # is defined in Section 12-10;
Matter in double underline is amendment by the City Council

* * * indicates where unchanged text appears in the Zoning Resolution

* * *

Article 1
General Provisions

Chapter 1
Title, Establishment of Controls and Interpretation of Regulations

* * *

11-336
Building permits issued before April 30, 2008

In all districts other than R1, R2, R3, R4 or R5 Districts, if, before April 30, 2008, a building permit has been lawfully issued authorizing construction on a #zoning lot#, the provisions of N 080078 ZRY (Yards Text Amendment) and N 080081 ZRY (Street Tree Text Amendment) shall not apply, provided that foundations have been completed in accordance with paragraphs (a) and (b) of Section 11-331 (Right to construct if foundations completed), as applicable, before April 30, 2009. The provisions of Section 11-332 (Extension of period to complete construction) shall not apply.

Article II
Chapter 3
Bulk Regulations for Residential Buildings in Residence Districts

* * *

23-012
Lower density growth management areas

For areas designated as #lower density growth management areas# pursuant to Section 12-10 (DEFINITIONS), the underlying district regulations shall apply to all #residential developments# or #enlargements#. Such regulations are superceded or supplemented as

set forth in the following Sections:

* * *

Section 26-30	(SPECIAL REGULATIONS FOR DEVELOPMENTS WITH PRIVATE ROADS IN LOWER DENSITY GROWTH MANAGEMENT AREAS), inclusive
~~Section 26-40~~	~~(STREET TREE PLANTING REQUIREMENTS FOR LOWER DENSITY GROWTH MANAGEMENT AREAS)~~
Section 105-702	(Applicability of lower density growth management area regulations)

* * *

23-03
Street Tree Planting in Residence Districts

R1 R2 R3 R4 R5 R7 R8 R9 R10

In all districts, as indicated, the following shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting):

(a) #developments# or #enlargements# that increase the #floor area# on a #zoning lot# by 20 percent or more. However, #street# trees shall not be required for #enlargements# of #single or two-family residences#, except as provided in paragraphs (b) and (c) of this Section;

(b) #enlargements# of #single or two-family residences# by 20 percent or more within the following special purpose districts:

(1) #Special Clinton District#
(2) #Special Downtown Brooklyn District#
(3) #Special South Richmond Development District#
(4) #Special Ocean Parkway District#
(5) #Special Bay Ridge District#
(6) #Special Downtown Jamaica District#
(7) #Special Long Island City Mixed Use District#
(8) #Special Hillsides Preservation District#
(9) #Special Grand Concourse District#;

(c) #enlargements# pursuant to the Quality Housing Program of #single or two-

family residences# by 20 percent or more;

~~(b) #single or two-family residences# #enlarge# by 400 square feet or greater;~~

~~(c)~~(d) conversions of 20 percent or more of the #floor area# of a non-#residential building# to a #residential use#;or

~~(d)~~(e) construction of a detached garage that is 400 square feet or greater.

* * *

23-04
Planting Strips in Residence Districts

R1 R2 R3 R4 R5

In the districts indicated, the following shall provide and maintain a planting strip in accordance with Section 26-42 (Planting Strips):

(a) #developments# or #enlargements# that increase the #floor area# on a #zoning lot# by 20 percent or more. However, planting strips shall not be required for #enlargements# of #single or two-family residences#, except as provided in paragraph (b) of this Section;

(b) #enlargements# of #single or two-family residences# by 20 percent or more within the following special purpose districts:

(1) #Special South Richmond Development District#
(2) #Special Ocean Parkway District#
(3) #Special Bay Ridge District#
(4) #Special Downtown Jamaica District#
(5) #Special Hillsides Preservation District#

~~(b) #single or two-family residences# #enlarge# by 400 square feet or greater;~~

(c) conversions of 20 percent or more of the #floor area# of a non-#residential building# to a #residential use#;or

(d) construction of a detached garage that is 400 square feet or greater.

* * *

Article II
Chapter 4
Bulk Regulations for Community Facility Buildings in Residence Districts

* * *

24-05
Street Tree Planting

R1 R2 R3 R4 R5 R7 R8 R9 R10

In all districts, as indicated, the following shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting):

(a) #developments# or #enlargements# that increase the #floor area# on a #zoning lot# by 20 percent or more. However, #street# trees shall not be required for #enlargements# of #single or two-family residences#, except as provided in paragraphs (b) and (c) of this Section;

(b) #enlargements# of #single or two-family residences# by 20 percent or more within the following special purpose districts:

(1) #Special Clinton District#
(2) #Special Downtown Brooklyn District#
(3) #Special South Richmond Development District#
(4) #Special Ocean Parkway District#
(5) #Special Bay Ridge District#
(6) #Special Downtown Jamaica District#
(7) #Special Long Island City Mixed Use District#
(8) #Special Hillsides Preservation District#
(9) #Special Grand Concourse District#;

~~(b) #single or two-family residences# #enlarge# by 400 square feet or greater;~~

(c) #enlargements# pursuant to the Quality Housing Program of #single or two-family residences# by 20 percent or more

~~(b) #single or two-family residences# #enlarge# by 400 square feet or greater;~~

~~(c)~~(d) conversions of 20 percent or more of the #floor area# of a non-#residential building# to a #residential use#;or

~~(d)~~(e) construction of a detached garage that is 400 square feet or greater.

* * *

24-06
Planting Strips

R1 R2 R3 R4 R5

In the districts indicated, the following shall provide and maintain a planting strip in accordance with Section 26-42 (Planting Strips):

(a) #developments# or #enlargements# that increase the #floor area# on a #zoning lot# by 20 percent or more. However, planting strips shall not be required for #enlargements# of #single or two-family residences#, except as provided in paragraph (b) of this Section;

(b) #enlargements# of #single or two-family residences# by 20 percent or more within the following special purpose districts:

(1) #Special South Richmond Development District#
(2) #Special Ocean Parkway District#
(3) #Special Bay Ridge District#
(4) #Special Downtown Jamaica District#
(5) #Special Hillsides Preservation District#

~~(b) #single or two-family residences# #enlarge# by 400 square feet or greater;~~

(c) conversions of 20 percent or more of the #floor area# of a non-#residential building# to a #residential use#;or

(d) construction of a detached garage that is 400 square feet or greater.

* * *

Article II
Chapter 5
Accessory Off-Street Parking and Loading Regulations

* * *

25-631
Location and width of curb cuts in certain districts

All curb cuts shall comply with the provisions of this Section, except that in #lower density growth management areas#, the provisions of Section 25-632 shall apply.

* * *

(c) Modification of curb cut location requirements:

* * *

R6 R7 R8

(2) In the districts indicated, except R6, R7 or R8 Districts with a letter suffix, the City Planning Commission may authorize modification of the location and width of curb cuts as required by the provisions of this Section provided that the Commission finds that:

(i) the proposed modification does not adversely affect the character of the surrounding area; and

(ii) where more than one curb cut is provided, the curb cuts are arranged to foster retention of curb side parking spaces along the #street frontage# of the #development#.

~~The Commission may prescribe #street# tree planting requirements where appropriate to enhance the character of the #development# and the surrounding area.~~

* * *

Article II
Chapter 6
Special Urban Design Guidelines - Streetscape
Special Requirements for Developments in R9 and R10 Districts, Developments with Private Roads and Street Tree Planting

26-00
Applicability of this Chapter

The regulations of this Chapter shall apply to:

* * *

(d) #developments#, #enlargements# or conversions in all districts as applicable ~~in R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#~~, as set forth in Section 26-40 (STREET TREE PLANTING AND PLANTING STRIP REQUIREMENTS ~~FOR LOWER DENSITY GROWTH MANAGEMENT AREAS~~).

* * *

26-12
General Provisions

In harmony with the general purposes and intent of this Resolution and the general purposes of Section 26-10, the regulations of Sections 26-13 through 26-17, inclusive, are

intended to:

(a) guide the location of arcades to assure horizontal continuity of new developments with existing building arcades and to maintain visual continuity at street level;

(b) require transparency and/or articulation of front walls to improve the visual quality of the street;

~~(c) provide for street tree planting in order to enhance the visual character of the neighborhood;~~

(~~d~~c) improve the quality of the street environment;

(~~e~~d) limit the number and location of curb cuts, minimizing undue conflict between pedestrian and vehicular movements; and

(~~f~~e) eliminate trash on sidewalks by requiring central refuse storage areas within the zoning lot.

* * *

~~26-142~~
~~Street tree planting~~

~~All #developments# shall provide and maintain trees of four inch caliper, at the time of planting, in the sidewalk adjacent to the #zoning lot#. Such trees shall be provided for the entire length of #street# frontages of the #zoning lot# for every 25 feet of #street# frontage at approximately equal intervals except where the Commissioner of Transportation determines that such tree planting would be infeasible. All #street# trees shall be planted with gratings or other covers flush to grade, and in at least 3.5 cubic yards of top soil per tree with a minimum depth of soil of 3 feet, 6 inches.~~

~~Where trees are planted pursuant to this Section prior to April 1, 1978, such planting may be undertaken in accordance with the tree caliper requirements existing prior to December 15, 1977.~~

* * *

~~26-143~~ <u>26-142</u>
Street wall articulation

* * *

26-23
Requirements for Planting Strips <u>and Trees</u>

A minimum three-foot wide planting strip shall be provided adjacent to and along the entire length of the required curb. Within the required planting strip, one tree of at least three inches in caliper shall be planted for every 25 feet of length of such planting strip.

Driveways are permitted to traverse such planting strips, and utilities are permitted to be located within such planting strips.

* * *

26-40
STREET TREE PLANTING <u>AND PLANTING STRIP</u> REQUIREMENTS ~~FOR LOWER DENSITY GROWTH MANAGEMENT AREAS~~

~~In R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, all #developments# shall provide and maintain along the entire #street# length of the #zoning lot#, one street tree for every 25 feet of #street# frontage of the #zoning lot#. Such trees shall be of at least three-inch caliper at the time of planting and be placed at approximately equal intervals, except where the Department of Parks and Recreation determines that such tree planting would be unfeasible. All such trees shall be planted, maintained and replaced when necessary with the approval of and in accordance with the standards of the Department of Parks and Recreation.~~

<u>26-41</u>
<u>Street Tree Planting</u>

<u>In accordance with applicability requirements of underlying district regulations, one #street# tree, pre-existing or newly planted, shall be provided for every 25 feet of #street# frontage of the #zoning lot#. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one tree. Such trees shall be planted at approximately equal intervals along the entire length of the curb of the #street# adjacent to the #zoning lot#.</u>

<u>Where the Department of Parks and Recreation determines that such tree planting would be infeasible adjacent to the #zoning lot#, or in historic districts where the Landmarks Preservation Commission determines that such tree planting would not be in character with the historic district, such tree shall be planted in an alternative location, to be selected by the Department of Parks and Recreation, except that if the Department of Parks and Recreation determines that no alternative location is available, or if no alternative location is provided within 30 days of an application for a Department of Parks and Recreation permit, such offsite tree shall be waived. Offsite trees shall be planted at alternative locations as follows:</u>

(a) within an existing empty #street# tree pit or planting strip; or

(b) within an unpaved area owned by the City of New York.

All such alternative locations shall be within the Community District or one half mile of the #development# site.

In lieu of planting an offsite tree in an available alternative location, or in the event that planting adjacent to the #zoning lot# cannot be completed due to season, funds equivalent to the cost of planting such tree, as established by rule of the Department of Parks and Recreation, may be deposited in an account of the City of New York. Such funds shall be dedicated to the planting of #street# trees by the City of New York at an alternative location, or in the case of off-season deposit, in front of the #zoning lot# at the next appropriate planting season.

The species and caliper of all #street# trees shall be determined by the Department of Parks and Recreation, and all such trees shall be planted in accordance with the #street# tree planting standards of the Department of Parks and Recreation.

26-42
Planting Strips

In accordance with applicability requirements of underlying district regulations, the owner of the #development#, #enlargement#, or converted #building# shall provide and maintain a planting strip. #Street# trees required pursuant to Section 26-41 shall be planted within such planting strip. In addition to such #street# trees, such strip shall be fully planted with grass or groundcover. Such planting strip shall be located adjacent to and extend along the entire length of the curb of the #street#. However, in the event that both adjoining properties have planting strips adjacent to the #front lot line#, such planting strip may be located along the #front lot line#. The width of such planting strip shall be the greatest width feasible given the required minimum paved width of the sidewalk on #street# segments upon which the #building# fronts, except that no planting strip less than six inches in width shall be required. Driveways are permitted to traverse such planting strip, and utilities are permitted to be located within such planting strip.

* * *

Article II
Chapter 8
The Quality Housing Program

* * *

28-03
Quality Housing Program Elements

The Quality Housing Program consists of four components: neighborhood impact, building interior, recreation space and planting, and safety and security.

The neighborhood impact component controls the effect of the Quality Housing #building# on the neighborhood and includes mandatory #bulk# regulations ~~and #street# tree planting, both of which are mandatory~~.

* * *

28-12
Street Tree Planting

In addition to the applicable underlying #street# tree planting requirements, ~~A~~ all Quality Housing ~~#developments# or conversions, and #enlargements# or~~ #extensions# that increase the existing #residential floor area# by at least 20 percent, shall provide #street# trees in accordance with Section 26-41(Street Tree Planting). ~~provide and maintain along the entire #street# length of the #zoning lot#, one #street# tree for every 25 feet of #street# frontage of the #zoning lot#. Such trees shall be of at least three-inch caliper at time of planting and be placed at approximately equal intervals except where the Commissioner of Buildings determines that such tree planting would be unfeasible. The Commissioner of Buildings may refer such matter to the Department of Transportation and the Department of Parks and Recreation for reports and may base the determination on such reports. All #street# trees shall be planted, maintained and replaced when necessary with the approval of, and in accordance with the standards of, the Department of Parks and Recreation and the Department of Transportation.~~

* * *

Article III
Chapter 3
Bulk Regulations for Commercial or Community Facility Buildings in Commercial Districts

* * *

33-03
Street Tree Planting in Commercial Districts

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, the following shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting):

(a) #developments# or #enlargements# that increase the #floor area# on a #zoning lot# by 20 percent or more. However, #street# trees shall not be required for #enlargements# of #single or two-family residences#, except as provided in paragraphs (b) and (c) of this Section;

(b) #enlargements# of #single or two-family residences# by 20 percent or more within the following special purpose districts:

(1) #Special Hudson Yards District#
(2) #Special Clinton District#
(3) #Special Downtown Brooklyn District#
(4) #Special South Richmond Development District#
(5) #Special Little Italy District#
(6) #Special Ocean Parkway District#
(7) #Special Bay Ridge District#
(8) #Special Downtown Jamaica District#
(9) #Special Long Island City Mixed Use District#
(10) #Special Hillsides Preservation District#
(11) #Special Grand Concourse District#;

~~(b) #single or two-family residences# #enlarge# by 400 square feet or greater;~~

(c) #enlargements# pursuant to the Quality Housing Program of #single or two-family residences# by 20 percent or more

~~(b) #single or two-family residences# #enlarge# by 400 square feet or greater;~~

~~(c)~~(d) conversions of 20 percent or more of the #floor area# of a non-#residential building# to a #residential use#;or

~~(d)~~(e) construction of a detached garage that is 400 square feet or greater.

The #street# frontage used to calculate the number of required trees may exclude the #street# frontage occupied by curb cuts serving #uses# listed in Use Groups 16B, C and D.

* * *

Article III
Chapter 7
Special Regulations

* * *

37-03
Off-Street Relocation or Renovation of a Subway Stair

Where a #development# or #enlargement# is constructed on a #zoning lot# of 5,000 square feet or more of #lot area# that fronts on a portion of a sidewalk containing a stairway entrance or entrances into a subway station located within the #Special Midtown District# as listed in Section 81-46, the #Special Lower Manhattan District# as listed in Section 91-43, the #Special Downtown Brooklyn District# as listed in Section ~~101-44~~ 101-43, the #Special Union Square District# as listed in Section 118-60 and those stations listed in the following table, the existing entrance or entrances shall be relocated from the #street# onto the #zoning lot#. The new entrance or entrances shall be provided in accordance with the provisions of this Section.

* * *

~~37-22~~
~~Street Tree Planting Requirements in C1, C2 and C4 Districts~~

~~In all C1, C2 and C4 Districts in the Borough of Staten Island, the #street# tree planting requirements of Section 26-40 (STREET TREE PLANTING REQUIREMENTS FOR LOWER DENSITY GROWTH MANAGEMENT AREAS) shall apply.~~

* * *

37-742
Planting and trees

* * *

#Street# trees are required to be planted in the public sidewalk area adjacent to a #zoning lot# that contains bonus #floor area# for #public plazas# in accordance with Section 26-41(Street Tree Planting). ~~At least one tree of four-inch caliper or more shall be planted for each 25 feet of the entire #street# frontage of the #zoning lot#, excluding the frontage occupied by driveways.~~ The length of frontage of the #zoning lot# for the purpose of computing required #street# trees may ~~also~~ be reduced by 50 feet for each #street# intersection fronted by the #zoning lot# ~~Species shall be selected, located, planted and maintained in accordance with the specifications established by the Department of Parks and Recreation~~. If the ~~Commissioner of Buildings~~ Department of Parks and Recreation determines that the tree planting requirements of this paragraph are infeasible ~~cannot be met in part or in whole because of subsurface conditions such as the presence of a subway tunnel~~, the number of required #street# trees that cannot be planted ~~as required in this paragraph~~ shall be planted in accordance with the offsite tree provisions set forth in Section 26-41~~in the public sidewalk areas of #streets# on the same #block# as the #zoning lot# to which it has frontage~~ or within the #public plaza#.

* * *

~~37-95~~
~~Street Tree Planting~~

~~All #developments# or #enlargements# shall provide and maintain along the entire #street# length of the #zoning lot# one #street# tree for every 25 feet of #street# frontage~~

~~of the #zoning lot#. Such trees shall be of at least three-inch caliper at the time of planting and be placed at approximately equal intervals, except where the Department of Parks and Recreation determines that such tree planting would be unfeasible. All such trees shall be planted, maintained and replaced when necessary with the approval of and in accordance with the standards of the Department of Parks and Recreation.~~

* * *

Article IV
Chapter 3
Bulk Regulations

* * *

43-02
Street Tree Planting in Manufacturing Districts

M1 M2 M3

In all districts, as indicated, all #developments# or #enlargements# of 20 percent or more in #floor area#, excluding #developments# or #enlargements# in Use Groups 17 or 18, shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting). In addition, any #building# where 20 percent or more of the #floor area# is converted from a #manufacturing use# to a #commercial# or #community facility use# shall provide #street# trees in accordance with Section 26-41. The #street# frontage used to calculate the number of required trees may exclude the #street# frontage occupied by curb cuts serving #uses# listed in Use Groups 16B, C and D.

* * *

Article VI
Chapter 2
Special Regulations Applying in the Waterfront Area

* * *

62-354
Special height and setback regulations

Within Waterfront Access Plan BK-1, the provisions of Section 62-341 (Developments on land and platforms) are modified as follows:

* * *

(i) In addition to the applicable underlying #street# tree planting requirements, ~~A~~ all ~~#developments#, conversions, and #enlargements# or~~ #extensions# which increase the existing #floor area# by more than 10 percent, shall provide #street# trees in accordance with Section 26-41(Street Tree Planting). ~~along the entire~~

~~#street# length of the #zoning lot#, one tree for every 25 feet of street frontage. Such trees shall be of at least three-inch caliper at the time of planting and be placed at approximately equal intervals except where the Department of Parks and Recreation determines that such tree planting would be unfeasible. Such trees shall be planted in accordance with the standards of the Department of Parks and Recreation.~~

* * *

Article VII
Chapter 7
Special Provisions for Zoning Lots Divided by District Boundaries

* * *

77-40
SUPPLEMENTAL REGULATIONS

For #buildings developed# or #enlarged# on #zoning lots# in which a district boundary divides the #building# such that the Quality Housing Program applies in one portion of the #building# but not the other, the following Sections of Article II, Chapter 8, shall apply to the entire #building# or #zoning lot#, as applicable:

~~Section 28-12 (Street Tree Planting)~~

Section 28-20 (BUILDING INTERIOR)

Section 28-30 (RECREATION SPACE AND PLANTING AREAS)

Section 28-40 (SAFETY AND SECURITY)

Section 28-50 (PARKING FOR QUALITY HOUSING).

* * *

Article IX - Special Purpose Districts

Chapter 2
Special Park Improvement District

* * *

~~**92-05**~~
~~**Mandatory Tree Planting Provisions**~~

~~All new #developments# within the Special District shall provide and maintain trees of not less than four-inch caliper at the time of planting on sidewalks for the entire length of #street# frontages of the #zoning lot#. These trees shall be planted at maximum intervals of 30 feet and in accordance with Department of Transportation guidelines.~~

~~92-06~~ 92-05
Maximum Number of Accessory Off-Street Parking Spaces

* * *

Article IX - Special Purpose Districts

Chapter 3
Special Hudson Yards District

* * *

93-62
Street Tree Planting

~~All new #developments# or #enlargements# shall provide and maintain trees of not less than four-inch caliper at the time of planting in the sidewalk adjacent to the #zoning lot#.~~ In addition to the applicable underlying #street# tree planting requirements, ~~I~~ in the Four Corners Subarea A2 of the Large-Scale Plan Subdistrict A, trees shall also be provided along the #street# edge of the mandatory sidewalk widening. All such trees shall be provided for the entire length of the #street# frontage of the #zoning lot#, at maximum intervals of 25 feet. Trees shall be planted in gratings flush to grade in at least 200 cubic feet of soil per tree with a depth of soil at least 3 feet, 6 inches. Species shall be selected ~~,~~ and installed ~~and maintained~~ in accordance with specifications established by the Department of Parks and Recreation. The provisions of this Section shall not apply where the Department of Parks and Recreation determines that such tree planting would be infeasible.

* * *

Article IX - Special Purpose Districts

Chapter 4
Special Sheepshead Bay District

* * *

~~94-072~~
~~Landscaping~~

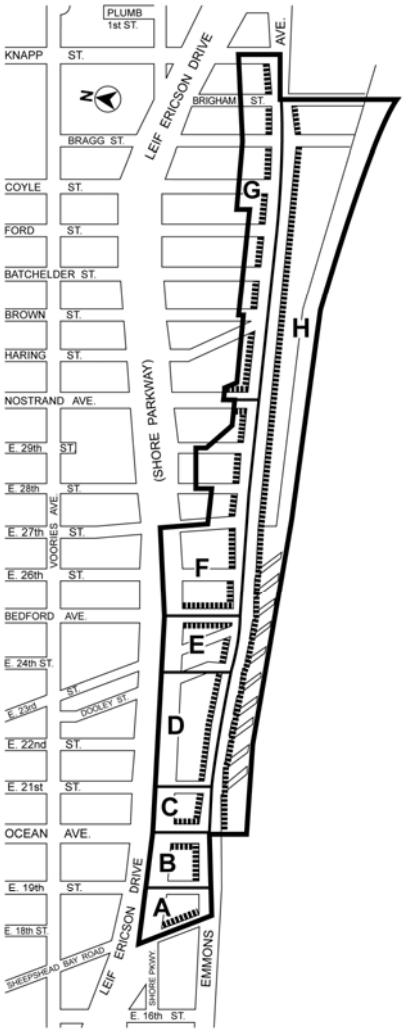
~~All new #development# within the Special District, which is located on a #zoning lot# with frontage along Emmons Avenue, Sheepshead Bay Road, Ocean Avenue, Bedford Avenue or Nostrand Avenue, shall provide and maintain trees of not less than 4 inch caliper at the time of planting. There shall be at least one such tree for approximately every 20 feet of lot frontage along such #streets# and these trees shall be within 2 feet of the curb lines, starting from a point approximately 10 feet from the #side lot line# of the #zoning lot#.~~

~~Where trees are planted pursuant to this Section prior to April 1, 1978, such planting may be undertaken in accordance with the tree caliper requirements existing prior to December 15, 1977.~~

~~94-073~~ <u>94-072</u>
Special plaza provisions

* * *

Appendix A
Special Sheepshead Bay District Map



Special Sheepshead Bay District
Area Boundary

MANDATORY PROVISIONS
Front Setback ~~and Tree Planting~~
Special Plaza Provisions– Areas A, C, and E

Article IX - Special Purpose Districts

Chapter 5
Special Transit Land Use District

* * *

~~**95-10**~~
~~**SPECIAL PROVISION FOR TREES**~~

~~All new #developments# within the Special District shall provide and maintain trees of not less than 4-inch caliper at the time of planting on sidewalks for the entire length of #street# frontages of the #zoning lot#. These trees shall be planted at maximum intervals of 25 feet and in accordance with Department of Transportation guidelines. Where such tree planting is infeasible on sidewalks, it shall be provided alternatively on the #zoning lot#.~~

~~**95-11**~~ **95-10**
Miscellaneous Provisions

* * *

~~**95-12**~~ **95-11**
Recordation

* * *

~~**95-13**~~ **95-12**
Termination of Transit Easement Volume

* * *

~~**95-14**~~ **95-13**
Previous Transit Easement Agreements

* * *

Article IX - Special Purpose Districts

Chapter 6
Special Clinton District

* * *

96-51
Mandatory Tree Planting Provisions

~~All #developments# within the Special District shall provide and maintain trees of not less than 4-inch caliper at the time of planting on sidewalks for the entire length of #street# frontage of the #zoning lot#. These trees shall be planted at maximum intervals of 30 feet and in accordance with Department of Transportation guidelines~~. In addition to the applicable underlying #street# tree planting requirements, ~~The~~ tree planting provisions shall also apply to ~~#enlargements#,~~ #extensions# or alterations, other than #incidental alterations#, involving 30 percent or more of the existing #floor area# of a #building#. Notwithstanding the provisions of Section 43-02 (Street Tree Planting in Manufacturing Districts), all #developments# or #enlargements# within the #Special Clinton District# that include #uses# listed in Use Group 17 or 18 shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting).

* * *

Article IX - Special Purpose Districts

Chapter 9
Special Madison Avenue Preservation District

* * *

~~**99-06**~~
~~**Mandatory Tree Planting Provisions**~~

~~All new #developments# within the Special District shall provide and maintain trees of not less than four inch caliper, at the time of planting, on sidewalks for the entire length of #street# frontage of the #zoning lot#. Those trees shall be planted at maximum intervals of 25 feet and be provided with metal guards in accordance with Department of Transportation guidelines.~~

~~**99-07**~~ **99-06**
Off-Street Parking Regulations

* * *

~~**99-08**~~ **99-07**
Authorization to Waive Midblock Transition Portion Heights Limitation

* * *

Article X
Special Purpose Districts

Chapter 1
Special Downtown Brooklyn District

* * *

101-03
District Plan and Maps

The regulations of this Chapter are designed to implement the #Special Downtown Brooklyn District# Plan.

The District Plan includes the following ~~eight~~ seven maps:

Map 1	Special Downtown Brooklyn District and Subdistricts
Map 2	Ground Floor Retail Frontage
Map 3	Ground Floor Transparency Requirements
Map 4	Street Wall Continuity and Mandatory Sidewalk Widenings
Map 5	Curb Cut Restrictions
~~Map 6~~	~~Street Tree Planting~~
Map ~~7~~ 6	Height Limitation Areas
Map ~~8~~ 7	Subway Station Improvement Areas

The maps are located within Appendix E (Special Downtown Brooklyn District Maps) of this Chapter and are hereby incorporated and made part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements set forth in the text of this Chapter apply.

* * *

101-30
SPECIAL PROVISIONS WITHIN HEIGHT LIMITATION AREAS

The provisions of this Section shall apply within the Flatbush Avenue Extension and Schermerhorn Street Height Limitation Areas, as shown on Map ~~7~~ 6 in Appendix E of this Chapter.

(a) Flatbush Avenue Extension Height Limitation Area

Within the Flatbush Avenue Extension Height Limitation Area, no #building or other structure# shall exceed a height of 400 feet.

(b) Schermerhorn Street Height Limitation Area

Within the Schermerhorn Street Height Limitation Area, the provisions of this paragraph, (b), shall apply:

(1) Public plaza prohibition

No #public plazas# shall be permitted within Area B of Map ~~7~~ 6.

(2) Height and setback regulations

The tower provisions of Section 101-223 shall not apply. The standard height and setback regulations of Section 101-222 shall apply within Area A of Map ~~7~~ 6, and are modified to limit maximum building height to 140 feet within Area B, and to permit a maximum building height of 250 feet within Area C of Map ~~7~~ 6. For #buildings developed# or #enlarged# pursuant to the Quality Housing Program, the underlying height and setback regulations shall apply, except that the maximum height of a #building# shall be as specified on Map ~~7~~ 6 or as specified pursuant to the Quality Housing Program, whichever is less.

* * *

~~101-43~~
~~Street Tree Planting Regulations~~

~~Map 6 (Street Tree Planting) in Appendix E of this Chapter specifies #streets# where the tree planting requirements of this Section shall apply.~~

~~All #buildings# located on the #streets# specified on Map 6 shall provide and maintain trees of not less than four-inch caliper, at the time of planting, in the sidewalk adjacent to the #zoning lot#. Such trees shall be provided for the entire length of the #street# frontage of the #zoning lot#. Such trees shall be planted at maximum intervals of 25 feet and at a distance from the curb consistent with existing tree plantings, except where the Commissioner of Parks and Recreation determines that such tree planting would be infeasible. These trees shall be provided with metal guards in accordance with Department of Parks and Recreation guidelines.~~

~~101-44~~ 101-43
Off-Street Relocation or Renovation of a Subway Stair

* * *

~~101-45~~ 101-44
Indoor Bicycle Parking

* * *

APPENDIX E
Special Downtown Brooklyn District Maps

* * *

~~Map 6 Street Tree Planting~~ (DELETE MAP)

Special Downtown Brooklyn District

Street Tree Planting Required

Map ~~7~~ 6 Height Limitation Areas

* * *

Map ~~8~~ 7 Subway Station Improvement Areas

* * *

Article X - Special Purpose Districts

Chapter 7
Special South Richmond Development District

* * *

107-322
Tree requirements

* * *

~~(b) Sidewalk trees~~

~~All #developments# and #site alterations# in the Special District shall preserve existing trees or provide and maintain trees of three-inch caliper or more at the time of planting along the entire length of the #street# frontage of the #zoning lot#. The trees shall be located between the #front lot line# and the curb line, and 25 feet on center or one tree per 25 feet of frontage. These trees shall be planted in accordance with the requirements of the Department of Parks and Recreation, except where the Department of Parks and Recreation determines that such tree planting would be infeasible.~~

(~~c~~ b) Planting for open parking areas

In underlying #Residence#, #Commercial# or #Manufacturing Districts#, all open off-street parking areas with ten spaces or more shall be subject to the tree planting and screening requirements of Section 107-483.

* * *

Article X - Special Purpose Districts

Chapter 9
Special Little Italy District

* * *

109-10
PRESERVATION AREA (Area A)

* * *

109-17
Mandatory Street Trees

~~Except where the Commissioner of Transportation determines that such tree planting is infeasible,~~ In addition to the applicable underlying #street# tree planting requirements, all ~~new #developments#, #enlargements#,~~ changes of #use# within the same or to other Use Groups involving at least 50 percent of the #floor area# of an existing #building#, or alterations above 30 percent of the building value of an existing #building# pursuant to the applicable articles of the Building Code of the City of New York, within Area A, shall provide ~~and maintain~~ trees in accordance with Section 26-41(Street Tree Planting). ~~planted in the #street# sidewalk area adjacent to the #zoning lot# for the entire length of the #street# frontage of the #zoning lot#. Such trees shall be not less than three and one half inch caliper, one tree shall be planted for every 25 feet of #street# frontage at approximately equal intervals. They shall be planted flush to grade and in other respects planted in conformance with the specifications established by the Manhattan Street Tree Planting Division of the Department of Parks and Recreation and the Department of Transportation.~~

~~Such #street# tree requirements shall not apply to any #development# on a #zoning lot# within the Mulberry Street Regional Spine (Area A-1).~~

* * *

109-30
HOUSTON STREET CORRIDOR (Area B)

* * *

109-36
Mandatory Street Trees

In addition to the applicable underlying #street# tree planting requirements, ~~A~~ all ~~new #developments#, #enlargements#~~, changes of #use# within the same or to other Use Groups of at least 50 percent of the #floor area# of an existing #building#, or alterations above 30 percent of the building value of an existing #building#, pursuant to the applicable articles of the Building Code of the City of New York, within Area B, shall provide ~~and maintain~~ #street# trees as set forth in Section ~~109-17~~ 26-41 (Street Tree Planting), except that for a #zoning lot# frontage on Houston Street such mandatory trees may alternatively be located on the median traffic island of Houston Street.

* * *

Article XI - Special Purpose Districts

Chapter 2
Special City Island District

* * *

~~**112-11**~~
~~**Mandatory Tree Planting Provisions**~~

~~All #developments# on City Island shall provide and maintain trees of not less than four-inch caliper at the time of planting on sidewalks for the entire length of the #street# frontage of the #zoning lot#. These trees shall be planted at maximum intervals of 25 feet and at a distance from the curb consistent with existing tree plantings. The trees shall be provided with metal guards in accordance with Department of Transportation guidelines.~~

~~**112-12**~~ **112-11**
Special Parking Regulations

* * *

~~112-121~~ 112-111
Accessory parking for commercial uses

* * *

~~112-122~~ 112-112
Accessory parking and floor area requirements for eating or drinking establishments

* * *

~~112-123~~ 112-113
Reservoir space requirements for eating and drinking establishments

* * *

~~112-124~~ 112-114
Screening and tree planting requirements for all parking lots with 10 or more spaces

* * *

~~112-125~~ 112-115
Location of parking spaces along City Island Avenue

* * *

Article XI - Special Purpose Districts

Chapter 3
Special Ocean Parkway District

* * *

113-31
Tree Planting Requirements

~~For~~ In addition to the applicable underlying #street# tree planting requirements, all ~~#developments#, #enlargements# or~~ changes of #use# on #zoning lots# having frontage on Ocean Parkway, shall provide #street# trees in accordance with the provisions of Section 26-41(Street Tree Planting). ~~trees of at least 4 inch caliper shall be planted in the sidewalk along Ocean Parkway at the rate of one tree for each 25 feet of frontage or portion thereof.~~

* * *

Article XI - Special Purpose Districts

Chapter 4
Special Bay Ridge District

* * *

~~**114-20**~~
~~**SPECIAL TREE PLANTING REGULATIONS**~~

~~In any zoning district permitting #residences# in the #Special Bay Ridge District#, all #developments# and #enlargements# shall provide and maintain, along the entire #street# length of the #zoning lot#, one #street# tree for every 25 feet of #street# frontage of the #zoning lot#. Such trees shall be of at least three-inch caliper at the time of planting and shall be placed at approximately equal intervals, except where the Department of Parks and Recreation determines that such tree planting would not be feasible. All such trees shall be planted, maintained and replaced when necessary with the approval of and in accordance with the standards of the Department of Parks and Recreation.~~

Article XI – Special Purpose Districts

Chapter 5
Special Downtown Jamaica District

* * *

~~**115-32**~~
~~**Street Tree Planting**~~

~~All new #developments# or #enlargements# that increase the existing #floor area# by at least 20 percent shall provide and maintain trees of not less than three inch caliper at the time of planting in the sidewalk adjacent to the #zoning lot#. Such trees shall be provided for the entire length of the #street# frontage of the #zoning lot# at maximum intervals of 25 feet except where the Commissioner of Parks and Recreation determines that such tree planting would be infeasible.~~

~~Trees shall be planted with gratings flush to grade in at least 200 cubic feet of soil per tree, with a depth of soil of at least 3 feet, 6 inches. Species shall be selected, installed and maintained in accordance with the specifications established by the Department of Parks and Recreation.~~

~~**115-33**~~ **115-32**
Refuse Storage, Recreation Space and Planting Areas

* * *

Article XI – Special Purpose Districts

Chapter 6
Special Stapleton Waterfront District

* * *

116-42
Visual Corridors

#Visual corridors# shall be provided for #developments# in the locations shown on Map 5 in the Appendix to this Chapter. Such #visual corridors# shall be subject to the requirements of Section ~~116-522~~ 116-512(Design requirements for visual corridors).

* * *

~~**116-51**~~
~~**Street Trees**~~

~~#Street# trees, pre-existing or newly-planted, shall be provided along the entire length of the #street# frontage of the #zoning lot#. The trees shall be located between the #front lot line# and the curb line and shall be provided at the rate of one tree for each 25 feet of frontage. Trees shall be planted in accordance with the requirements of the Department of Parks and Recreation.~~

~~**116-52**~~ **116-51**
Design Requirements for Upland Connections and Visual Corridors

* * *

~~**116-521**~~ **116-511**
Design requirements for upland connections

* * *

~~**116-522**~~ **116-512**
Design requirements for visual corridors

The requirements of this Section shall apply to all #visual corridors#. When a #visual corridor# coincides with an #upland connection#, the provisions of Section ~~116-521~~ 116-511 (Design requirements for upland connections) shall also apply.

Article XI - Special Purpose Districts

Chapter 7
Special Long Island City Mixed Use District

* * *

117-502
Queens Plaza Subdistrict Plan

The Queens Plaza Subdistrict Plan partly consists of the following three maps located within Appendix C of this Chapter:

* * *

Map 3 (Sidewalk Widening, Street Wall Location and Ground Floor Use) of the Queens Plaza Subdistrict Plan specifies the locations where special #street wall#, mandatory sidewalk widening and ground floor #use# regulations, as set forth in Sections 117-531 and ~~117-554~~ 117-553, apply.

* * *

117-531
Street wall location

* * *

(e) In the locations specified on Map 3 (Sidewalk Widening, Street Wall Location and Ground Floor Use) of Appendix C of this Chapter, a #development# or #enlargement# shall comply with the provisions of paragraphs (a) through (d) of this Section as applicable, except that #street walls# shall be located as specified on Map 3. The #street wall# of a #development# or #enlargement# may be set back only in the areas indicated on Map 3 as "Permitted #Street Wall# Setback Locations," provided that the additional sidewalk widening resulting from such setback is accessible to the public, developed in accordance with the provisions of Section ~~117-555~~ 117-554, and located adjacent to a public sidewalk or mandatory sidewalk widening.

117-551
General provisions

Within the Queens Plaza Subdistrict, the provisions of Section~~s 117-552 (Street trees) and 117-553~~ 117-552 (Central refuse storage area) shall apply to any #development# or #enlargement# except where more than 50 percent of the #floor area# of such #development#, #enlargement#, alteration or change of #use# is occupied by a #use# listed in Use Groups 16 or 17.

The provisions of Sections ~~117-554~~ 117-553 (Mandatory sidewalk widening and ground floor uses) and ~~117-555~~ 117-554 (Mandatory sidewalk widening design requirements) apply to those locations identified on Map 3 in Appendix C of this Chapter.

~~**117-552**~~
~~**Street trees**~~

~~#Street# trees shall be planted in the #street# adjacent to the #zoning lot#, except that #street# trees shall not be planted along Northern Boulevard and Queens Boulevard. At least one tree of 2.5 inch caliper or more shall be planted for each 25 feet of the entire #street# frontage of the #zoning lot#, excluding the frontage occupied by driveways or as required by the Department of Transportation. Trees shall be planted with gratings flush to grade in at least 200 cubic feet of soil per tree, with a depth of soil of at least 3 feet, 6 inches. Species shall be selected, installed and maintained in accordance with the~~

~~specifications established by the Department of Parks and Recreation and the Department of Transportation.~~

~~If the Commissioner of Buildings determines that the tree planting requirements of this Section cannot be met in part or in whole because of subsoil conditions or the presence of an elevated structure, the number of required #street# trees that cannot be planted as required in this Section shall be planted in the #street# on the same #block# as the #zoning lot# to which it has frontage or at an alternative site approved by the Department of Parks and Recreation and the Department of Transportation.~~

~~117-553~~ 117-552
Central refuse storage area

* * *

~~117-554~~ 117-553
Mandatory sidewalk widening and ground floor uses

The sidewalk widening and ground floor #use# provisions of this Section shall apply to all #developments# or #enlargements# with a #floor area ratio# of 3.0 or more:

(a) Sidewalk widening accessible to the public must be provided in the locations specified on Map 3 (Sidewalk Widening, Street Wall Location and Ground Floor Use) of Appendix C of this Chapter. Such mandatory sidewalk widening is subject to the design requirements of Section ~~117-555~~ 117-554.

* * *

~~117-555~~ 117-554
Mandatory sidewalk widening design requirements

* * *

Article XI - Special Purpose Districts

Chapter 9
Special Hillsides Preservation District

* * *

119-112
Tier I tree planting requirements

* * *

~~(a)~~ On-site trees

On-site trees, pre-existing or newly-planted, shall be provided on the #zoning lot# at the rate of one tree for each 1,000 square feet of #lot area#, or portion thereof, or shall equal a total of 51 percent of all #tree credits# for trees originally on site, whichever is greater.

~~(b) #Street# trees~~

~~#Street# trees, pre-existing or newly-planted, shall be provided along the entire length of the #street# frontage of the #zoning lot#. The trees shall be located between the #front lot line# and the curb line and shall be provided at the rate of one tree for each 25 feet of frontage. Trees shall be planted in accordance with the requirements of the Department of Transportation and Department of Parks and Recreation.~~

For any existing tree of at least six-inch #caliper# that is preserved, credit for one tree shall be given for the first six inches of #caliper# and, for each additional four inches of #caliper#, credit for an additional tree shall be given.

Single-trunk trees, newly planted to meet this requirement, shall be of at least three-inch #caliper# at the time of planting. Multiple-trunk trees and low-branching coniferous evergreens shall be at least 10 feet in height at the time of planting. On-site trees shall be of a species selected from Appendix B (Selection List for On-site Trees) ~~and #street# trees shall be of a species selected from Appendix C (Selection List for Street Trees)~~.

* * *

119-214
Tier II requirements for driveways and private roads

* * *

(b) #Private roads#

* * *

~~(8) along the entire length of a #private road#, trees shall be provided and maintained at the rate of one tree for every 25 feet of #private road# frontage and shall comply with the requirements set forth in Section 119-216 (Tier II tree planting requirements);~~

(~~9~~ 8) no building permit shall be issued by the Department of Buildings without approval by the Fire Department regarding the adequacy of vehicular access to and within the #development# for fire safety. Such approval may include the modification of #private road# width as set forth in paragraph (b)(3) of this Section; and

(~~10~~ 9) for the purposes of applying the #yard# regulations of Section 26-31, the curb of the #private road# shall be considered to be the #street line#.

119-216
Tier II tree planting requirements

* * *

~~(a)~~ On-site trees

On-site trees, pre-existing or newly-planted, shall be provided on the #zoning lot# at the rate of one tree for each one thousand square feet of #lot area#, or portion thereof, or shall equal a total of 51 percent of all #tree credits# for trees originally on site, whichever is greater.

~~(b) #Street# trees~~

~~#Street# trees, pre-existing or newly-planted, shall be provided along the entire length of the #street# frontage of the #zoning lot#. The trees shall be located between the #front lot line# and the curb line and shall be provided at the rate of one tree for each 25 feet of frontage. Trees shall be planted in accordance with the requirements of the Department of Transportation and the Department of Parks and Recreation.~~

For any existing tree of at least six-inch #caliper# that is preserved, credit for one tree shall be given for the first six- inches of #caliper# and, for each additional four inches of caliper, credit for an additional tree shall be given.

Single-trunk trees newly-planted to meet this requirement shall be of at least three-inch #caliper# at the time of planting. Multiple-trunk trees and low-branching coniferous evergreens shall be at least 10 feet in height at the time of planting. On-site trees shall be of a species selected from Appendix B (Selection List for On-site Trees) ~~and #street# trees shall be of a species selected from Appendix C (Selection List for Street Trees)~~.

* * *

~~APPENDIX C~~
~~Selection List for Street Trees~~

~~Street Trees~~

~~BOTANICAL NAME~~	~~COMMON NAME~~
~~Acer rubrum~~	~~Red maple~~

~~Amelanchier canadensis~~	~~Shadbush, Serviceberry~~
~~Carpinus caroliniana~~	~~American hornbeam, Musclewood~~
~~Celtis occidentalis~~	~~Hackberry~~
~~Crataegus crus-galli inermis~~	~~Thornless cockspur hawthorn~~
~~Crataegus phaenopyrum~~	~~Washington hawthorn~~
~~Fraxinus pennsylvanica~~	~~Green ash~~
~~Fraxinus americana~~	~~White ash~~
~~Gingko biloba (male trees only)~~	~~Gingko~~
~~Gleditsia triacanthos inermis~~	~~Honey locust, thornless~~
~~Liquidambar styraciflua~~	~~Sweet gum~~
~~Nyssa sylvatica~~	~~Tupelo, swamp~~
~~Ostyra virginiana~~	~~American hop hornbeam~~
~~Quercus palustris~~	~~Pin oak~~
~~Quercus stellata~~	~~Post oak~~
~~Quercus phellos~~	~~Willow oak~~
~~Quercus rubra~~	~~Northern red oak~~
~~Taxodium distichum~~	~~Bald cypress~~
~~Tilia americana~~	~~Basswood~~
~~Tilia cordata~~	~~Little leaf linden~~

* * *

Article XII - Special Purpose Districts

Chapter 2
Special Grand Concourse Preservation District

* * *

122-50
SPECIAL PROVISIONS FOR ~~TREE PLANTING~~ <u>PLANTING STRIPS</u>

For #developments# or #enlargements#, ~~#street# trees shall be provided and maintained along the entire length of the #street# frontage of the #zoning lot#. Such trees shall be a minimum of 3 inches in caliper at the time of planting and be planted at maximum intervals of 25 feet and at a distance from the curb consistent with existing tree planting.~~

~~Such trees shall be provided with metal guards in accordance with the Department of Parks and Recreation guidelines. In addition,~~ there shall be a strip of continuous planting at grade of not less than 3 feet in width along the entire front wall of a new #building#. In the event a #building# is constructed within 3 feet of the #street line#, the owner of the #building# shall apply to the Bureau of Highway Operations for permission to locate a portion of such planting strips on a public sidewalk within the #street line#. A copy of such application shall be submitted with the new building application when filed at the Department of Buildings. Such sidewalk planting requirement may be waived by the Department of Buildings only upon receipt of written disapproval by the Department of Transportation.

* * *

Article XII - Special Purpose Districts

Chapter 3
Special Mixed Use Districts

* * *

123-81
Modification of Planting Strips

In #Special Mixed Use Districts#, the provisions of Section 26-42 (Planting Strips) shall not apply.