



SOUTH RICHMOND ZONING RELIEF

New York City Council

Subcommittee on Zoning and Franchises

September 6, 2023



OUTLINE

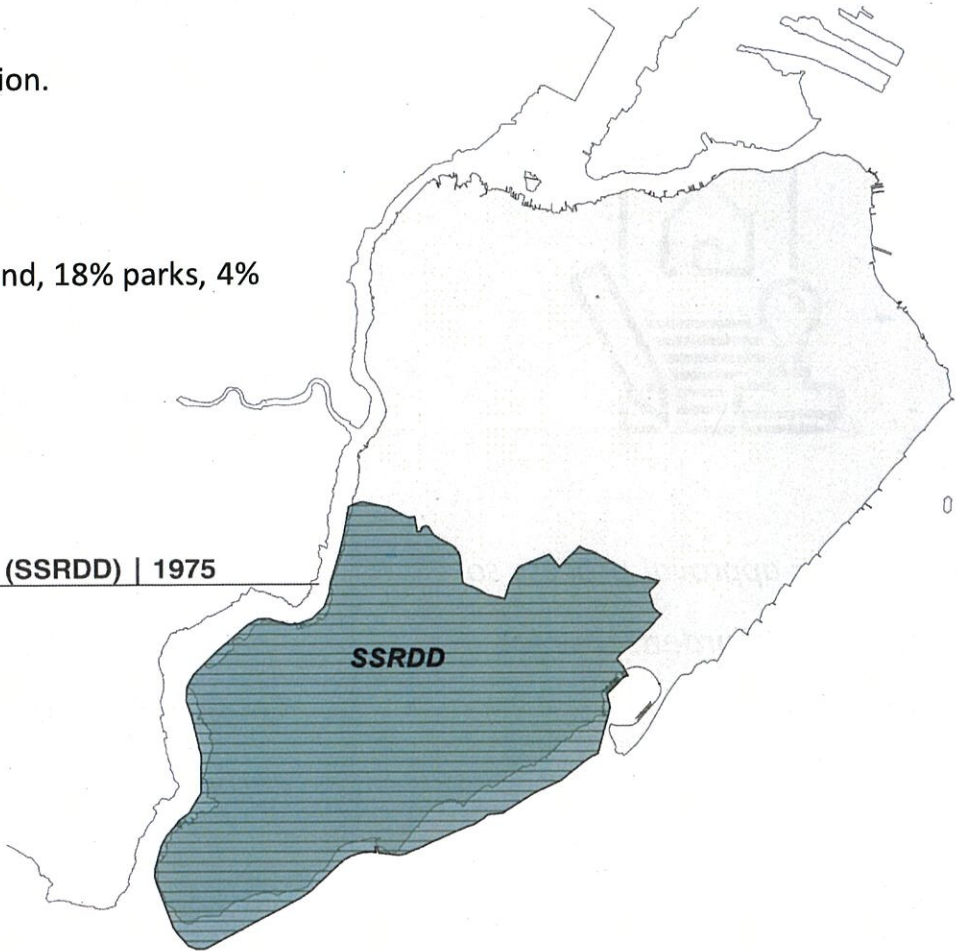
- Special District Overview
- Zoning Structure
- Special District Elements

Special South Richmond Development District

- Created in response to **rapid growth** after the opening of the Verrazzano Bridge.
- Goals aim to **balance development** with natural feature preservation.
- **One-third** of Staten Island's land area.
- Distribution of lots: **41% one- & two-family** homes, 19% vacant land, 18% parks, 4% commercial, 3% industrial.

Special South Richmond Development District (SSRDD) | 1975

- | | |
|-------------------|-------------------|
| ■ Totenville | ■ Annadale |
| ■ Charleston | ■ Eltingville |
| ■ Rossville | ■ Arden Heights |
| ■ Sandy Ground | ■ Great Kills |
| ■ Woodrow | ■ Prince's Bay |
| ■ Bay Terrace | ■ Richmond Valley |
| ■ Pleasant Plains | |



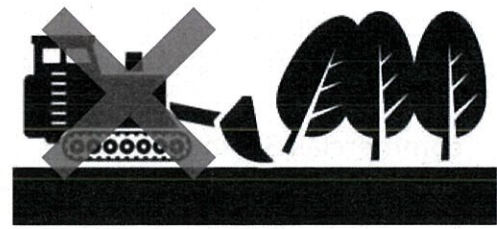
Community feedback over the decades



*“Why is the approval process so **complex and burdensome** for smaller projects?”*



*“Why do individual homeowners need to spend extra **time and money** for CPC approvals unlike other areas of the Borough?”*

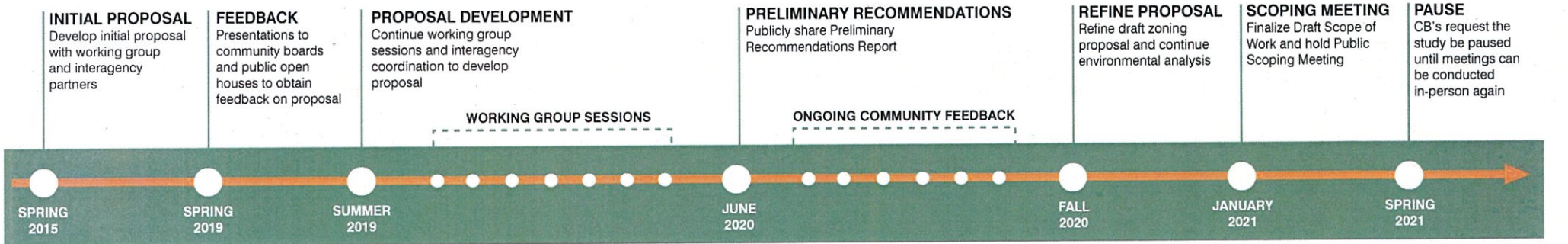


*“Why doesn’t the City focus resources on **larger sites** to prevent destruction of sensitive **natural resources**?”*

Community outreach sessions

Staten Island Working Group Members:

- SI Borough President's Office
- SI Councilmember's Office (District 51)
- SI Community Board 3
- SI Chapter - American Institute of Architects
- SI Building Industry Association
- NYC Department of Buildings
- NYC Department of Parks
- NYC Department of Transportation



Goals established by the Working Group

SIMPLIFY the approval process

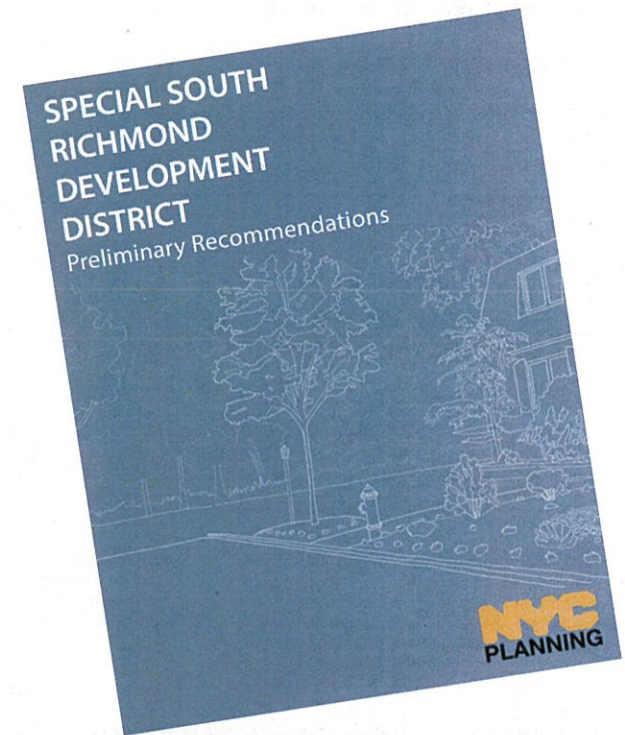
- Create home-owner friendly zoning regulations for small properties.

ESTABLISH greater predictability

- Codify rules for natural feature preservation and neighborhood character based on 50 years of best practices.

IMPROVE regulations for larger sites

- Focus CPC and CB review on large and environmentally sensitive sites.



- Special District Overview
- Zoning Structure
- Special District Elements

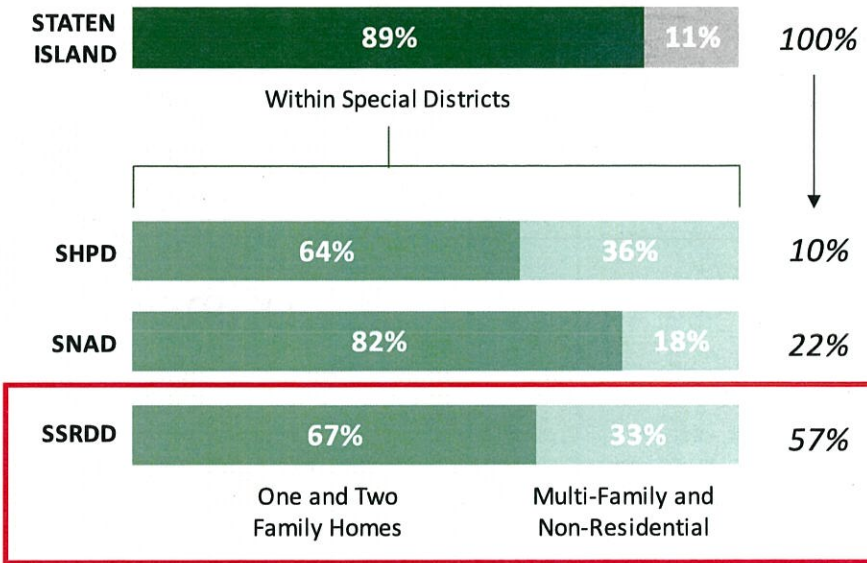
Current Zoning Structure

Zoning Text

- Requires DCP review of virtually **every residential lot**.
- Over half (57%) of the applications reviewed by SIO are in SSRDD with two-thirds (67%) for **one/two family homes**.
- Majority of applications are **Certifications** for:
 - Subdivision
 - Public School Seats

} *44% of all applications*
- **Authorizations** require CPC review for:
 - Tree Removal
 - Topographic Modification
 - Group Parking Facilities

Application Type and Workload



EXISTING APPROVALS

	Cert	Auth	SP
SHPD	2	9	1
SNAD	3	10	2
SRD	9	10	7
Total	14	29	10

Summary of Proposed Zoning Structure

SIMPLIFY

ESTABLISH

IMPROVE

<p>As-of-Right</p>	<ul style="list-style-type: none">• Small Subdivisions (under 1 acre) would be filed directly at DOB.• Remove outdated zoning regulations which have zero applicability today.• Tree removal and topographic modification on small sites (under 1 acre) would be reviewed by DOB.
<p>CPC/CB Review</p>	<ul style="list-style-type: none">• Most large sites +1 acre would require an action from DCP.• Regulations for Designated Open Space (DOS) would remain unchanged and continue to be reviewed by DCP with minor edits to the Text Maps.

OUTLINE

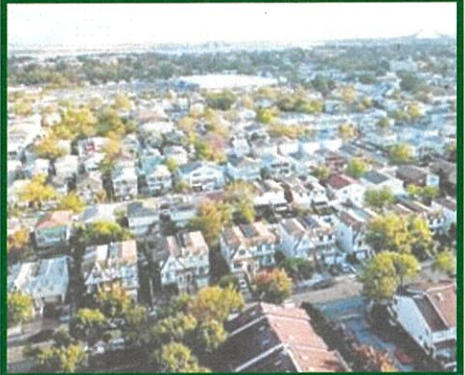
- Special District Overview
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South Richmond Proposal

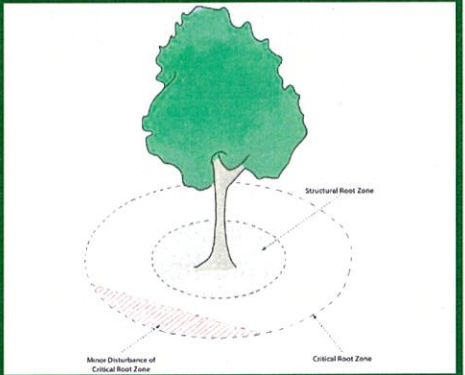
1. Area D/F/K & Park Streets



2. Subdivisions & SS



3. Tree Planting



4. Designated Open Space



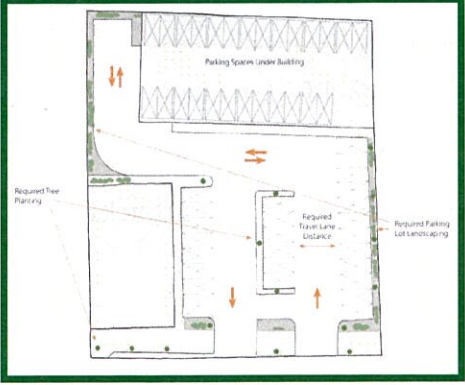
5. Wetlands



6. Arterial Streets



7. Parking Facilities +30



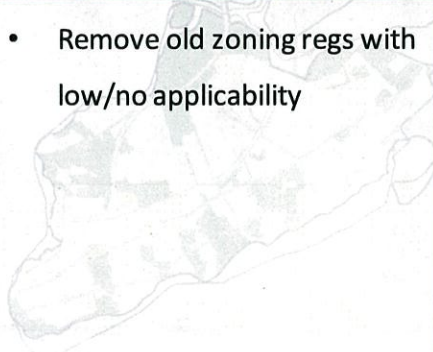
8. CPC Plan Review Sites



South Richmond Zoning Relief – Summary

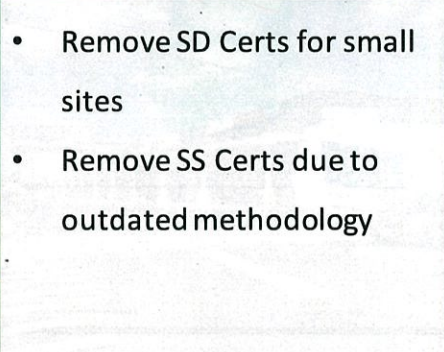
1. Area D/F/K & Park Streets

- Remove old zoning regs with low/no applicability



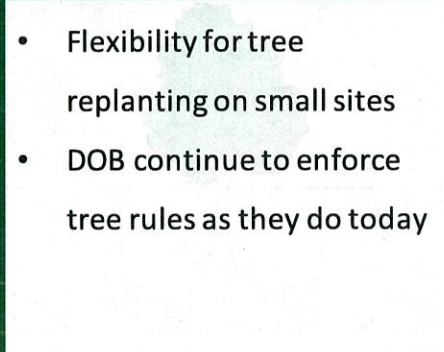
2. Subdivisions & SS

- Remove SD Certs for small sites
- Remove SS Certs due to outdated methodology



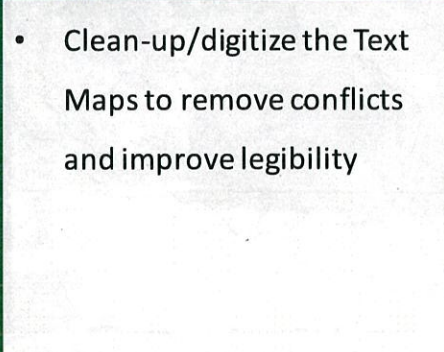
3. Tree Planting

- Flexibility for tree replanting on small sites
- DOB continue to enforce tree rules as they do today



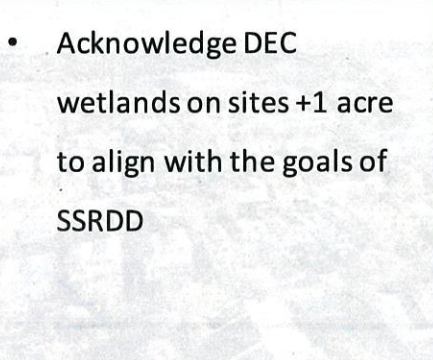
4. Designated Open Space

- Clean-up/digitize the Text Maps to remove conflicts and improve legibility



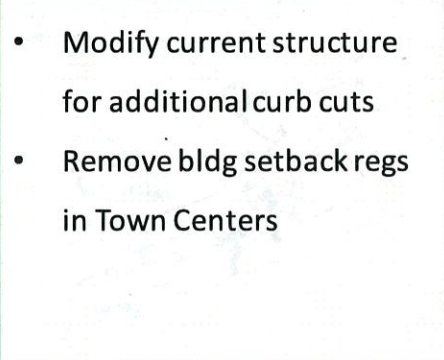
5. Wetlands

- Acknowledge DEC wetlands on sites +1 acre to align with the goals of SSRDD



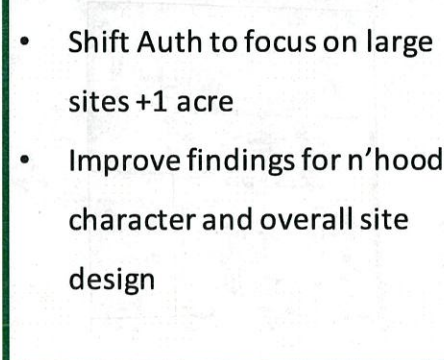
6. Arterial Streets

- Modify current structure for additional curb cuts
- Remove bldg setback regs in Town Centers



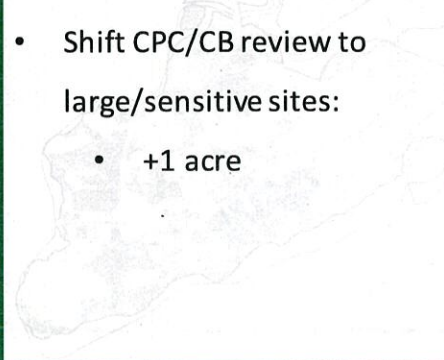
7. Group parking +30

- Shift Auth to focus on large sites +1 acre
- Improve findings for n'hood character and overall site design



8. Plan Review Sites

- Shift CPC/CB review to large/sensitive sites:
 - +1 acre



Feedback from Local Stakeholders

- “Over the past several months, **we have worked collectively** and come up with a proposal that will benefit the residents of South Richmond. We are delighted this proposal is **moving into public review**” – *Thomas Barlotta, CB3 Land Use Chairman*
- “Under the current rules, a homeowner in the SSRDD has to navigate a labyrinth of time-consuming regulations and approvals just to make a simple improvement on a property. This new proposal removes many of those unnecessary barriers, while **striking the proper balance** between protecting **property rights** and preserving the **natural environment** and unique character of these communities” – *Councilmember Joseph Borelli*
- “We’re supportive of **clear and concise rules** that are not unnecessarily complicated and costly for homeowners to complete a simple improvement to their property. This zoning relief proposal can help **minimize the cost and time for residents** by streamlining those processes. We encourage the public to get involved with their thoughts and suggestions on how to improve the recommendations.” – *Staten Island Borough President Vito Fossella*
- “For years, South Richmond homeowners have been hamstrung by **needlessly complicated rules** and a tangled web of red tape. Now, our administration has come to the table with Borough President Fossella, Councilmember Borelli, and our partners in the community to **‘Get Stuff Done’.**” – *Mayor Eric Adams*

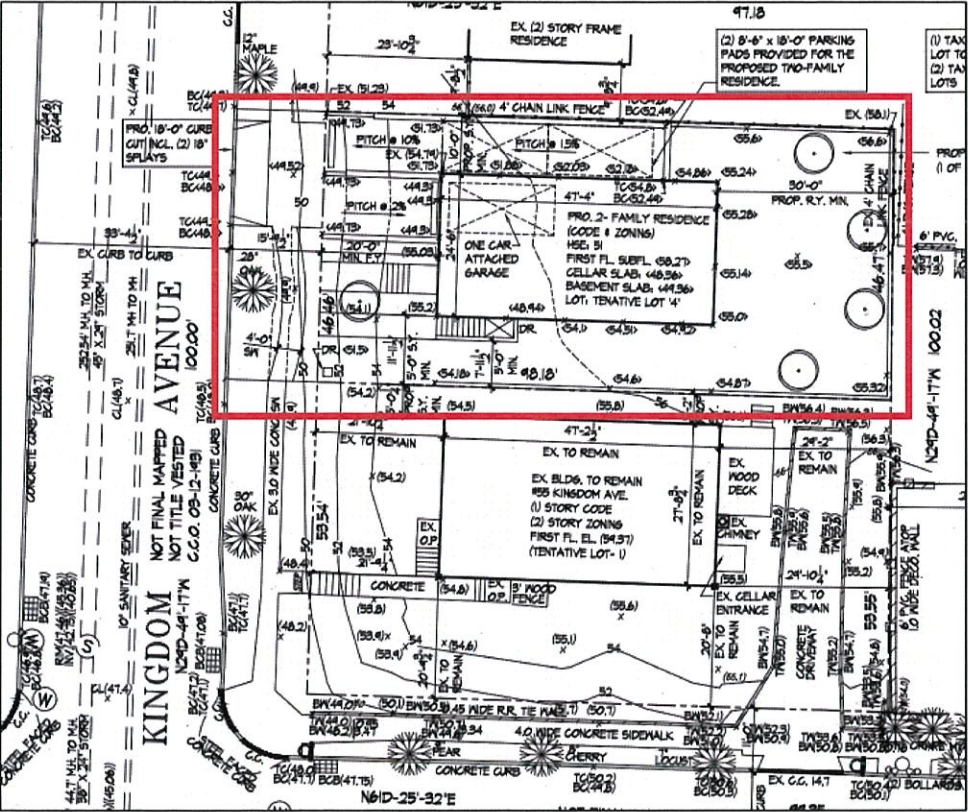
Questions & Discussion



APPENDIX

SSRDD Regulation #1 – Subdivision & School Seats

- **CPC Certification** required for any zoning lot subdivision
- **Chair Certification** required for any residential development



107-121 - Public schools

LAST AMENDED
2/2/2011

For any #development# containing #residential uses#, the Department of Buildings shall be in receipt of a certification from the Chairperson of the City Planning Commission which certifies that sufficient #schools# capacity exists to accommodate the anticipated primary and intermediate public school children of the #development#. All applications for certification pursuant to this Section shall be referred by the Chairperson of the Commission to the Board of Education.

The Board of Education shall issue a report concerning the availability of #schools# capacity within 60 days after receipt of the application. The Chairperson of the Commission shall respond within 90 days after receipt of an application. The report shall specify the following:

- whether or not #schools# space is available;
- if #schools# space is not available, the report shall include:
 - the number of seats required;
 - the grade organization;
 - the location of the #schools#;
 - the size of #schools# (sq. ft. per pupil); and
 - the proposed financing mechanism.

For the purposes of this Section, sufficient #schools# capacity shall be deemed to exist if:

- such capacity is available in existing #schools#; or
- construction funds have been authorized in the Capital Budget to accommodate anticipated primary and intermediate public school children from the #development# upon its completion or within three years from the date of the Chairperson's certification; or
- sufficient #schools# space is to be provided by the applicant under a plan jointly approved by the Chairperson of the Commission and Board of Education.

After approval of the Chairperson of the Commission and Board of Education of the applicant's plan to provide the #schools# #building#, the certification may be granted either upon approval of a financial agreement by the Board of Estimate or such guarantee of construction with provision for future #schools# occupancy as may be accepted by the Board of Education and the Chairperson of the Commission.

However, the Chairperson of the Commission may grant such certification if capacity is not currently available and the Board of Education after consulting with the Community School Board determines that the impact from the #development# will have a minimal effect on the concerned #schools# and includes such statement in their report.

A certification by the Chairperson of the Commission that sufficient capacity will be available in the public #schools#, as set forth in the above circumstances, shall automatically lapse if substantial construction of the foundations of the #development# in accordance with approved plans has not been completed within one year from the date of such certification.

No certification concerning the availability of #schools# capacity shall be required for any #development# within a

SRDD Regulation #2 – Designated Open Space

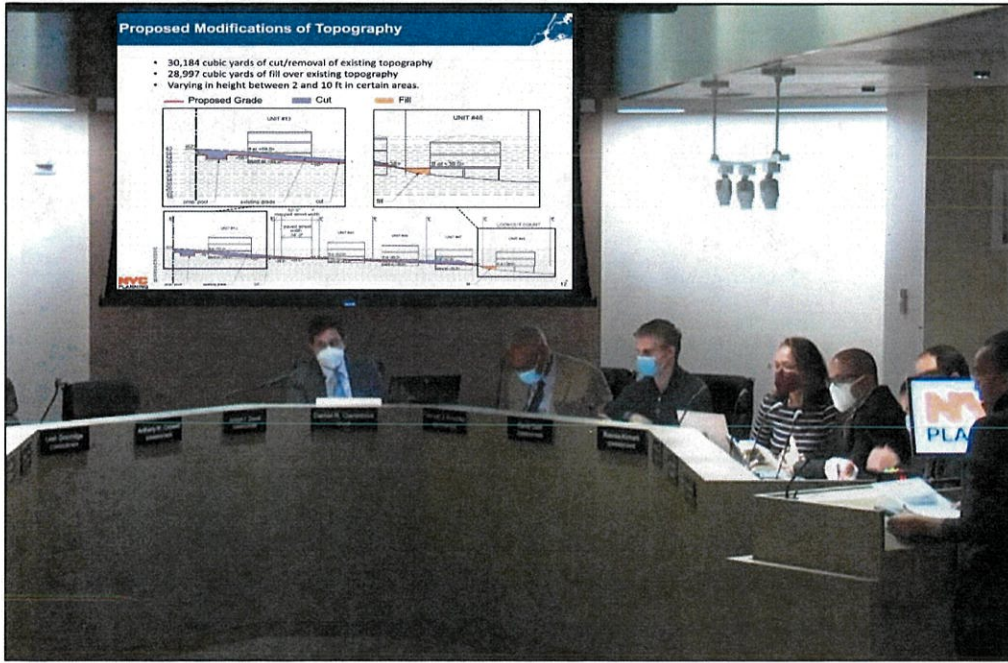
- **Text Amendment** may be required to build single-family home due to location of DOS on subject zoning lot.



Designated Open Space 10,712 sqft	Development Site 3,996 sqft	Affected Lots 30,969 sqft
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SSRDD Regulation #3 – Tree Removal & Topographic Modification

- **CPC Authorization** required if tree removal or topographic modification is not within a proposed building footprint, eight-foot construction zone, or required parking areas.



Proposed Tree Removal

- Removal of 971 existing trees, of which 296 require an authorization pursuant to ZR 107-64.
- 273 new trees will be planted to comply with the minimum tree planting requirements.

Tree removal subject to authorization

Tree removal permitted by zoning

NYC PLANNING

11

.. Areas D, F, & K and Park Streets

Issues

- **Conditions have changed since in 1975.**
- **CPC Certification needed** for Special Areas D, F, and K.
 - **Area D** – Park acquisitions and DEC wetland mapping.
 - **Areas F and K** – area is fully developed.
- **Park Streets**
 - **Curb cut and setbacks** made redundant by LDGMA.
 - **Landscaping** regs are now in underlying zoning (ie. street trees and front yard planting).



Proposed Solutions

- **Remove** Special Areas D, F, and K from the text.
- **Remove** Park Street designations from the text



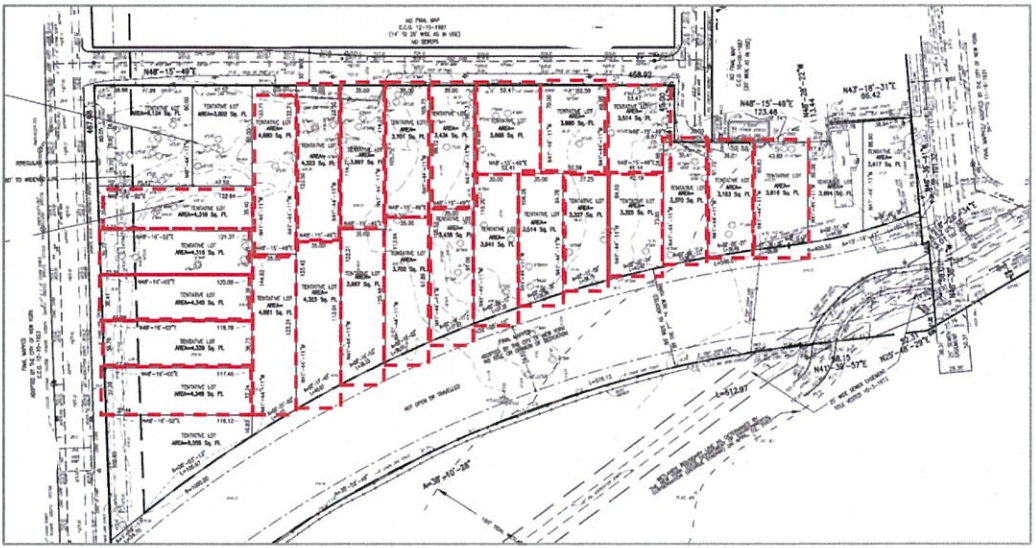
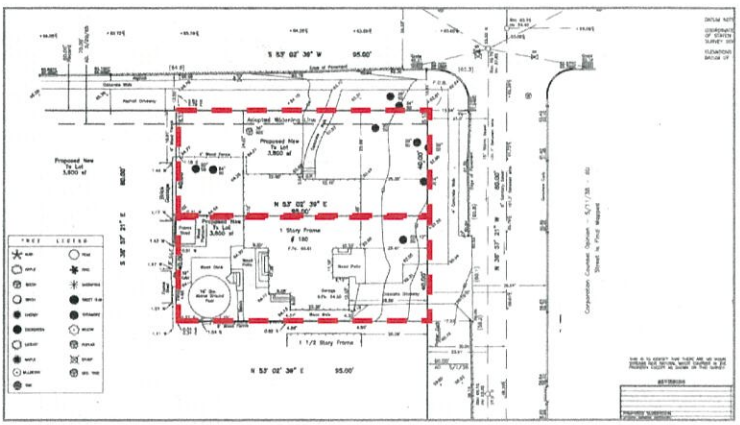
2a. Subdivisions

Issues

- Nearly all subdivisions are for **two or three homes/lots.**
- **Simple Certification** which does not provide for valuable input.
- On **large sites with sensitive features**, the CPC relies on SRD goals to request preservation of natural features rather than the Certification itself.

Proposed Solution

- **Remove** the Subdivision Certs for **small lots** under 1 acre.
- **Strengthen** CPC/CB review on **larger sites** over 1 acre to provide meaningful input on preservation and site design.



2b. School Seats

Issues

- **OUTDATED ZONING** – the School Seat Certification was created at a time when SSRDD had little public school infrastructure with no Capital Agency to track the need for capacity.
- The SCA has been utilizing a **separate methodology to determine school capacity** for several years.

Proposed Solutions

- **Remove the School Seat Certification** from the zoning text.
- Allow the SCA to continue utilizing their **Capital Plan to project school capacity** and future need as they have been doing for years.

Capital Plan Reports & Data Home - Community - Capital Plan Reports & Data

Overview | Capital Plan | Demographic Projection | Enrollment, Capacity & Utilization | Housing Projections | Sub-District Maps | Local Law 167 Reports

Capital Plan Reports & Data

The Enrollment, Capacity & Utilization Report is an annual document that provides information on school organization and school building utilization. The utilization data is derived by using information from the Principal Annual Space Survey where principals report on how spaces are being used during a given school year. This Report is designed to provide a standardized assessment of capacity for each school and school building and assist decision-making relative to space utilization.

- Enrollment, Capacity and Utilization Report 2019 - 2020
- Enrollment, Capacity and Utilization Report 2018 - 2019
- Enrollment, Capacity and Utilization Report 2017 - 2018
- Enrollment, Capacity and Utilization Report 2016 - 2017
- Enrollment, Capacity and Utilization Report 2015 - 2016
- Enrollment, Capacity and Utilization Report 2014 - 2015
- Enrollment, Capacity and Utilization Report 2013 - 2014

Overview | Capital Plan | Demographic Projection | Enrollment, Capacity & Utilization | Housing Projections | Sub-District Maps | Local Law 167 Reports

Capital Plan Reports & Data

New housing development projects can stress the local schools by introducing an influx of new students. The Department of Education collaborates with other City Agencies to develop a comprehensive list of new housing starts and incorporates the expected increase in school-age population into its projections. Following are housing projection reports used in developing the projections.

- Projected New Housing Starts as Used in 2020-2029 Enrollment Projection
- Projected Public School Ratio

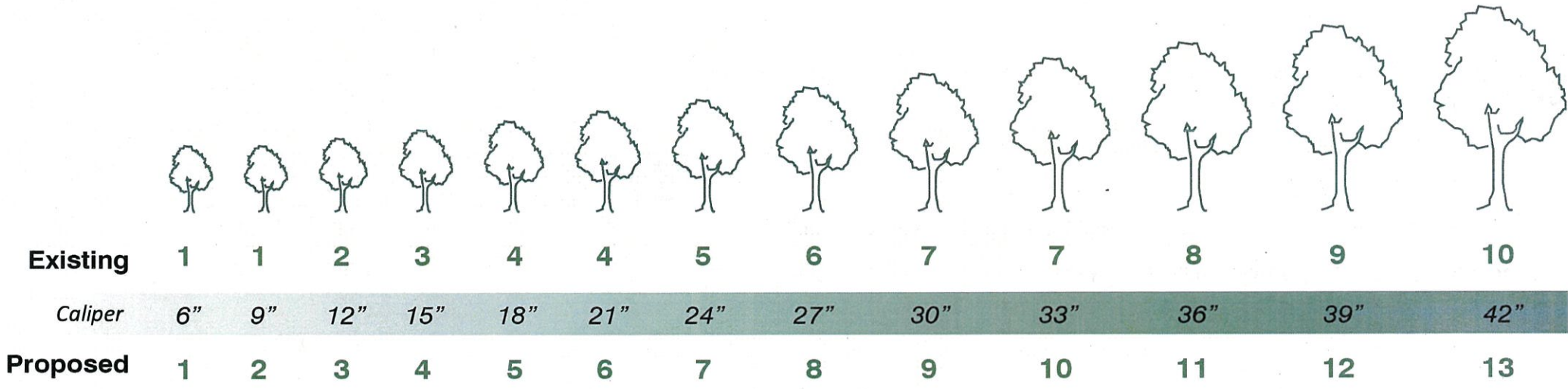
3. Tree Regulations

Issues

- Many homeowners are **unaware of today's rules** which make it difficult to enforce and results in onerous violations/fines.
- **Tree removal** beyond building/parking requires CPC vote.
- Existing rules don't encourage preservation of **larger trees**.

Proposed Solutions

- **Remove CPC Auth** for tree removal **on small sites** (under 1 acre).
- **Retain DOB review** for minimum tree credit requirements.
- Update tree credit system to **incentivize tree preservation**
- **Establish planting standards** for health and longevity of trees.



4. Designated Open Space – Text Maps

Issues

- **Unclear dimensions** in the Text Maps.
- Mapped over improved and traveled **streets**.
- Mapped either across or adjacent to **existing building footprints** restricting usable rear yard for homeowners.

Proposed Solutions

- Clean-up the map
- **Remove isolated parcels** of DOS.
- **Remove conflicts** with buildings built pre-1975.
- Total existing DOS = 1,398 acres (100%)
 - 1,347 acres retained (96.4%)
 - 51 acres removed (3.6%)



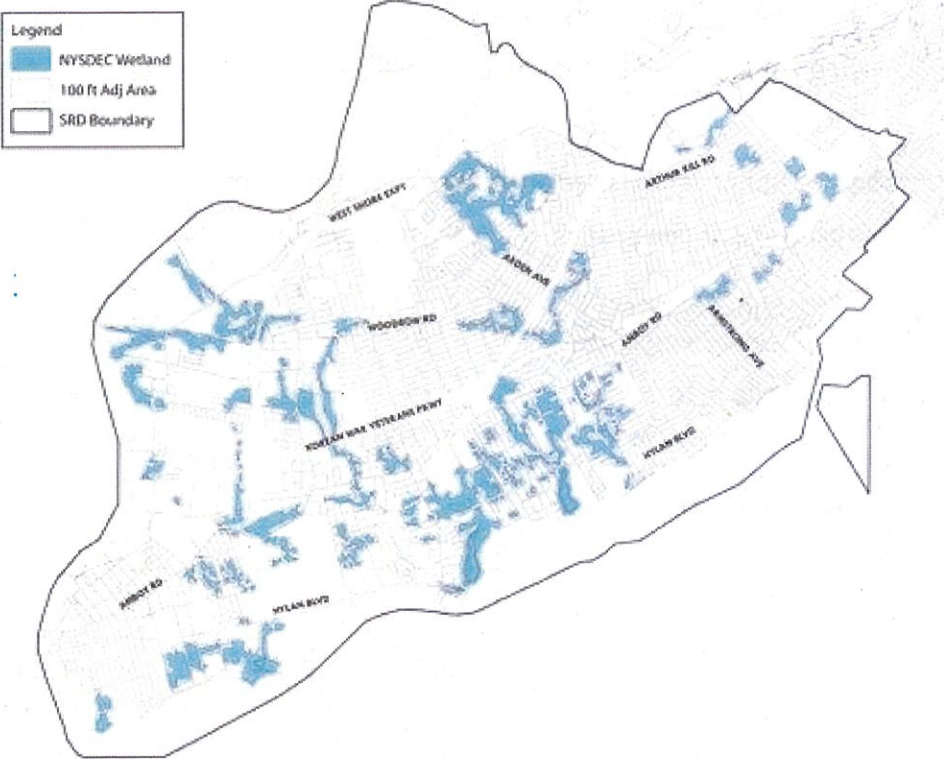
5. Large Sites with DEC Wetlands

Issues

- Goals of SSRDD aim “to **avoid destruction** of irreplaceable natural and recreational resources such as **lakes, ponds, watercourses, beaches...**”.
- However, existing **CPC Authorizations don’t achieve this goal** and are only focused on trees and topography (ZR 107-64 and 107-65).

Proposed Solutions

- Update zoning to **acknowledge** DEC wetlands – not to regulate.
- CPC to establish "**area of no disturbance**" on large sites +1 acre that have non-DEC wetlands to strengthen the goals of SSRDD.



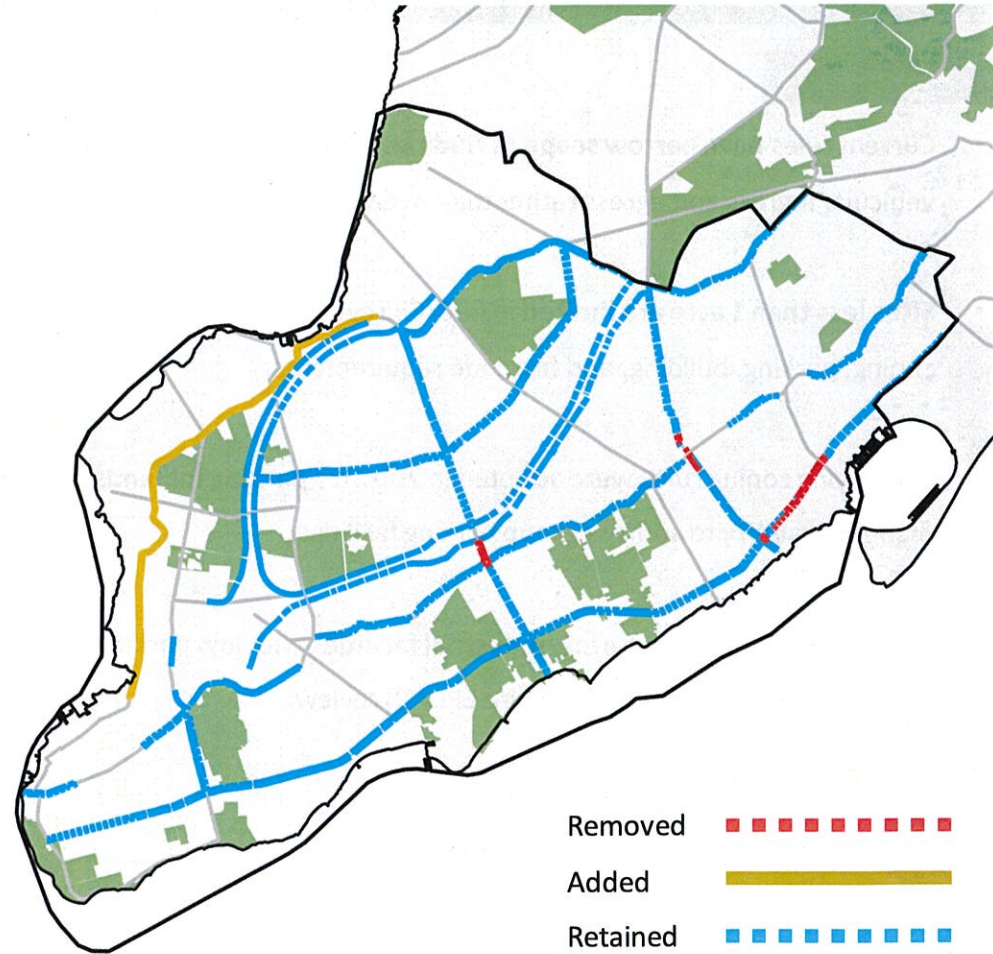
5. Arterial Streets

Issues

- **Additional curb cuts** prohibited as-of-right even if required for emergency access or improved circulation.
- **Setback requirements** (20-foot to 35-foot) prevent streetwall buildings and walkable main streets in historic town centers.

Proposed Solutions

- Codify existing policy to allow **additional curb cuts** on arterials as-of-right with DOT and DOB review.
- Update setback map to allow **streetwall buildings** in town centers.
 - Remove 16k feet, Add 38k feet, Retain 280k feet
- **Add Arthur Kill Road** to the Arterial Text Map.



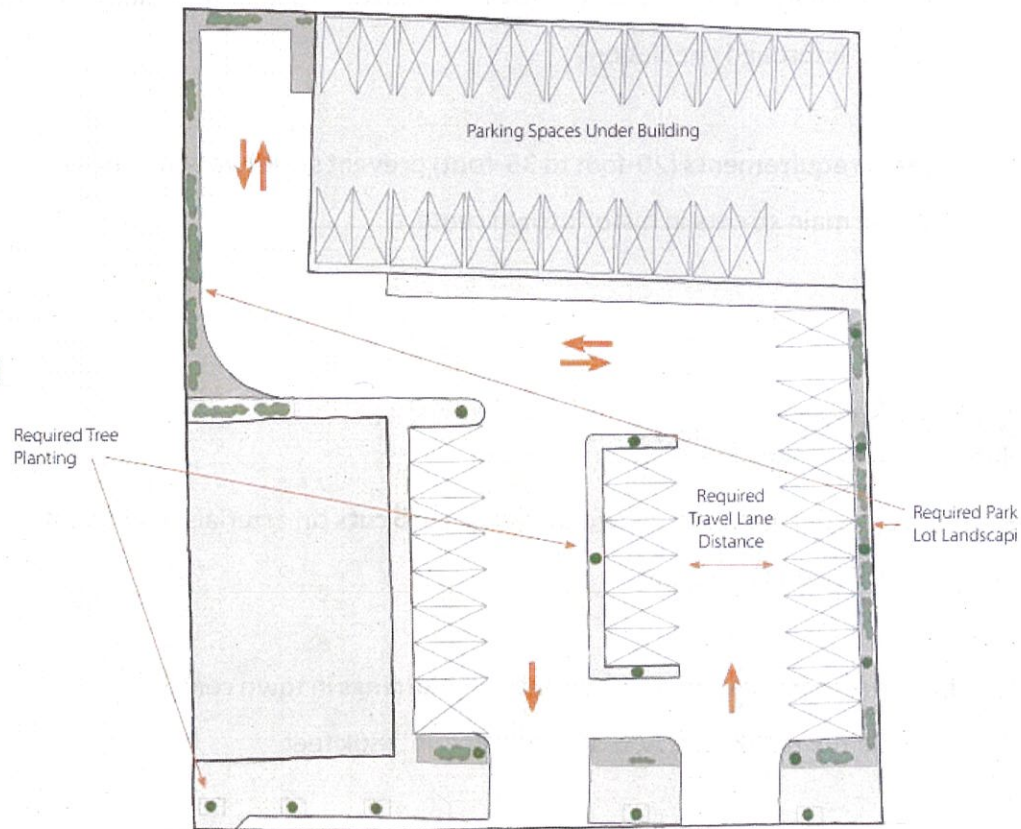
7. Group Parking Facility over 30 spaces

Issues

- Current rules have **narrow scope of findings** which limit CPC/CB input to vehicular ingress and egress rather than overall circulation.
- **Sites less than 1 acre are limited** in CPC/CB review due to needing to meet zoning, parking, building, and fire code requirements.
- Underlying zoning rules were adopted in 2007 for **parking lot landscaping and maneuverability** to address group parking facilities.
- **Large sites for manufacturing/industrial facilities** with low parking requirements do not always require CPC/CB review.

Proposed Solutions

- **Only require CPC Auth for sites +1 acre.**
- **Improve the CPC findings** to preserve neighborhood character while providing adequate circulation for both vehicles and pedestrians.



Plan Review Sites

ZR 107-64 – Future Subdivision for Certain Plan Review Sites

- Shifting from all zoning lots to only zoning lots +1 acre

ZR 107-65 – Modification of Natural Feature Regulations

- Comprehensive review of natural feature modifications (combine existing trees and topo Auth into one holistic Auth).

ZR 107-68 – Modification of Group Parking Facility

- Change from +30 parking spaces to +1 acre and add finding for pedestrian, bicycle, and open space.



- Chairperson Certification for any Plan Review Site that does not:
 - have any SSRDD **District Plan Element** (DOS or Arterial Street)
 - contain a **DEC wetland**
 - exceed two tree credits per 1k sqft of lot area (ie. **forested site**)
 - exceed **10 additional parking spaces** (ie. enlargement only)

Zoning Structure

<p>As-of-Right</p>	<ul style="list-style-type: none">• Small Subdivisions (less than 1 acre) would be filed directly at DOB.• Remove outdated zoning regulations which have zero applicability today.• Site alteration on small sites (less than 1 acre) would be reviewed by DOB.
<p>CPC/CB Review</p>	<ul style="list-style-type: none">• Most large sites +1 acre would require an action (Auth or Cert) from DCP.• DOS regulations would remain unchanged and continue to be reviewed by DCP.

Zoning Structure – with Certifications


As-of-Right	<ul style="list-style-type: none">• Small Subdivisions (less than 1 acre) would be filed directly at DOB.• Remove outdated zoning regulations which have zero applicability today.• Site alteration on small sites (less than 1 acre) would be reviewed by DOB.• Site alteration within as-of-right areas on Plan Review Sites.
CPC/CB Review	<ul style="list-style-type: none">• Most large sites +1 acre would require an action (Auth or Cert) from DCP.• DOS regulations would remain unchanged and continue to be reviewed by DCP.• Site alteration beyond as-of-right areas on Plan Review Sites with natural features.
Certification	<ul style="list-style-type: none">• Enlargement of an existing building that only requires 10 parking spaces.• Site alteration beyond as-of-right areas on Plan Review Sites without natural features.

Working Group Discussion – levels of discretion

#1 – New Development

PROJECT DETAILS

- Large development on a vacant site.
- Commercial and retail uses with a group parking facility and loading areas.
- Natural features include hundreds of trees across a relatively flat forested area.



More Review ← → Less Review


CB3
DCP
CM
BP
AIA/
BIA

DRAFT FOR DISCUSSION PURPOSES ONLY 4

#2.a – Major Enlargement

PROJECT DETAILS

- Enlargement of an existing commercial use.
- Home Depot wants to add a 2k sqft annex on the side of the building for extra lumber storage.
- The annex requires new parking spaces which are built in an area of the site which previously had a handful of trees.



More Review ← → Less Review

DCP
CB3
AIA/
BIA
CM
BP

DRAFT FOR DISCUSSION PURPOSES ONLY 4

#2.b – Major Enlargement

PROJECT DETAILS

- Enlargement of an existing commercial use.
- Stop & Shop wants to add a 2k sqft pharmacy as an annex on the side of the building.
- The pharmacy requires some parking, but the existing parking lot has a surplus of required spaces, so no additional parking is needed.



More Review ← → Less Review


DCP
CB3
AIA/
BIA
CM
BP

DRAFT FOR DISCUSSION PURPOSES ONLY 4

#4.a – Site Alteration

PROJECT DETAILS

- Site Alteration of an existing commercial use.
- Strip mall wants to add bioswales and ADA accessibility (ramps, pathways) in the parking lot.
- No additional parking is required and no natural features would be altered.



More Review ← → Less Review


DCP
CB3
AIA/
BIA
CM
BP

DRAFT FOR DISCUSSION PURPOSES ONLY 10

#4.b – Site Alteration

PROJECT DETAILS

- Site Alteration of an existing school.
- PS 005 wants to build a playground and improve an empty area of the site with a softball field.
- No additional parking is required but the site alteration would remove several trees.



More Review ← → Less Review


DCP
CB3
CM
AIA/
BIA
BP

DRAFT FOR DISCUSSION PURPOSES ONLY 11

#5.a – Subdivision

PROJECT DETAILS

- Subdivision to facilitate the construction of dozens of residential homes.
- Natural features include hundreds of trees across a forested area with sloped topography.
- A private mapped road is built since only a portion of the site fronts on a mapped street.



More Review ← → Less Review

DCP
CB3
AIA/
BIA
CM
BP

DRAFT FOR DISCUSSION PURPOSES ONLY 1

Plan Review Sites – proposed Land Use Actions

#1 Development	Any new building on a Plan Review Site	CPC Authorization	Referral
#2 Enlargement	Enlargement with up to 10 additional parking spaces	Chair Certification	No Referral
#3a Site Alteration	Tree removal or topo mod beyond the as-of-right areas on a sensitive site	CPC Authorization	No Referral
#3b Site Alteration	Tree removal or topo mod beyond the as-of-right areas on a site that is not sensitive	Chair Certification	No Referral
#3c Site Alteration	Tree removal or topo mod within 20 feet of an existing building footprint, or for required utilities	As-of-right	No Referral
#4a Subdivision	Subdivision of a sensitive site	CPC Authorization	Referral
#4b Subdivision	Subdivision of a site that is not sensitive	Chair Certification	No Referral

Proposed CPC Authorizations

- **ZR 107-62 – Yard, Court, and Parking Regulations**
 - Authorization currently only applies for DOS sites; make applicable for Plan Review Sites and sites with DEC wetlands
- **ZR 107-64 – Future Subdivision for Certain Plan Review Sites**
 - Authorization to Subdivide a Plan Review Site that does not meet Certification criteria
- **ZR 107-65 – Modification of Natural Feature Regulations**
 - Modifications of the natural features beyond as-of-right provisions (combine existing trees and topo Auth)
- **ZR 107-67 – Uses and Bulk Permitted in Certain Areas**
 - Remove Authorization for Areas D, F, and K; retain Authorization for Area SH (senior housing)
- **ZR 107-68 – Modification of Group Parking Facility**
 - Change from +30 parking spaces to +1 acre and add finding for pedestrian, bicycle, and open space

Proposed SRD Zoning Text | 107-30 NATURAL FEATURE REGULATIONS

