



DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES  
60 HUDSON STREET, NEW YORK, N.Y. 10013

RUDOLPH J. RINALDI, Commissioner

312-8100

ISSUANCE # 363

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EXECUTIVE ORDER # 1/92

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TO: Borough Commissioners

FROM: Rudolph J. Rinaldi, Commissioner

DATE: July 29, 1992

RE: General City Law §36  
Mapped Street Access Requirement  
Approval of Street and Access Plan  
by either Board of Standards and Appeals  
or City Planning Commission

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General City Law §36(2) requires that a street or highway giving access to a structure has been duly placed on the official map or plan. Where the proposed structure fronts on an unmapped street, a General City Law objection is written sending the applicant to the New York City Board of Standards and Appeals for a modification of the requirement upon a showing of adequate street width for emergency access and proper grading, etc.

The Zoning Resolution contains specific provisions authorizing the City Planning Commission to approve a street plan and system of vehicular access ("C.P.C. approved plan"). Such approvals are given only pursuant to the following sections of the Zoning Resolution:

Sec. 74-743 General Large Scale Developments  
Sec. 78-311, 312 and 313 Residential Large Scale  
Development  
Sec. 105-90 Natural Areas Subdivisions  
Sec. 107-08 South Richmond Subdivisions

These C.P.C. approved plans shall contain language which ensures that the street plan complies with all applicable laws and regulations governing the construction of streets. Such approved plans satisfy the official plan requirement of General City Law §36(2). Upon issuance of City Planning Commission authorization under these sections, the General City Law objection may be removed.

For example, where a tract is located within the Special South Richmond Development District and a street and access plan approved by the City Planning Commission is required pursuant to ZR §107-02, such approved plan meets the requirements of General City Law §36(2) and the GCL objection should be removed upon submission of the City Planning Commission approved plan.

Therefore, the objection regarding access to a structure should be written so that either a plan approved by the CPC under the above cited sections or a BSA resolution will satisfy the objection.