

**Staten Island Growth Management
Task Force
Final Report**

**Recommendations to
Mayor Michael R. Bloomberg**

December 2, 2003

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INTRODUCTION

On July 25, 2003 Mayor Michael R. Bloomberg announced the formation of the Staten Island Growth Management Task Force. The Task Force was charged with examining the issues of overbuilding and development on Staten Island, and identifying short-term solutions, potential legislative changes, and strategic long-term planning that will protect and enhance the Island's quality of life. The Mayor directed the Task Force to report back to him within 120 days with recommendations that would better manage development, and preserve and reinforce the quality of life and traditional neighborhood character of Staten Island.

Overdevelopment and inappropriate development have increasingly become one of the most significant issues facing Staten Islanders. Over the last decade, the Island's population grew by 17 percent, making it the fastest growing county in New York State. The addition of 65,000 people between 1990 and 2000 was accompanied by almost 23,000 new housing units – an increase of 14 percent. Population growth and new housing construction – a large portion of it in town house development – has exacerbated concerns about overdevelopment. According to many Staten Islanders, the very qualities that make the Island's neighborhoods so attractive are being diminished by what they perceive as inappropriate and haphazard development. In consultation with the Borough President and at the urging of Council Member Oddo, the Mayor formed the Task Force to examine these issues. As stated by Mayor Bloomberg at the Task Force formation:

“Today's announcement underscores our commitment to comprehensively addressing the problem of rapid development, infrastructure support and quality of life issues that are facing communities on Staten Island. I am confident that the carefully selected members of this task force will examine all of the issues and provide solutions that we can quickly put into effect.”

TASK FORCE

The full Task Force consists of elected officials, City agency commissioners, and representatives of Staten Island civic and community organizations, as well as professional organizations. A list of the Task Force members and their biographies is included in Appendix A. The first Task Force Meeting was held on August 5, 2003. The Task Force met approximately every four weeks during its 120-day period to review and discuss departmental and subcommittee proposals, and to direct additional work.

The first meeting of the Task Force was devoted to identifying issues that Task Force members wished to address over the course of the 120-day period (see Appendix B). Task Force Co-Chairs (Amanda M. Burden and Vincent LaPadula) met with participating City agency commissioners to coordinate inter-agency proposals and responses to the Task Force's issues.

A working group that consisted of the Staten Island City Planning Director, the Staten Island Transportation Commissioner and the Staten Island Buildings Commissioner was formed and met on a weekly basis to research and coordinate the departments' initiatives and planning

activities. This group will continue to meet on a regular basis to coordinate responses to on-going development issues.

A Zoning Subcommittee, consisting of certain Task Force members and their representatives met on a weekly basis with the Department of City Planning's Director of Zoning & Urban Design Michael Weil and his Deputy Director Thomas Wargo. The Staten Island Planning Director Leonard Garcia-Duran chaired these Subcommittee meetings.

Additional meetings between Task Force members and city agencies were held frequently to address specific issues and recommendations to bring before the full Task Force.

A Public Hearing was held on October 15 at the College of Staten Island to enable the Task Force to hear directly from the public on development issues. This supplemented a public website that was set up to provide information on all Task Force recommendations as they were being discussed. This resource is located at www.nyc.gov/sigrowth. In addition, an email address for the collection of public comments/inquires was also established and announced in the press. Members of the public can still provide input to the Task Force at sigrowthgmt@cityhall.nyc.gov.

Full Task Force meetings were held at Staten Island Borough Hall, the College of Staten Island and City Hall. Meetings were generally open to the press and were covered extensively in the media.

Proposals from the subcommittees, the public hearing, emails and task force members were presented to the full Task Force for discussion and debate. The final Task Force recommendations to the Mayor, which are presented in this report, received a unanimous vote of support. The Task Force also recommends that subcommittee members continue to meet on a monthly basis to monitor the implementation of the recommendations and to review the longer-term issues that could not be addressed during this 120-day time period.

ZONING RECOMMENDATIONS

Background

Zoning regulates the uses permitted in a particular area, and the shape and density of development. The “use” regulations, in addition to establishing whether commercial or residential uses are permitted, also establish the housing type that is permitted. Some zoning districts – such as R3X -- permit only one- and two-family detached houses (houses with yards on each side). Other districts – like R3-1 – permit both one- and two-family detached and semi-detached houses (houses that share a common wall on the zoning lot line, and have only one side yard on each zoning lot – see Figure 1). The R3-2 district permits all types of housing, including attached houses, also known as townhouses or rowhouses, as well as detached, semi-detached and multi-family houses. Current parking requirements in lower density districts on Staten Island require one parking space for each housing unit.

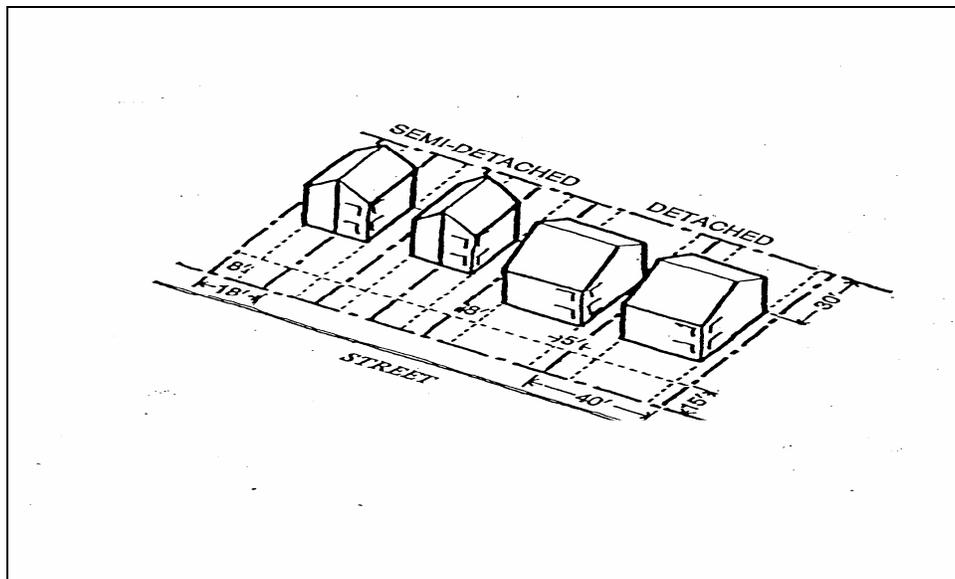


Figure 1

Each zoning district also has a set of “bulk” regulations. Bulk regulations establish how large a house is permitted through what is called the floor area ratio (FAR), and regulate the minimum size of front, side, and rear yards, the height of the “perimeter wall” of a building, the maximum height of a house, and such features as the permitted size of curb cuts and distance between curb cuts.

Zoning on Staten Island

The current New York City Zoning Resolution, adopted in 1961, mapped the R3-2 district in many parts of Staten Island. While this district permits townhouses, many of the areas mapped R3-2 were either largely vacant, or characterized by detached or semi-detached housing. In many locations, development under the R3-2 zoning was nevertheless limited primarily to detached or semi-detached housing due to the lack of adequate infrastructure – roads, and sanitation and sewer services – necessary to support higher-density housing. However, a developer could achieve the higher density and multi-family development permitted under the

zoning if it built its own infrastructure. Special zoning rules applied to developments that incorporated private roads.

As noted earlier, Staten Island was the fastest growing county in New York State over the last decade. In fact, its 132 percent population increase over the past 50 years – from 191,555 to 443,728 – has outpaced that of the other four boroughs in the City. This population explosion was fueled by the opening of the Verrazano Narrows Bridge in 1964, which, for the first time, provided direct access between Staten Island and the rest of the city. In the decade during which the bridge opened, Staten Island’s population grew by almost 33 percent. The large population growth was also accompanied by similarly large increases in new housing developments. Between 1970 and 2000, the number of housing units increased over 82 percent, from 89,950 to 163,341. The physical location and density of housing reflected in these high growth rates has challenged the earlier planning and zoning on the island and the cumulative development is straining the island’s infrastructure.

Since 1961, the Zoning Resolution as it affects Staten Island has been amended many times in an attempt to address specific development issues. A detailed chronology of the changes is presented in Appendix B. Such changes include establishment of three special districts (the Special Natural Areas District, the South Richmond Development District, and the Hillside Preservation District). In 1989, comprehensive amendments to the R3, R4, and R5 zoning regulations were adopted, and new lower density contextual zoning districts were created to better match future development to existing neighborhood context. In 2002, zoning amendments were adopted to establish improved standards for private road developments.

Since 1989 (See Figure 2), a number of neighborhoods in Staten Island have been rezoned with lower density contextual zoning districts, which, depending on the zoning district, prohibit attached and multi-family housing, and semi-detached housing. The most significant of these rezonings are the six downzoning applications prepared by the Borough President and which are to be acted on by the City Council before the end of 2003. These applications, covering over 1400 blocks in the North Shore and Mid-island areas, will help preserve neighborhood character by having new residential development better match the type, scale and density of existing housing in these areas. These applications follow a similar large-scale rezoning of the South Shore neighborhoods in 2000. (See Appendices C & D)

Staten Island Zoning Issues

Despite these successive zoning changes, the Task Force recognized that many zoning and planning issues remain to be addressed. The Task Force found that Staten Island is unique – due to the lack of a standard street grid, the high rate of car ownership, and its rapidly growing population. In addition, the lack of standard lot sizes and unusually large lot sizes, have resulted in many developments that undermine neighborhood character due largely to inappropriate housing placement and design. The Task Force discussed many examples of developments, both with and without private roads, that are too dense, and have inadequate yards, steeply pitched driveways, and housing spaced too closely together. The Task Force concluded that because of the special set of conditions on Staten Island, a unique set of zoning amendments would be required to ensure that new development would be more appropriate and in keeping with the special qualities of the neighborhoods that comprise Staten Island.

Zoning Recommendations

The Zoning Subcommittee of the Task Force has developed extensive and detailed proposals to amend the Zoning Resolution to address issues of inappropriate development on Staten Island. The Task Force believes these recommendations will go a long way toward protecting and enhancing the quality of life on Staten Island. (The Task Force recognizes that additional follow-up work addressing longer-term issues is warranted. For example issues related to commercial districts and school seats certification require further examination.) These zoning changes will result in less dense development, the demolition of fewer existing homes (tear downs), and new developments that are more compatible with the existing neighborhoods. Adoption of the zoning changes requires an environmental review and public review under the Uniform Land Use Review Procedure as well as Section 200 of the City Charter.

These zoning changes fall into three general categories: Parking and Related Requirements; New Yard and Open Space Requirements; and Private Road Developments.

The following text descriptions of the recommendations are followed by graphic illustrations.

Parking and Related Requirements (Figures 3-5)

The Task Force found that vehicle ownership on Staten Island is among the highest in New York City with 1.38 vehicles per household, more than double the city-wide rate of 0.62 vehicles per household. In the more recently developed areas of Community Boards 2 and 3 the vehicles per household figure is 1.44 and 1.65 respectively. Again these figures represent averages across the island, with higher number of vehicles per household in low-density developments. In specific neighborhoods at the census tract level the range of vehicles per household has reached 2.9, with seven tracts having figures in excess of three times the city-wide average. Because only one parking space is required for each housing unit, insufficient parking is provided, resulting in a loss of on-street parking for visitors. The Task Force proposes the following:

1. Increase the parking requirement for residential developments from 100 percent to 150 percent in the low-density residential districts (any R1, R2, R3, or R4-1 and R4A). Under zoning rules, this would result in a requirement of two parking spaces for a one-family home and three-parking spaces for a two-family home.
2. Prohibit required parking spaces in front yards. Required parking would be located in garages or driveways along the side of a house. This will help provide additional space for guest parking.
3. Ensure the minimum lot width for a two-family home of 33 feet to accommodate the increased parking requirement.
4. Encourage the building of garages by exempting them from floor area calculations. Up to 300 square feet for one car and up to a maximum of 500 square feet for more than one car would be exempted from the calculation (300 square feet provides enough space for both car and storage space).

5. Prohibit steeply pitched driveways -- no more than a two-foot drop from the curb would be allowed. The Task Force found that due to the elimination of the garage floor area exemption in 1989, where garages have been built, they tend to be located at the cellar level where they do not count as floor area. As a result, steeply pitched driveways have been constructed, resulting in unusable garages and unsafe conditions.
6. Maintain the overall 35-foot height limit for homes, but increase the perimeter wall height from 21 feet to 26 feet to allow room for garages to be built at street level. This height would accommodate a garage with two floors above it, while maintaining the existing height limit of 35 feet.
7. Require the planting of trees along all streets in front of new developments.
8. Adopt a new “attic design rule” to encourage more steeply pitched roofs reflective of the traditional roof line design found on many older Staten Island homes while maintaining the current height limit of 35 feet

The existing rule requiring 16 feet between curb cuts would be maintained. By requiring more on-site parking, more curbside parking would be freed-up for visitors. Eliminating steeply pitched driveways, prohibiting required parking in front yards, requiring the planting of street trees, and encouraging more steeply pitched roofs would result in more attractive developments. Equally important, in R3A districts, increasing the minimum lot size to 33 feet for two-family houses would result in a reduction in achievable density.

Figure 3

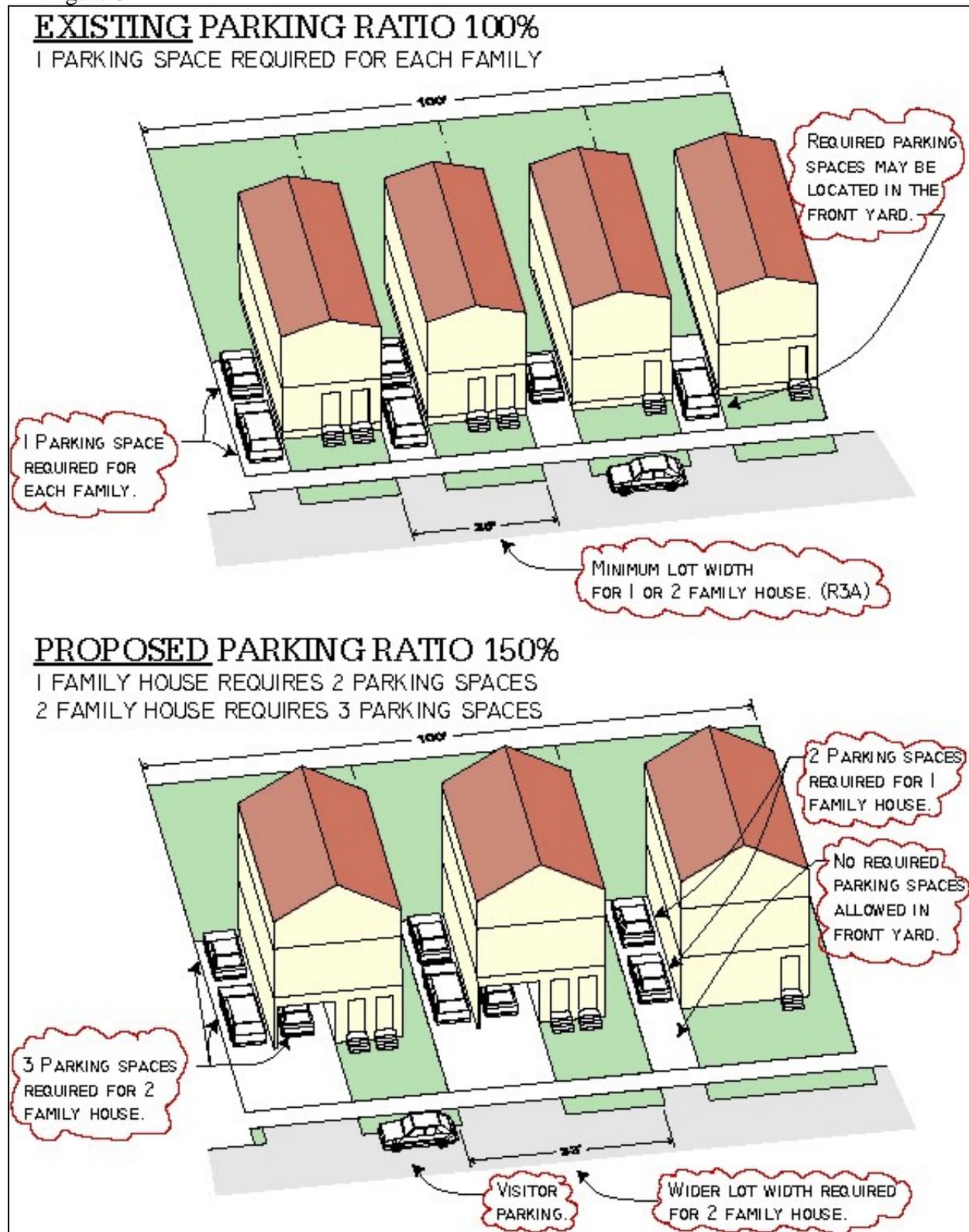


Figure 4

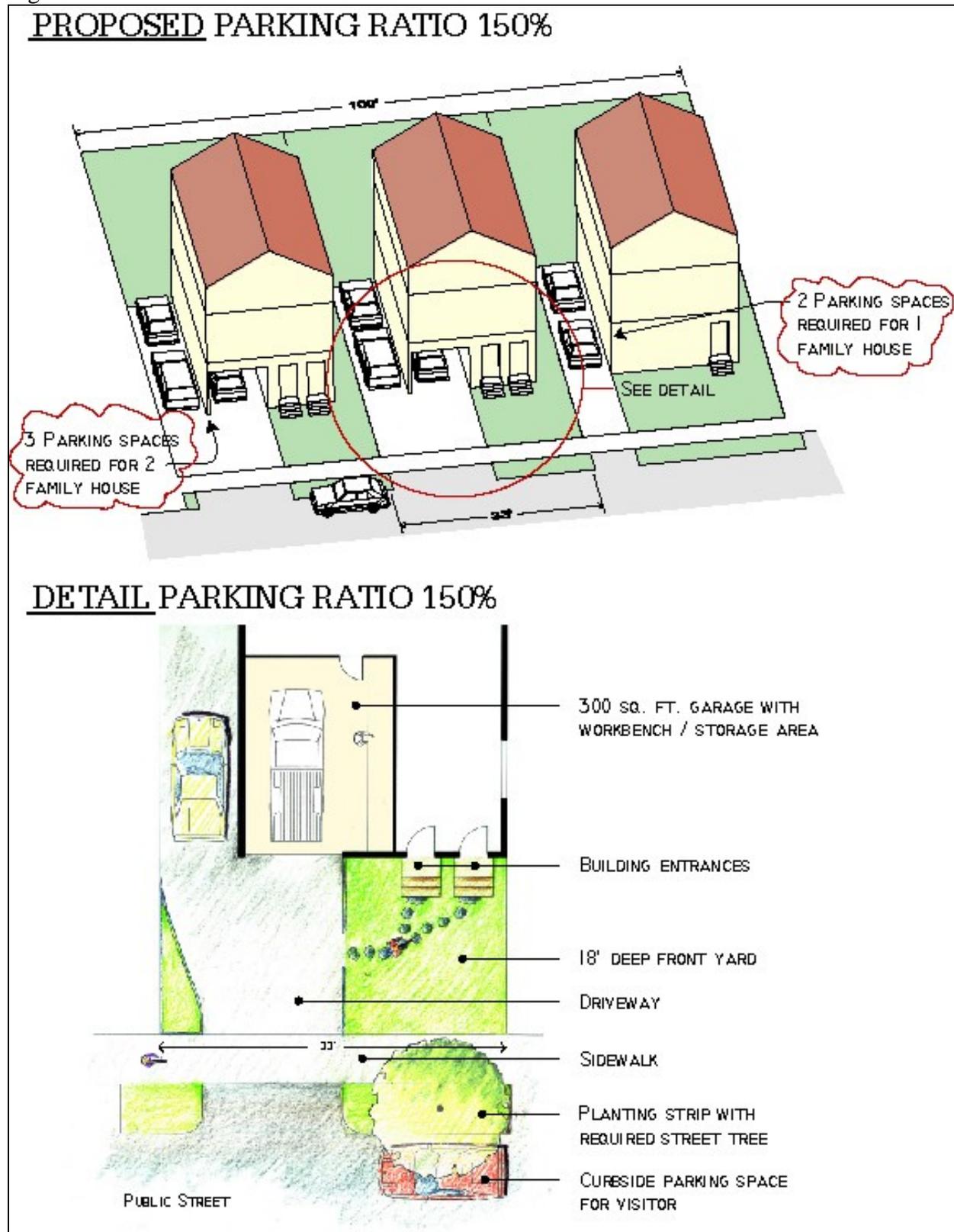
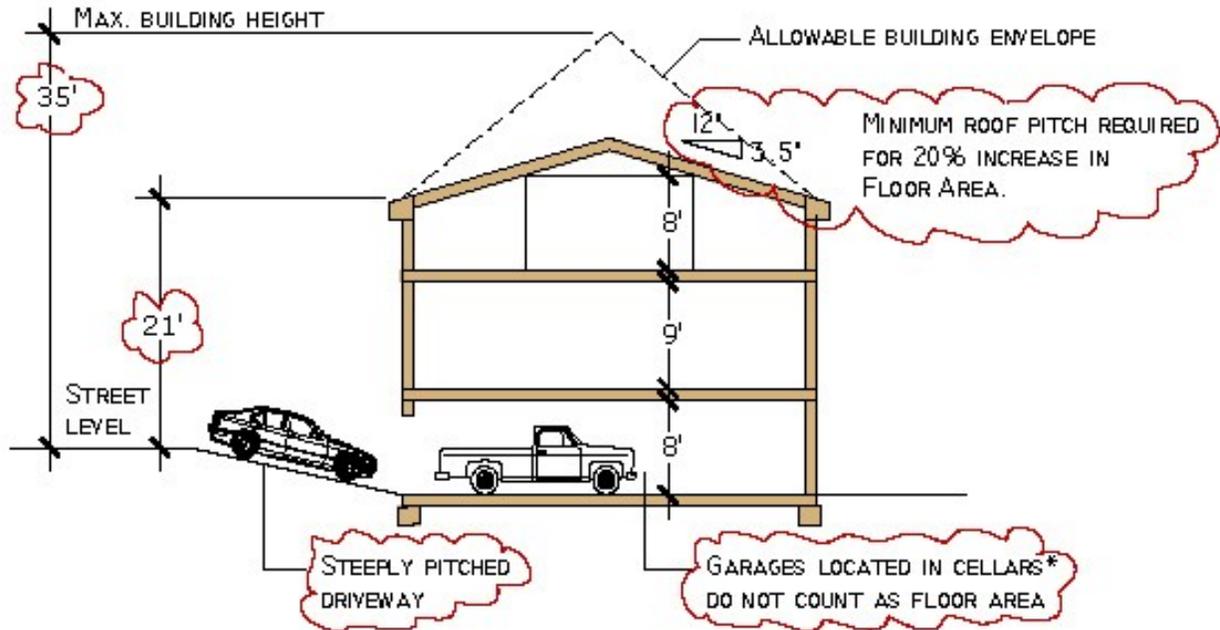
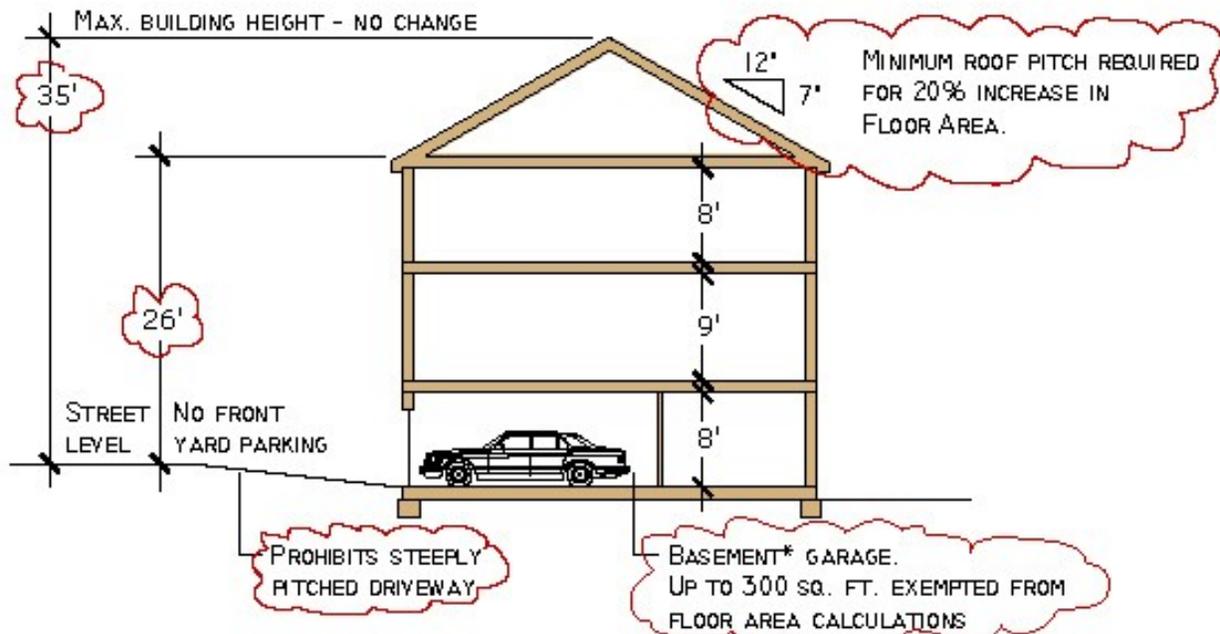


Figure 5

EXISTING BUILDING ENVELOPE
0.6 F.A.R. (Floor Area Ratio)



PROPOSED BUILDING ENVELOPE
0.6 F.A.R. (Floor Area Ratio)



* A CELLAR IS A SPACE WITH MORE THAN HALF ITS HEIGHT BELOW STREET LEVEL.
 A BASEMENT IS A SPACE WITH AT LEAST HALF ITS HEIGHT ABOVE STREET LEVEL.

New Yard and Open Space Requirements

Developments with One or Two Buildings Not Fronting Directly on a Street (Figure 6)

One of the most significant issues identified by the Task Force and communicated by the public was inappropriate development of multiple buildings on a single zoning lot. Because many lots on Staten Island are deeper than a typical 100-foot deep lot in other parts of the city, the existing zoning rules fail to adequately address requirements for yards and space between buildings on the same zoning lot. This is made very apparent when new buildings are constructed behind existing buildings that front on a street. The proposed rules would substantially increase the required yards and open space around buildings on the same zoning lot. In those instances where a lot is large enough to accommodate new buildings behind buildings fronting on a public street, the new rules will both ensure that adequate yards and distance from other buildings are provided, and limit the number of permitted buildings not fronting on a public street to two. The Task Force believes that these new rules will reduce the potential for teardowns. (Any development with more than two buildings more than 50 feet from a public street would be made subject to the private road regulations.)

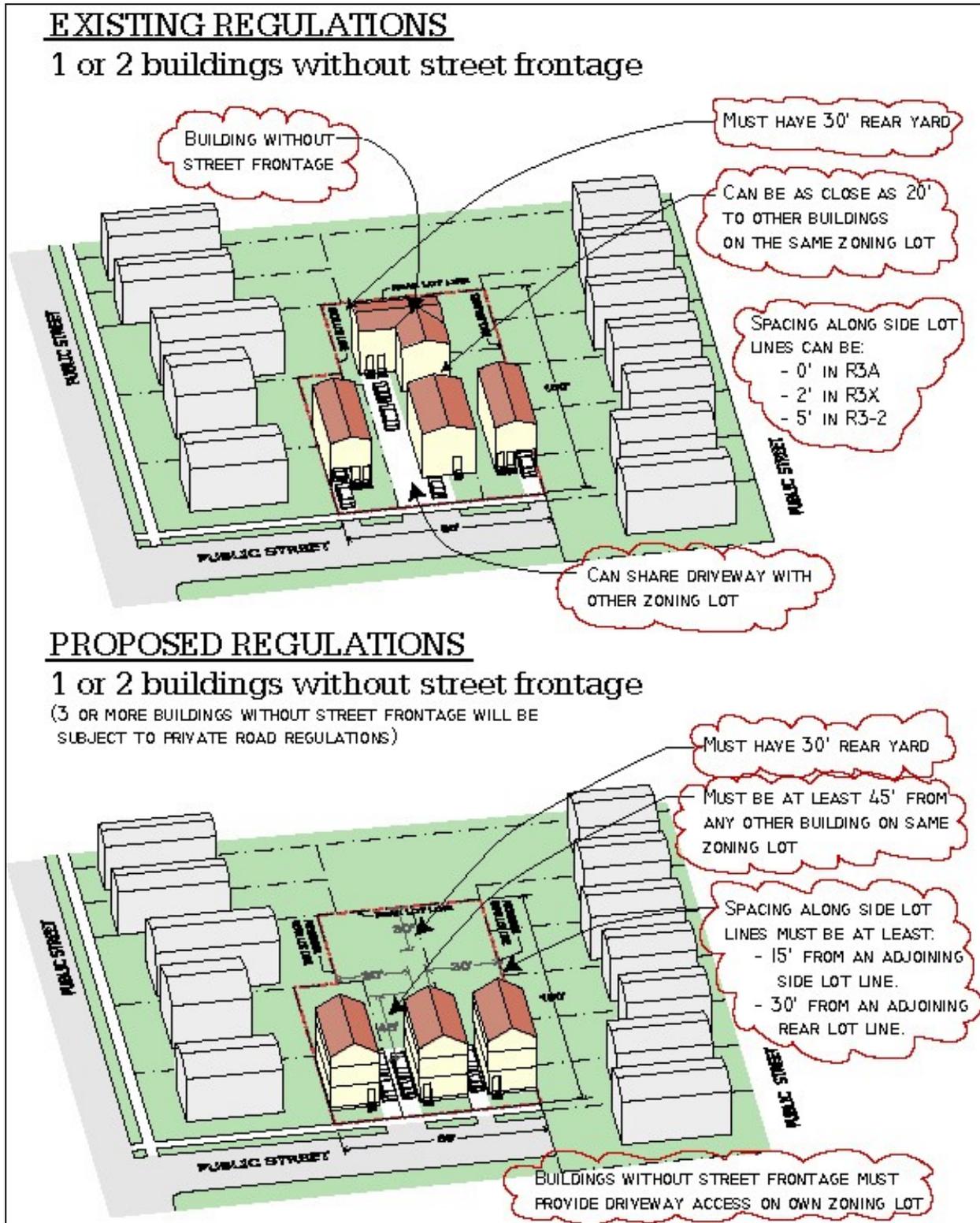
9. Require interior buildings to be located at least 45 feet from any other building on the same zoning lot. The current minimum is 20 feet.

10. Ensure adequate spacing along the side lot lines by requiring at least:
 - 15 feet from an adjoining side lot line.
 - 30 feet from an adjoining rear lot line.Currently, spacing can be as little as five feet in an R3-2 District or zero feet in an R3A District.

11. Require access to buildings not fronting on a street to be located on the same zoning lot. Currently, access may be shared with other zoning lots.

Interior buildings would have significantly more open space and yard requirements. Because of these new requirements, only very large lots would be able to accommodate interior buildings on their lot.

Figure 6



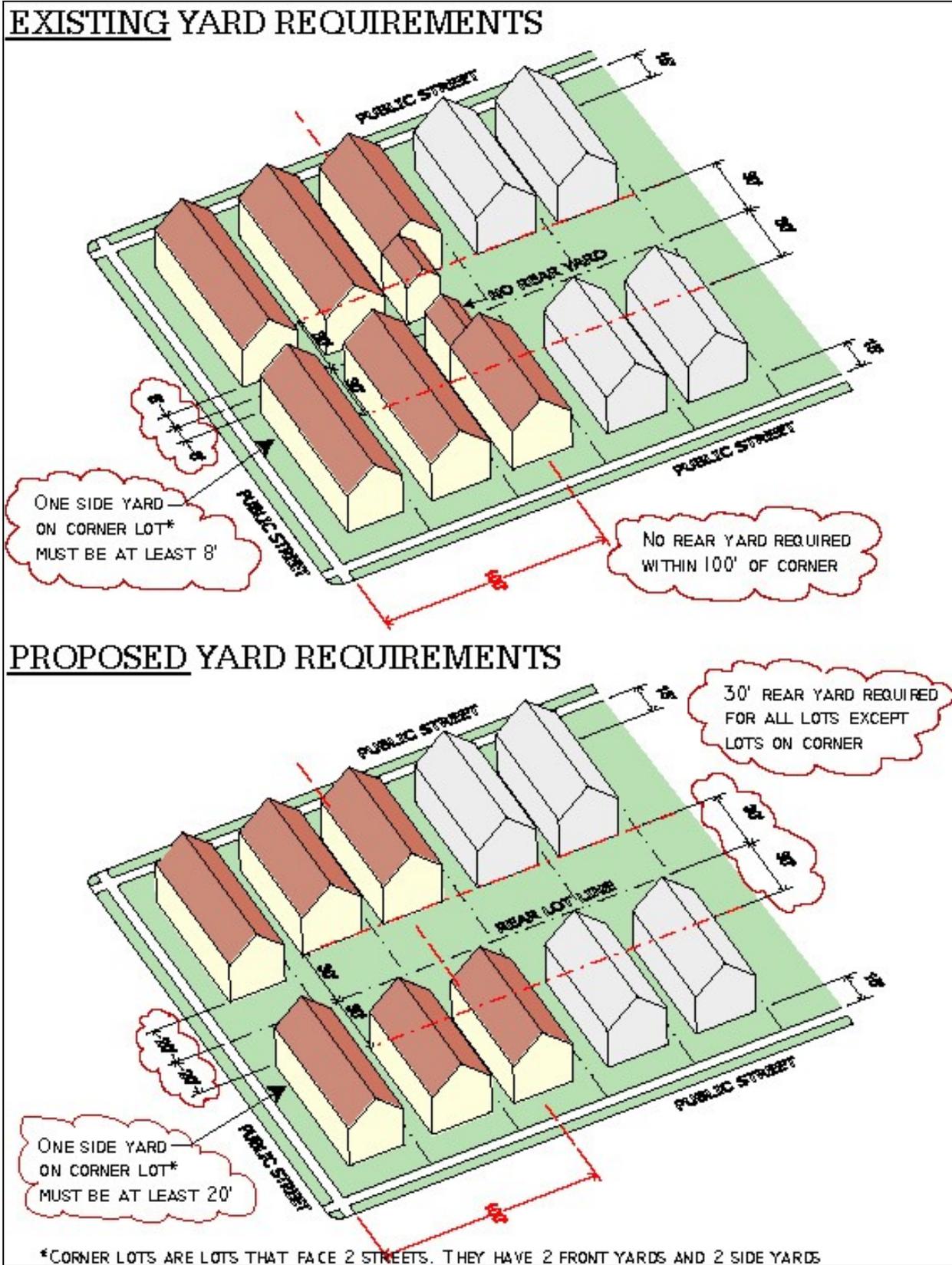
Corner Lots (Figure 7)

By definition, corner lots have frontage on two public streets. Therefore, they have two front yards and two side yards, and technically no rear yard area. The current zoning regulations follow this definition and only require that a corner lot provide two front yards and two side yards, and no rear yard. In addition, the current zoning regulations do not require a rear yard for any zoning lot located within 100 feet of a corner, regardless if it is located on the corner or not. The result of these rules is housing with inadequate yards can be built.

The following recommendations will provide a rear yard requirement for both of these situations:

12. Require corner lots to provide one of the side yards to be at least 20-feet wide, instead of the current eight-foot requirement, to provide a usable “rear yard” area.
13. All other lots not fronting a corner intersection would be required to have a 30-foot rear yard. Currently, no rear yard is required for any lot within 100 feet of a corner, even if the lot is not on the corner.
14. For corner lots with rowhouse developments, the rowhouse on the corner would have to provide a 20-foot side yard. All of the other rowhouses in the development would have to provide a 30-foot rear yard.

Figure 7



Private Road Developments (Figures 8-10)

Special rules regulate developments with private roads. In February 2002 the Zoning Resolution was amended to require that the private roads be wider, that sidewalks and plantings be provided along the private road, and that front yards be deeper to preclude front doors opening directly onto the road as well as parking in front yards that extended into the road. Despite these changes, the Task Force found that a number of problems with private road developments remain. Because zoning rules apply to zoning lots and not individual tax lots, private road developments that comply with the zoning rules may nevertheless result in overly dense developments with inadequate front and rear yards, as well as inadequate parking. In addition, since these private roads are not required to meet the standards for public streets, developments are often built without street lighting or signage, creating sometimes dark and unsafe streets and making it difficult for emergency vehicles to locate homes. The most significant change recommended is to treat private roads as public streets for a number of zoning requirements. These include the following:

15. Expand coverage of the private road regulations to include any project with more than two buildings built beyond 50 feet of a public street. Currently the rules only apply to developments with five or more dwelling units beyond 50 feet of a public street.
16. Treat private roads as public streets for yard and setback requirements, resulting in the following:
 - 30-foot rear yard always required
 - 18-foot deep front yards required
 - Maximum length of a row of townhouses will be limited to 125 feet.
 - Maintains current three-foot planting strip requirement between curb and sidewalk.
17. In order to enhance safety, extend Department of Transportation standards to the following:
 - Public Lighting
 - Street Signage
 - Crosswalks
18. Parking spaces located on private roads will no longer count towards required parking spaces, thereby opening up more parking for visitors.
19. Require an eight-foot wide planting strip between the private road and any adjacent lot line. If a sidewalk is required, this will provide a total of 15 feet between the private road and the adjacent lot line.
20. Require a five-foot planting strip around group parking areas. If the group parking is located adjacent to a property line, then a six-foot opaque fence will be required.
21. In order to minimize traffic conflicts, require a minimum distance of 50 feet between a curb cut for a Private Road development and any intersection of public streets.

22. In order to improve the building orientation of new developments, all through lots (lots fronting both a public street and a private road) will be required to have both a 15-foot front yard and a 30 foot rear yard. While the new rules will not dictate where these two yards are placed, if the 30-foot yard fronts the public street, a 10-foot landscaped buffer will be required. This will improve the appearance of a development that does not have its front yard facing the public street.

The net effect of these changes will be to significantly reduce the density of new development, and to ensure a higher quality and more appropriate development.

Figure 8

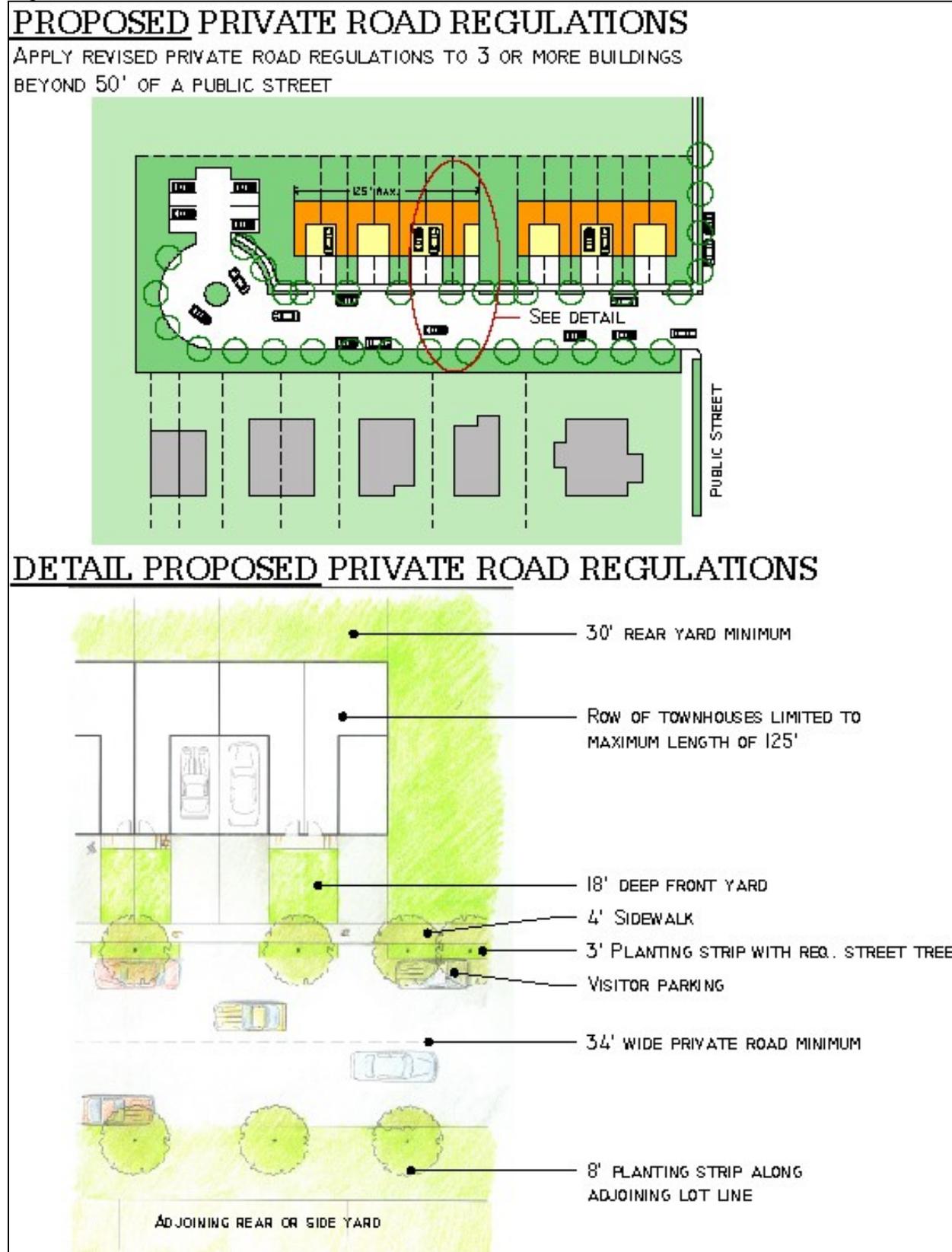


Figure 9

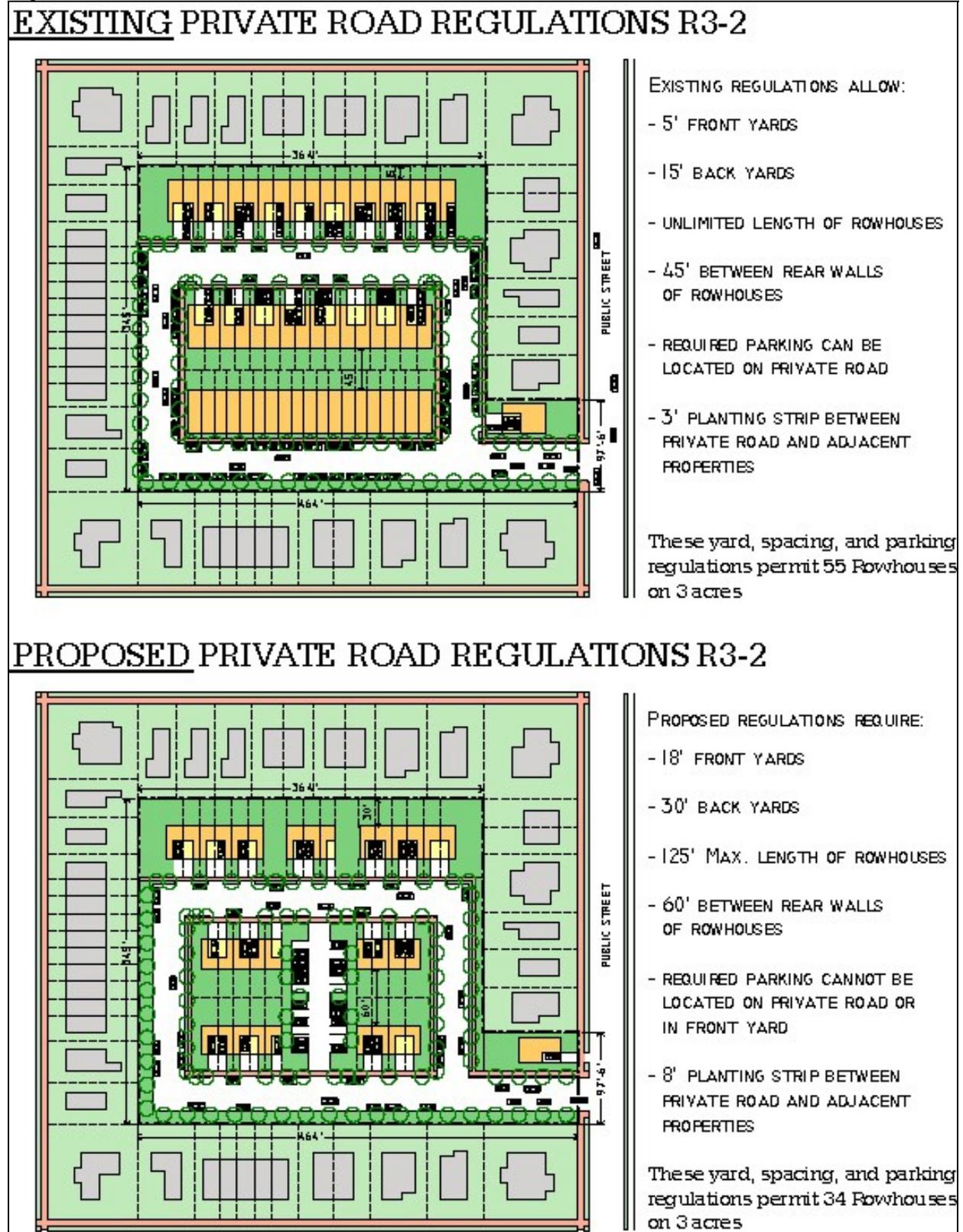
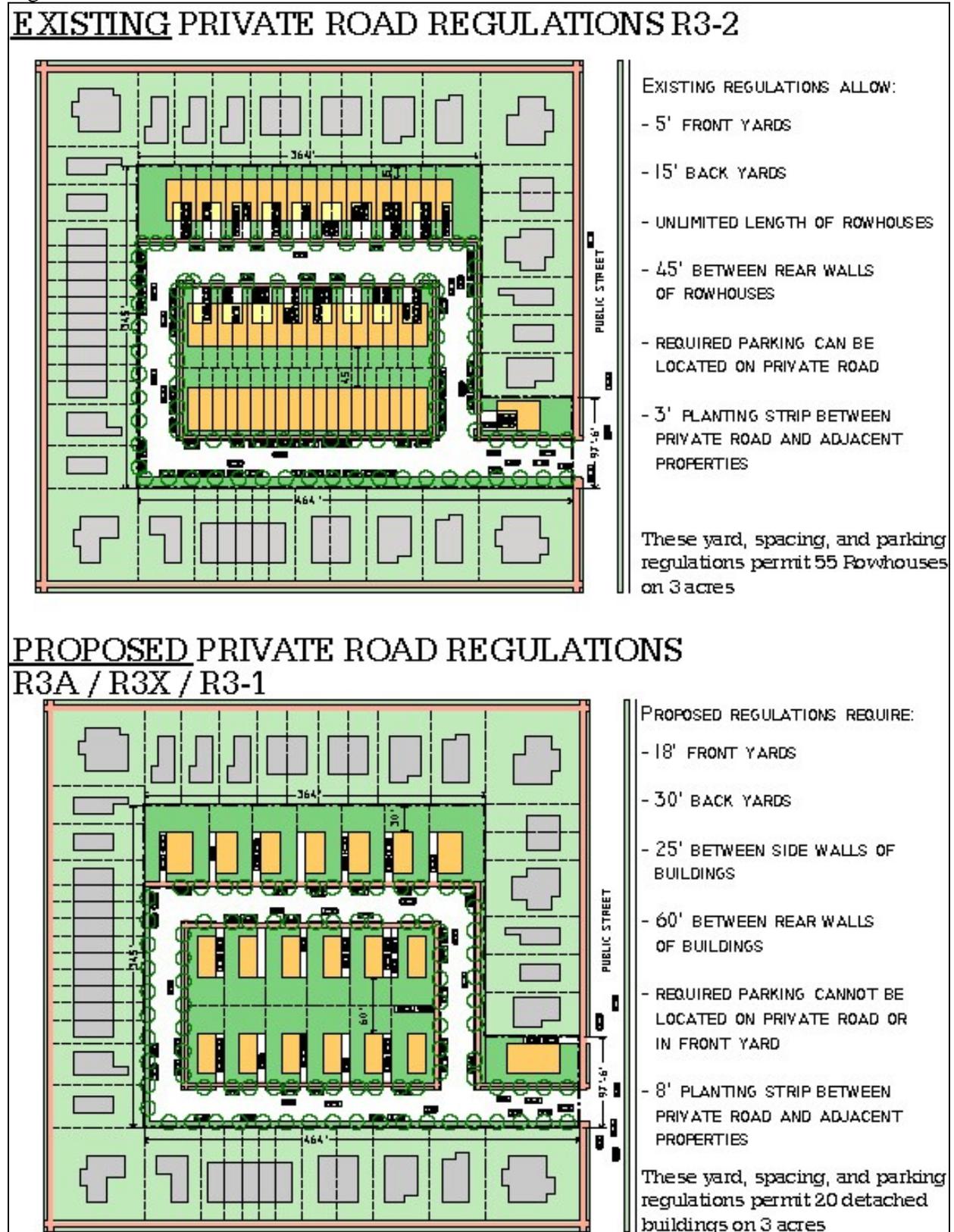


Figure 10



GREATER HOMEOWNER PROTECTIONS

Background

The Department of Buildings' (DOB) mandate under the New York City Charter is to enforce the Building Code and the Zoning Resolution. The Department protects the public safety by ensuring that the design and construction of buildings meets Building Code standards. Reviews of new building plans and plans to alter existing buildings, inspections of construction in progress and inspections of work that has been completed form the core of the Department's regulatory functions.

In addition, it is the Department's responsibility to interpret the NYC Zoning Resolution which identifies permitted uses, densities and special protections offered in mapped districts of Staten Island. Development projects that meet all of the defined requirements of the Zoning Resolution are considered "as of right" and the Department can issue building permits provided the project meets Building Code standards. In addition, Staten Island has three special planning districts, Hillside, Special Natural Area, and South Richmond, which often require additional approvals of the Department of City Planning (DCP). Department staff refers all projects that require additional reviews to the DCP before DOB can issue building permits.

Staten Island Issues

As noted earlier, Staten Island was the fastest growing county in New York State throughout the 90's, when almost 23,000 new housing units were built, an increase of 14 percent. The pace of construction continues today at approximately 2000 units built annually. The demand for homes has been driven by an increase of population from both outside of NY State and from the other boroughs, primarily Brooklyn. Many of these homeowners are buying their first home, since Staten Island offers a non-subsidized affordable housing option for many middle-income families. Much of the demand is being met by small building/construction firms and partnerships formed expressly for the purpose of developing single properties. Keeping pace with the high demand for housing on Staten Island has highlighted unintended consequences for both homeowners and builders as discussed by the Task Force.

Temporary Certificates of Occupancy (TCO's)

Task Force members raised concerns regarding the large number of temporary certificates of occupancy (TCO's) issued to builders on Staten Island. The TCO allowed builders to sell homes and buyers to move into them before they were completely finished. While builders were required to place funds into escrow to cover the costs of "completing" construction at a later date, this \$2,500 amount often provided insufficient financial incentive for some builders to finish construction once the home was sold. This created a challenge for many homeowners who are confronted with the responsibility of converting temporary certificates of occupancy (TCO's) into final certificates of occupancy (CO's).

Customer Service

One of the challenges for Staten Island homeowners and a cause for the on-going TCO problem was the number of procedures and difficulty in getting information on how to identify and cure

outstanding violations. Improvement in customer service to homeowners and builders and explaining procedures in plain English were identified as high priorities by the Task Force.

Enforcement

Task Force members also suggested that there were inadequate penalties for certain Zoning and Building Code violations – in particular, inadequate fines for demolition without required permits, failure to plant trees and vegetation required by Zoning, and occupancy of buildings before a temporary or final certificate of occupancy had been issued. Task Force members also stated their concern that architects and engineers who professionally certified development projects were not submitting plans in compliance with all of the requirements of the special zoning districts on Staten Island. For example, in the Special Hillside Preservation District, there are special rules that apply to developments on lots with steep slopes. Examples were cited where construction was taking place on steep slopes without City Planning approval.

Major Challenge: Overuse of the TCO

The key document that the Department uses to certify compliance of a construction job with the Building Code is the “Certificate of Occupancy” (CO). The CO is the official certification by the Department that a project has been inspected and the construction work substantially conforms to the law. Every new property in the City is required to have a CO that reflects this legal status.

Temporary CO’s were conceived originally as a service to the property owner – a temporary mechanism to allow the buyer of a newly constructed house to move in when it was safe to do so, even though all final construction had not been completed. It was originally anticipated that after the homeowner had moved in, the builder would quickly complete the final details and convert the TCO into a final CO by obtaining the final sign-offs from the Department. As noted above, a \$2,500 escrow was required to ensure that the builder completed its obligations.

Task Force members were concerned that temporary CO’s had now become the standard for closing on new homes. This practice may have been due to inattentiveness by the builder or homeowner, bureaucratic difficulties, or lack of economic incentive. Regardless of the reasons, many TCO’s on Staten Island have not been converted to final CO’s – and many homeowners have TCO problems which they have no idea how to solve.

Many homeowners discover they have a temporary CO only when they attempt to refinance or sell their home. In some instances the contractor that had built the house has gone out of business and no responsible party can be found to address the outstanding items. As interest rates have dropped recently and refinancing has become more frequent, more and more homeowners are finding themselves with TCO problems. Unwittingly, the TCO has become an administrative burden for the very homeowners it was designed to serve. There are estimates that as many as 6,000 homes on Staten Island have TCO’s which need to be converted to final CO.

Over the last fifteen years, builders have been eager to sell new houses and owners eager to move into them. Far too regularly, the Department was asked for permission to allow occupancy before all the required inspections and all required work had been completed. Some of the reasons holding up the issuance of a final CO were technicalities, e.g., the final plumbing inspection could not be signed off because a fixture shown on the plans was installed in a

different location; the electrician had not paid the electrical fees; or tax lot registration issues were outstanding. Other problems were related to the seasonality of construction – during the winter trees could not be planted, landscaping could not be completed, and asphalt could not be laid. A Task Force subcommittee concluded that, for many reasons, there has been an over-reliance on the use of the temporary certificate of occupancy/TCO in Staten Island.

Department of Building Actions

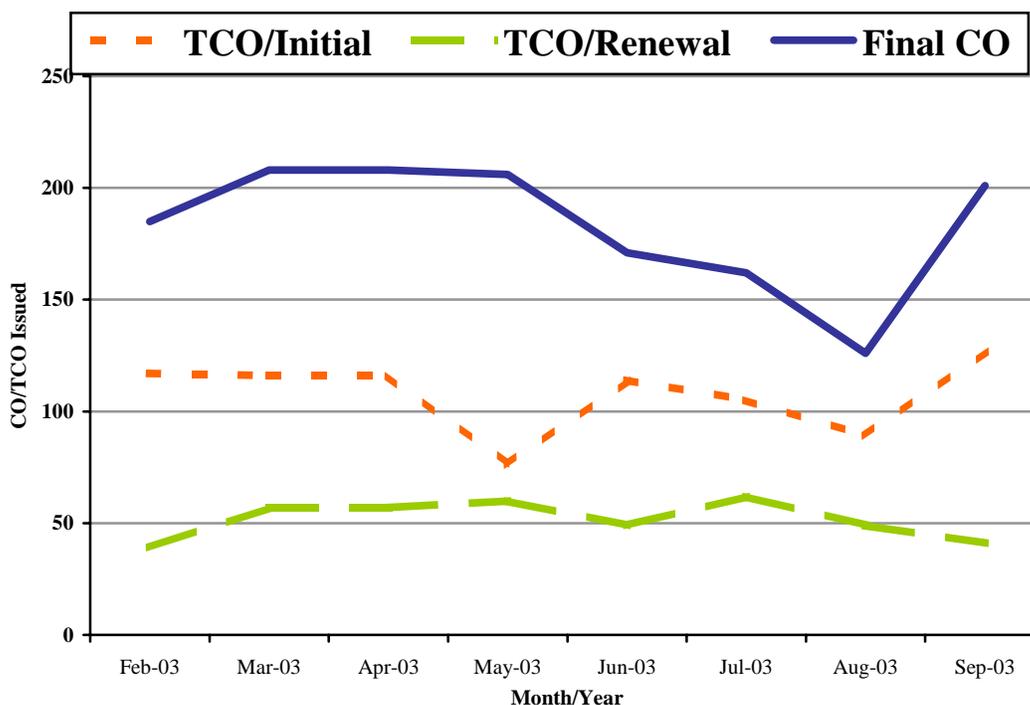
In response to these concerns, Commissioner Lancaster and the Department's managers met with elected officials, citizens and building industry representatives to address these and other issues raised at the Task Force meetings. The focus was to determine what changes could be implemented quickly to address some of these problems. Each of the issues raised by the Task Force and the response or recommendations of the Buildings Department is set out below.

Phase Down the Temporary Certificate of Occupancy by December 2, 2003

1. Committed Department Resources to Finding Solutions – Commissioner Lancaster deployed the Department's "Project Mica" management analysts to Staten Island with the mandate to make the Staten Island borough operations simpler, faster and more transparent. Project Mica is a DOB initiative to comprehensively analyze the more than 1000 steps in the approval process from the initial submission by a developer of plans for a permit, to the issuance of a final CO.
2. Increased Required DOB Escrow Deposits from Builders – In order to provide a greater financial incentive for builders to fulfill their obligation to obtain final COs for homebuyers, the Department has increased the amount of escrow required before a TCO is issued. Builders must now post \$6,500 for any house on which they seek a TCO.
3. Increased Monitoring of Seasonal TCO's – The Department anticipates that TCO's for single family homes will only be issued when weather conditions prohibit the contractor from planting trees, completing landscaping or doing final paving, and in cluster developments. DOB will monitor every property receiving a TCO and will not allow a TCO renewal once weather conditions have improved to allow planting and paving.

The Department's phase-down of TCO's is on target for a December 2003 implementation. DOB is already seeing a sharp increase in the number of final COs issued (See Figure 11).

Figure 11

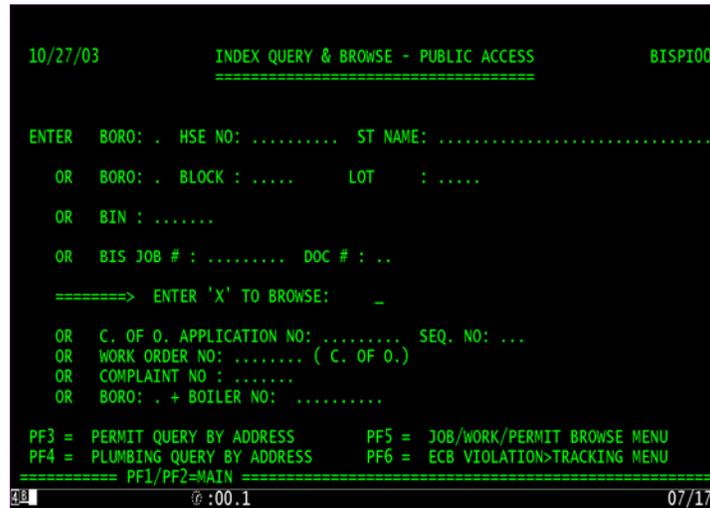


Improved Customer Service

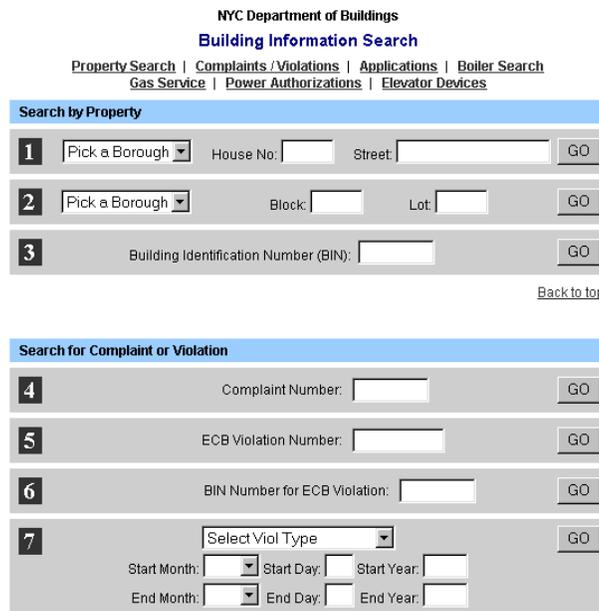
4. Shortened the Time for Approvals. To encourage builders and homeowners to pursue final COs, the Department drastically reduced the time it takes to acquire a plumbing inspection sign-off, from twelve days to five. The time for an electrical signoff was similarly reduced from ten days to two. By maximizing the use of technology to eliminate unnecessary paperwork, the number of process steps was reduced from 80 down to 30 generating a savings for both the homeowner and the city.
5. Provided Property Information Online (Figure 12). One of the most significant improvements that the Department achieved for prospective homebuyers and homeowners has been the final implementation of its Building Information System (BIS) on the Internet – “BIS-on-the-Web” (www.nyc.gov/buildings). This system enables homeowners with Internet access to type their address onto a page at the Department’s website and obtain an up-to-the-minute listing of permits, applications and violations on their property. With this information, existing and prospective homeowners can quickly ascertain the status of the property without coming to the borough office. Anyone can look up a property to determine whether a permit has been applied for or issued.

Figure 12

Before: Mainframe public access



After: BIS-on-the-Web



- Issued a “Violation Resolution Guide” (See Appendix G). As recommended by the Task Force, the Department published a comprehensive guide to resolving DOB violations. This guide (which is also on the internet at www.nyc.gov/html/dob/pdf/infoviol.pdf) provides a concise outline of how to remove violations – a thorny problem for many who have sought to convert a TCO into a final CO. Staten Island homeowners who bought houses with unauthorized work or who have found outstanding violations on their property will find the guide a helpful tool to understanding the issues and how to cure them.

7. Offered Open Houses and Extended Outreach to Homeowners. The Department hosted all-day Saturday open houses in August and October 2003 for homeowners seeking assistance with outstanding issues. Many homeowners took advantage of these opportunities to research and resolve their problems. The two events were so successful that the Department is planning an additional open house in the spring. The Department is also providing useful information to homeowners in their water bills, urging them to check the DOB website to confirm their CO status and to identify any outstanding violations.

Stricter Enforcement

8. Increased Fines Proposed – Concern was raised by the Task Force that certain violations of the Zoning Resolution and Building Code were not subject to sufficiently high fines in order to be a real deterrent to violators. The following violations were identified for stricter penalties. The proposed increases will be presented to the Environmental Control Board for approval. (Note: These first two fines do not currently exist as a separate category. Violations today are issued under the general category of Illegal Work without a Permit, which has a fine of \$350 for a first offense, and \$800 for multiple offenses.)
 - a. Specific fines for demolition work without the required permits set by section 27-147 of the Building Code would be established at a minimum of \$1,500 for the first offense, and \$3,750 for a multiple offense.
 - b. Specific fines for the removal of (or failure to plant) trees and vegetation in violation of the provisions of section 105-30 of the Chapter 5 (Special Natural Area) and Article X (Special Purpose Districts) of the Zoning Resolution would be established. The minimum single offense would be \$700; multiple offenses would be \$1,750. (These penalties can be removed if proof of correction can be submitted to the Department within 35 days of the issuance of the violation, or reduced by half if correction is certified at the hearing held at the Environmental Control Board.)
 - c. The fine for occupying a building without a valid temporary or final certificate of occupancy pursuant to section 27-214 of the Building code would be raised from \$350 to \$700. Multiple violations could go as high as \$1,750 or to \$10,000 in the event of default.
9. Tightened Controls on Professional Certification - The Department of Buildings imposed a requirement that all professionally certified applications for new building permits in the Special Hillside District of Staten Island be reviewed by the Department's Technical Compliance Unit for compliance with zoning prior to issuance of a permit. If the applications comply, the applicant is issued a permit; if not, the application is sent to City Planning for approval. In this way, Staten Islanders can be better assured that these provisions of the Zoning Resolution are met.

10. Conducted Internal Reviews – Under the direction of the Buildings Commissioner a sample of 54 professionally certified new building applications were audited for compliance with the Building Code and Zoning Resolution. They were also inspected to verify that the buildings were constructed in accordance with approved plans. Minor issues were identified, but it was determined that all of the structures were built in accordance with the audited and approved plans. The Department will continue to audit 20% of professionally certified applications to ensure that professionals are fully conforming to the requirements of the law.
11. Improved the Builders Pavement Plan Requirements – In response to concerns about poorly placed driveways and curb cuts, the Department now requires Builders Pavement Plans, which set forth the details of street work outside the building lot line, to reflect the location of bus stops. This should reduce the conflict between public transit right-of-ways and driveways.
12. Continue to Conduct Professional Workshops - To ensure quality work and keep professionals updated on changes in zoning, the Department conducts monthly workshops for professionals.

Strengthened Borough Office.

The new Staten Island Borough Commissioner, Jorge Canepa, R.A., has substantially strengthened staffing. New staff members have been recently appointed to the positions of Deputy Borough Commissioner and Borough Manager. Line staff levels were augmented and inspection units reorganized to enable quick signoff turnaround times. The Department instituted cross training throughout the borough to more effectively respond and adjust to backlogs and staffing needs wherever they may occur.

Finally, through the use of technology and increased electronic communications the Department has made operations more transparent; been able to electronically transmit inspection results and thereby substantially reduce the time for agency sign-offs and approvals; streamlined operations to shorten the timeframe for builders to obtain final COs; explained processes in plain English so homeowners could become fully informed; and improved interaction with other city agencies for better service to homeowners on Staten Island.

WHERE DO WE GO FROM HERE?

Over the course of the past 120 days, city agencies, working in conjunction with the Task Force, have already implemented a number of administrative actions and changes in practices that improve homeowner protections and provide better coordination among the departments of Buildings, City Planning and Transportation, as well as improved communication with the public. The Task Force recommends to the Mayor that additional follow-up work be undertaken to address certain issues that could not be resolved within the 120-day period due to their complexity and need for further consideration. It has identified additional, targeted work and it recommends a process for moving forward. While these additional efforts are important, the Task Force strongly recommends, and City Planning agrees, that implementing the zoning reform package be given the highest priority in the coming year.

Agency Follow-up and Initiatives

Department of City Planning

1. **Implement the Task Force Zoning Recommendations.** City Planning has already initiated the environmental review and begun drafting the zoning text amendments. It will work with the subcommittee of the Task Force on a regular basis as this work proceeds. The environmental review is the most time consuming aspect of this work, and it must be done properly in order to withstand any potential legal challenges. The formal public review process for the zoning amendment can begin once the environmental review is complete. This process includes review by the three Staten Island community boards, the Borough President, and Borough Board, and consideration by the City Planning Commission and City Council. Amanda M. Burden has committed the Department to completing this work and process within one year.
2. **Strengthen the Special Natural Area District (SNAD) Regulations.** This special zoning district is mapped on Staten Island and in the Bronx. The Department has been working with neighborhood and community representatives to develop amendments to these regulations to provide additional natural area protections similar to those that exist in the Special Hillside Preservation District. The Department expects to complete the proposal and adopt the amendments through the public review process in 2004. An environmental review is also required.
3. **Continue Coordination Among City Agencies.** The Staten Island City Planning Director, the Staten Island Transportation Commissioner and the Staten Island Buildings Commissioner will continue to meet on a regular basis to coordinate responses to on-going development issues as they arise.
4. **Update “NYC.gov/sigrowth,” the Task Force website.** The web site established to communicate Task Force information and recommendations will continue to be displayed for public review and comment in the coming year. Updates on the environmental

review and other pertinent information will be posted on a periodic basis to increase public awareness.

5. **Seek Funding to Study the West Shore Manufacturing Zones.** Based on discussion with the Task Force, the Department is seeking \$250,000 in federal funding to examine the manufacturing zones located on the west shore of Staten Island. In order to address issues of piece-meal development, the study would examine transportation and other infrastructure needs in conjunction with future planning scenarios for the area. To meet funding guidelines, this his one-year study would begin in April 2004.
6. **Review Commercial District & Overlays for Potential Actions.** The Zoning Subcommittee spent considerable time discussing issues and potential zoning rules for residential developments within commercial districts and commercial overlay areas. The subcommittee was unable to reach consensus on what special zoning rules should apply in these areas.

A number of issues with conflicting solutions were discussed.

- Townhouse development due to the lack of front and side yard requirements.
- Preference for commercial-only development.
- Conflict in certain locations between residential side and front yards and existing retail streetwalls.
- Retail parking requirements and group parking proposals.
- Multiple curb cuts and related public safety issues.
- Inappropriately mapped commercial districts and overlays.

The Task Force discussed the possible need for both zoning text amendments and geographic-specific studies to determine if the underlying zoning is appropriate. The Task Force proposes that City Planning staff and the Zoning Subcommittee undertake the following:

Phase 1 - Over the next six months, identify potential zoning text alternatives for residential developments in commercial overlays in areas mapped in one- and two family residential districts, and test their effects in representative areas. Because these are the locations where townhouse development may be the most inappropriate, the subcommittee recommends this be the primary focus in this phase. In addition, this phase will also outline issues pertaining to other commercial areas, and identify options and a strategy for addressing them.

Phase 2 – If a consensus solution is reached, the Department will implement of a zoning text amendment for commercial overlays in one- and two family residential districts. In addition, it will begin development of a work program, based on the strategies identified in Phase 1, for studying selected town centers and other retail corridors for additional mapping and zoning actions. Input from community boards and Staten Island elected officials will be needed to help prioritize neighborhoods for site specific reviews.

Department of Buildings

7. **Legislative Proposals to Increase Home Owner Protections.** Task Force members will continue to advise the agency on their efforts to provide a registry for identifying qualified home builders and significantly increase fines for DOB violations and repeat offenders.
8. **Continue to Phase out Temporary Certificates of Occupancy (TCO).** Target residential cluster developments for administrative changes that will reduce the number of TCO's issued to developers.
9. **Provide Seasonal Open Houses for Homeowners.** Continue, on an as needed basis, to open the Borough Office to homeowners on Saturdays to offer advice and solutions for dealing with DOB violations or questions.
10. **Distribute Guidelines on Resolving DOB Violations.** DOB will explore various distribution methods to provide homeowners with helpful information, including providing DOB resources/contact information on NYC water bills.
11. **Enhance the Department's Computer System.** DOB will continue to work toward its purchase and implementation of a new department-wide information technology system that will allow for electronic submission and retrieval of applications, automated routing and tracking of workflows, and enhanced reporting capabilities.
12. **Adopt a Model Building Code.** The International Building Code, modified to meet NYC specifics, will be presented to the City Council for adoption. A standardized code will make the design and construction requirements easier to understand and enforce by the professional community, builders, trades and the City.

Continue Task Force and Subcommittee Work

Members of the Task Force identified the need for ongoing input and additional work on certain planning and development issues. The following items and formats are recommended:

13. **Continue Zoning Subcommittee meetings.** The Zoning Subcommittee will continue to meet on a monthly basis to:
 - Provide input to City Planning as it drafts the actual zoning text amendments needed to implement the Task Force zoning recommendations and throughout the public review process over the next year;
 - Continue to discuss with City Planning issues and potential zoning modifications to regulations for developments in commercial overlay districts.
14. **Address additional issues through a subcommittee to be chaired by the Borough President.** This subcommittee of the Task Force will work closely with the city

agencies to address issues that support the goals of the Task Force. Items to be covered could include:

- Review and analyze previous transportation studies
- Tax exemptions to support the renovation of existing homes
- Preservation Zones to protect neighborhood character
- Designation of historic buildings and districts
- New opportunities for middle-income housing
- School seat certifications
- Communication between Staten Island residents and city agencies
- Periodic Updates in the Press

15. **Convene the full Task Force on a periodic basis.** The full Task Force will meet on a quarterly basis, if needed, to review the work of the subcommittees, provide additional forums for public discussion, and to provide formal input to city agencies on growth management issues. Meetings will continue throughout the following year until the zoning and planning recommendations have been completed.

CLOSING STATEMENT

Over the past 40 years, Staten Island has been shaped by a number of historic events, government actions and inactions, private entrepreneurs, suburban flight, political shifts, economic cycles, environmental crises and successes, and a landfill.

The Staten Island Growth Management Task Force has had four months to redirect and gain a handhold on the future development of the borough.

In that short timeframe, city agencies have gained a better understanding of the quality of life that the borough has to offer, and the ways in which it is being undermined by inappropriate development. At the same time, Task Force members, and Islanders through the media, have gained a better understanding of the legal framework and administrative structures that support and can provide government protections.

Despite the short time frame, a number of actions have already been taken by city agencies to provide better customer service and protections to homeowners. Regular communications and coordination among city agencies on Staten Island should provide a more comprehensive outlook on policy and capital recommendations into the future. The Department of Buildings is providing its expertise and carving out time to meet the needs of homeowners. The senior staff of the Department of City Planning has visited Staten Island a number of times to see first hand the results of an inadequate zoning code applied to our suburban borough. The Department also committed its zoning and planning experts to meet every week on Staten Island throughout these 120 days to work through zoning and development issues with Task Force members and craft creative solutions to address these issues and the unique challenges facing Staten Island. In addition, the coordinated commitment of the borough's elected leadership to roll up their sleeves to address the issues, push for solutions, and educate the public demonstrates a solid block of support that can initiate action and will provide better protections island-wide.

As the Task Force moves forward to tackle issues outside the specific realms of the Departments of Building, Transportation and City Planning, the Task Force calls on the city to continue to provide experts from other agencies to craft solutions and work with the Island's elected officials and civic groups to tackle the development challenges of a growing borough. Targeted efforts to jointly plan across agencies will be initiated and new zoning regulations will be made law by this time next year.

While a four-month timeframe was mandated for quick actions by Mayor Bloomberg, it is the firm belief of the Task Force that the cooperation, coordination and open channels of communication resulting from this effort will remain in place long afterwards. It is these newly forged commitments of all the Task Force members to a better Staten Island that may be the best outcome of all.

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APPENDIX A

Pamela Adamo

Ms. Adamo is a Staten Island resident and the Vice-President of Community Affairs and Environmental Policy for KeySpan Energy and is currently studying for her Masters Degree in City Planning.

Amanda M. Burden

Ms. Burden is the Chair of the New York City Planning Commission and Director of the Department of City Planning. She is a Co-Chair of the Staten Island Growth Management Task Force. She has been a member of the City Planning Commission since 1990. As the former Vice President for Planning and Design of the Battery Park City Authority, she was responsible for the planning and design of the 92-acre Battery Park City project in Lower Manhattan

Robert Englert

Mr. Englert is a licensed Architect and general partner of Englert and Norton Architects of Staten Island. He is the President of the Staten Island Chapter of the American Institute of Architects. He is also a member of the New York Society of Architects, the National Council of Architectural Registration Boards and the Society of American Architects.

Lester J. Figueroa

Mr. Figueroa is a real estate attorney with the law firm of Borah, Goldstein, Altschuler, Schwartz and Anahins.

Patricia Lancaster

Ms. Lancaster, AIA, is Commissioner of the New York City Department of Buildings. She presides over the agency responsible for setting local construction standards, enforcing the Building Code and Zoning Resolution, and regulating the construction trades. Ms. Lancaster is a New York State Registered Architect with two decades of experience in construction, education and government.

Andrew Lanza

Council Member Lanza represents the 51st district of Staten Island. He currently serves on the following committees: Education; Land Use; Planning, Dispositions & Concessions; Sanitation & Solid Waste Management; Standards & Ethics; Transportation

Vincent La Padula

Mr. La Padula is the Senior Advisor to the Mayor and Co-Chair of the Staten Island Growth Management Task Force. He is a native Staten Islander and has been involved in Staten Island civic affairs for many years. At the beginning of next year he will be leaving City government to join JP Morgan Chase as a Vice President in Public Finance.

Randy Lee

Mr. Lee is an attorney with Leewood Real Estate Group on Staten Island and founder and partner of the law firm of Lee and Amitzis, LLP. He has been involved in nearly every phase of the real estate and building business for almost 40 years. He is also Chairman of the Board of the

Building Industry Association of New York City and a Senior Life Director of the National Association of Home Builders.

Anthony Licciardello

Mr. Licciardello is the Staten Island Director of the Mayor’s Community Assistance Unit. He is a lifelong resident of Staten Island.

Joseph Markowski

Mr. Markowski is the President of The New Dorp Central Civic Association and has held that title since 1994. He is also past President of the 122nd Precinct Community Council, Vice-Chair and Staten Island representative of the NY Public Library Branch Library Council and is a member of Community Board 2.

James P. Molinaro

Mr. Molinaro is the Staten Island Borough President. He currently serves on the Board of the Heart Institute of Staten Island. He has previously served on the Board of Directors for the Veterans Memorial Sports Complex, Staten Island Community Television, New York State Regional Organ Transplant and Bayley Seton Hospital. He is a longtime resident of Fort Wadsworth.

Michael Morrell

Mr. Morrell is President of the Westerleigh Improvement Society. He is a resident of Staten Island and is active in community and civic affairs.

Michael McMahon

Council Member McMahon represents the 49th district of Staten Island. He is the Chair of the Sanitation & Solid Waste Management Committee and serves on the Finance, Land Use, State & Federal Legislation, Waterfronts, and Zoning & Franchises Committees.

James Oddo

Council Member Oddo represents the 50th district of Staten Island. He is currently the Council’s Minority Leader and serves on the following committees: Finance; Health; Housing & Buildings; Rules, Privileges & Elections.

Dr. Ken Saccaro

Dr. Saccaro is a Staten Island resident with extensive background in community service on Staten Island. He was past President of the Staten Island Greenbelt Conservancy from 1996 to 2000 and continues his activism in Staten Island civic affairs.

Pablo Vengochea

Mr. Vengochea is a registered architect, planner and urban designer with over 20 years experience in land use planning, housing development and architecture in New York and abroad. He is the founding principal of Zone Architecture, a Staten Island based architecture firm. Mr. Vengochea is Vice-Chair of the NYC Landmarks Preservation Commission, a professor of Urban Affairs and Planning at Hunter College, and the former Director of the NYC Dept of City Planning’s Staten Island Office.

Iris Weinshall

Iris Weinshall is Commissioner of the New York City Department of Transportation. The Department of Transportation manages much of the city's transportation infrastructure, including city streets, highways, sidewalks, and bridges. DOT is responsible for installing and maintaining street signs, traffic signals, and street lights, resurfacing streets, repairing potholes and other street defects, installing and maintaining parking meters, managing municipal parking facilities, and operating the Staten Island Ferry.

APPENDIX B

LIST OF PRELIMINARY TASK FORCE ISSUES

I. SHORT-TERM PROTECTIONS/ACTIONS

- A. Six-month restriction on tear downs.
- B. Moratorium on new development.
- C. Effect of current “vesting” provisions. [Developments with completed foundations at the time new zoning rules are adopted are allowed to build under the old rules.]
- D. Legislative proposals.
- E. Advance historic district and landmark designations (LPC).

II. DEPARTMENT OF CITY PLANNING ACTIONS

1. City-Wide Zoning Issues

- A. Corner lot developments only have side yard requirements and no backyard requirement.
- B. Interior lots within 100’ of an intersection do not have a 30’ backyard requirement.
- C. Commercial overlays in residential districts allow attached housing to be built in areas where it may be inappropriate.
- D. Commercial districts, by definition, permit residential development as-of-right at an equivalent residential district density.
- E. Address building orientation vis-à-vis public streets, ex: backs of homes should not face public streets.

- F. Homes built behind other Homes / Multiple Buildings on a single zoning lot
 - A. Adequate rear and front yards, and other bulk regulations on zoning lots with multiple buildings.
 - B. Stop the over-saturation/reduce neighborhood densities.

- G. Parking Issues
 - C. Increase group parking requirements.
 - D. Inadequate design standards/landscaping for parking lots.

- H. Private Road Developments
 - a) Agree on a common language/format for determining site design requirements (Tax Lots vs. Zoning Lots).
 - b) Treat private roads like public streets for site design purposes.
 - c) Provide effective rear yards of 30 feet.
 - d) Require deeper front yards.
 - e) Accommodate more on-site parking.
 - f) Reduce allowable densities.
 - g) Provide legal access by fire, police and emergency services.

- h) Make private roads text applicable to developments with a minimum of four, single family, detached homes.
- i) Minimum distance between buildings.
- j) Minimum building widths.
- k) Private roads abutting rear yards.

I. Design Issues

- a) Current Attic bonus prevents traditional housing design.
- b) Lack of community design and the need for better design.
- c) Beautification efforts/landscaping requirements for private and public streetscapes.
- d) Address fencing design.
- e) Increase planting and landscaping requirements.

2. Staten Island-Specific Zoning Issues

- A. Perimeter walls are set too low, resulting in higher lot coverage for buildings, leaving less space for parking.
- B. Identify neighborhoods for future zoning studies.
- C. Strengthen the Special Natural Areas District requirements.
- D. Zoning districts are outdated/need for Staten Island-specific zoning.
- E. Permitted densities are too high.
- F. Do not count garages in the floor area calculation.
- G. Parking requirements are too low for Staten Island households.

3. Communications Issues

- A. DCP website should allow homeowners to identify their zoning district/location by typing in their block and lot - similar to the DOB website.
- B. Provide a public explanation/presentation of the workings of the ECB and BSA and how they impact DCP and DOB.
- C. Provide online public access to an updated listing of all applications filed with DCP. Ability to sort by Community Board, applicant, or date filed. Only summary information would be provided online.

III. DEPARTMENT OF BUILDINGS ACTIONS

1. Building Code Enforcement

- A. Need for stricter enforcement of required adherence to approved building plans.
- B. Greater penalties for violations.
- C. Require licensing/registration of builders/general contractors.
- D. Abuse of TCOs (Temporary Certificates of Occupancy).

2. Professional Certification

Note: Professionally Certified applications within the Hillside and Special Natural Areas districts are being reviewed before pre-filing.

- A. Should professional certification be eliminated altogether?
- B. If not, how are standards upheld and what tools are needed to ensure compliance?

3. Increase Transparency

- A. Improved Standards for Applications (Show location of bus stops in relation to curb cuts).
- B. Simplify Rules **B** Write in plain English, remove loopholes and educate the public.
- C. Bring back C of O rules from 15 years ago, when far less paperwork was required.

V. INTER-DEPARTMENTAL ISSUES

1. Policy Questions

- A. Private Roads
 - a) Additional research on private road developments within and outside NY State is needed.
 - b) By definition of a private road development, accessory services usually provided by a municipality are provided by a private homeowners association. Association requirements and fees are provided to potential buyers prior to sale.
 - c) Why is development allowed on mapped, but unbuilt streets?
- B. Housing Affordability for young people and seniors
- C. Sustainability/Green borough policy/landscaping
- D. Lack of Infrastructure Planning
 - a) School capacity
 - b) Emergency vehicle access
 - c) Open space
 - d) Transportation modeling
 - e) Population growth
- E. Subdivision/Illegal Conversions

2. Coordination Issues

- A. Review regulations with overlapping jurisdictions: Fed regs, FEMA, NYS DEC
- B. Improve coordination between DCP and DOB
- C. Coordinate zoning interpretations - DOB should obtain input from DCP on Zoning Resolution ~~s~~ intent.
- D. Improve Inter-Agency Coordination at top levels.
- E. City agency staffs to meet regularly to discuss issues.
- F. Map Private Roads for planning and emergency services.

3. Misc. Administrative Issues

- A. Improve targeting of resources (or find alternative means) to achieve better enforcement, inspection, planning and zoning objectives.

- B. Complete land acquisitions by City/Utilization of City-owned lands:
 - a) Chapin Woods
 - b) Seaside
 - c) Woodrow Woods since 1978
 - d) Manor Road
 - e) Long Park

VI. LONG-TERM PLANNING INITIATIVES

1. Planning Consultant - Determine if a planning consultant should be used; if so, prepare a scope of work.

Potential Studies:

- A. Future Vision of Staten Island
- B. Greenways
- C. Traditional town center/shopping
- D. Future downzonings
- E. Future of Manufacturing Zones
- F. Transportation Modeling

APPENDIX C

NYC Department of City Planning Chronology of Staten Island Major Zoning Initiatives

December 19, 1974 - Special Natural Areas Districts - Established to preserve unique natural characteristics, such as aquatic, biologic, geologic and topographic features having ecological and conservation values, by reviewing all new developments and site alteration on primarily vacant land. Natural features are protected by limiting modification in topography, by preserving tree, plant and marine life, and natural water courses, and by requiring clustered development to maximize the preservation of natural features.

September 11, 1975 - South Richmond Development District - Established to guide development of predominantly vacant land in the southern half of Staten Island. The special district maintains the densities established by the underlying zones and ensures that new development is compatible with existing communities. Requirements include tree preservation mandates, an open space network to protect sensitive natural areas and school seat certification to ensure the availability of public services.

June 30, 1987 - Hillside Preservation District - Established to preserve the hilly terrain and unique natural features of Staten Island by reducing hillside erosion, landslides and excessive stormwater runoff. The primary concept for regulating development under this special district is the slope coverage approach: as the development site becomes steeper, the permitted building coverage decreases, but the permissible floor area on the site remains the same.

June 7, 1989 - Lower Density Contextual Zoning Amendments - Comprehensive amendments to the R3, R4, and R5 zoning regulations, and creation of new lower density contextual zoning districts to better match zoning to existing neighborhood contexts. The amendments established new building envelope controls (i.e. perimeter wall heights, regulations to encourage pitched roofs), eliminated floor area exemptions, reduced allowable densities, and modified curb cut and parking location regulations to provide more on-street parking and discourage excessive front yard paving.

1989-2003 - Contextual Rezonings - Neighborhood civic groups and past Borough Presidents have sought and received approvals to downzone their neighborhoods to maintain existing neighborhood character. These applications have mapped new contextual districts which encompass a total of 1,674 blocks.

September 9, 1999 - South Richmond District Text Amendments - Strengthened environmental protections by removing grandfather clauses, increased the minimum lot size in contextual districts and added site alterations to the list of actions that would initiate DCP review.

December 1999 - Hillside Preservation District Text Amendments - Strengthened steep slopes and tree protection provisions.

February 2002 - Private Roads Text Amendments - Established improved standards for private roads developments. These new standards ensure that private roads are wider and safer, with mandatory sidewalks and planting strips, and requirements that buildings be setback from the street to accommodate on-site parking.

December 2003 - Borough President's Six Downzoning Applications - These applications cover over 1400 blocks in the North Shore and Mid-island areas. The purpose of the rezoning actions is to preserve neighborhood character by having new residential development better match the type, scale and density of existing housing in these areas. Areas proposed for rezoning are characterized primarily by detached houses, or detached and semi-detached houses.

2nd Quarter 2004 Projected - Special Natural Area Text Amendments - Purpose of this text amendment would be to better protect natural features such as steep slopes and trees while allowing appropriate development.

APPENDIX D

**Staten Island
Community Rezoning
1987 to 2003**

	ULURP	Applicant	Name	Rezoning	Approved
1	870394	CB2	Burbank Ave.	R3-2 to R3-1	1987
2	880173	CB2	Burbank Ave. South	R3-2 to R3-1	1988
3	880810	CB2	Dongan Hills	R3-2 to R3-1	1988
4	870384	CB1	Rosebank	R6,R5, R4 to R3-2 and R4	1989
5	880849	CB2	New Dorp	R3-2 to R3-1	1989
6	880917	CB2	Dongan Hills	R3-2 to R3-1	1989
7	890150	Sycamore Civic Association	Sycamore Street (Great Kills)	R3-2 to R3-1	1989
8	890156	Giffords Civic Association	Giffords Lane	R3-2 to R3-1	1989
9	890164	New Dorp Civic Association/ CB2	Jacques Ave. et al	R3-2 to R3-1	1989
10	890188	Giffords Civic Association	Giffords Lane South	R3-2 to R3-1	1989
11	890540	Midland Beach–Grant Civic Assoc./CB2	Midland Beach	R3-2 to R3-1	1989
12	890583	West Brighton Area Committee, CB1	CB1 Clove Lakes Park North	R3-2 to R2 and R3-1 to R2	1989
13	890611	Dept. of City Planning	Eltingville Richmond to Brookfield	R3-2 to R3-1	1989
14	890612	Dept. of City Planning	Fingerboard N to Burgher S	R3-2 to R3A	1989
15	890665	CB2, New Dorp Central Civic Association	New Dorp – Jacques to Bancroft (RR South)	R3-2 to R3-1	1989
16	900609	CB 2	Dongan Hills South	R3-2 to R3-1	1991
17	900610	CB 2	Dongan Hills North	R3-2 to R3-1	1991
18	900642	Old Town Civic Assoc and CB 2	Old Town	R3-1 to R2	1991
19	910002	Oakwood Civic Assoc	Oakwood	R3-2 to R3-1	1991
20	900571	Snug Harbor East Civic Assoc and CB 1	Snug Harbor East	R3-2 to R3-1; R4 to R3-1; R5 to R3-	1992

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	ULURP	Applicant	Name	Rezoning	Approved
				1 and R4 to R5	
21	930547	Residents of Memphis Ave	Eltingville and Annadale	R3-2 to R3A	1994
22	940491	Tottenville Civic Assoc	Tottenville Southeast	R3-2 to R3A	1995
23	950588	Highland Road-Dent Civic Association	Great Kills	R3-1 and R3-2 to R3A	1996
24	950620	Tottenville Civic Assoc	Tottenville North	R3-2 to R3A and C3 to R3A	1996
25	970211	Eltingville Homeowners and Civic Association	Eltingville	R3-1 to R3A	1997
26	960516	Tottenville Civic Association	Tottenville - Satterlee to Page	R3-2 to R3A	1997
27	970271	New Brighton Citizens Committee	New Brighton - Clinton to Jersey	R3-2, R4 and R5 to R2 and R3X	1997
28	970554	Southeast Annadale Woodlands Association	Southeast Annadale	R3-2 to R3A	1999
29	990232	Forest Regional, Randall Manor, Livingston Residential Civic Association	West Brighton	R3-2 to R2	2000
30	990681	Snug Harbor east Civic Association	Snug Harbor East	R3-1 to R2 and R3X R5 to R3-2 and R2	2000
31	000122	Staten Island Borough President	Woodrow	R3-2 to R3X	2000
32	000151	Staten Island Borough President	Arden Heights South	R3-2 to R3X and R3-1	2000
33	000309	Staten Island Borough President	Annadale Chisolm to Jefferson	R3-2 to R3X	2000
34	000310	Staten Island Borough President	Great Kills Fieldway to Clarke	R3-2 to R3A and R3-1	2000
35	010576	Rosebank Civic Association	Rosebank	R3-2 and R4 to R3A and R4A	2001
36	010601	Mariners Harbor Civic Association	Mariners Harbor	R3-2 and M1-1 to R3A	2001
37	970453	Pleasant Plains,	Pleasant Plains - Page to	R3-2 to R1-1 and	2002

	ULURP	Applicant	Name	Rezoning	Approved
		Princes Bay, Richmond Valley Civic Association	Holten	R3X and C3 to R3X	
38	030149	Northern Great Kills Civic Association	North Great Kills	R3-1 to R3-2 and R2	2003
39	020285	Staten Island Borough President	Central North Shore	R3-2 and R3-1 to R3-1, R3X and R2	2003
40	020420	Staten Island Borough President	Northeast Mid-Island	R3-2 and R3-1 to R3-1 and R3X	2003
41	020538	Staten Island Borough President	Northwest North Shore	R4, R3-2, R3-1 to R3A and R3X	2003
42	020636	Staten Island Borough President	Southeast Mid-Island	R3-2 and R3-1 to R3-1 and R3X	2003
43	030001	Staten Island Borough President	Northeast North Shore	R5, R4, R3-2 and R3-1 to R3A and R3X	2003
44	030022	Staten Island Borough President	Central Mid-Island	R3-2 to R3-1, R3A, and R3X	2003

APPENDIX E

INVENTORY OF STATEN ISLAND PLANNING STUDIES

As of Nov 25, 2003

	Study Area	Completion Date	Sponsor
1	Fresh Kills Master Plan	2008	DCP
2	Goethals Bridge Study - EIS	2007	Port Authority
3	N. Shore Rail Connections	2005	NYC EDC & Port Authority
4	Cross Harbor Freight Tunnel	2005	NYC EDC
5	Northwest SI Study – 2 nd Phase	Dec 2004 – Projected	DCP
6	Homeport Task Force	Aug 2004 – Projected	NYC EDC
7	SI Transit Enhancement Plan	Mar 2004 – Projected	SI EDC
8	West Shore Expressway Corridor Study	Begin 2004	State DOT
9	N. Shore Railroad	2004	NYC EDC & Port Authority
10	College of Staten Island – Access Study	Begin Nov 2003	State DOT
11	SI Action Plan Arterials Study	Dec 2003	City DOT
12	Charleston Transportation Study	Nov 2003	DCP
13	West and South Shore Greenway Study	Sept 2003	DCP
14	SI Expressway – Bay Street Connector Feasibility Study	Sept 2003	DCP
15	Mid Island Ferry Terminal	2003	Port Authority
16	SI Expressway – Major Investment Study	Dec 2002	State DOT
17	Victory Boulevard Traffic Study	Sept 1998	DCP
18	Hylan Boulevard Transportation Project	Sept 1997	DCP
19	Streets of S. Richmond	Nov 1996	DCP
20	Hylan Blvd/SI Railway - Transit Corridor Analysis	Oct 1996	DCP
21	St. George Business District & Civic Center – Traffic Circulation Study	Aug 1996	DCP
22	Bike/Pedestrian Study – St. George Terminal Reconstruction		City DOT
23	SI Bus Management		State & City DOT

APPENDIX G

“Resolving Department of Buildings Violations”



FACT SHEET

Resolving Department of Buildings Violations

To view violations on your property

Access the Buildings Information System (BIS) online at www.nyc.gov/buildings or via a public access terminal or information kiosk in any borough office. The Department issues three types of violations that have different requirements for resolution: Environmental Control Board (ECB) violations, DOB violations, and Bureau of Electrical Control (BEC) violations. Refer to the BIS *Property Profile Overview* for the number of open ECB and DOB violations. For BEC violations, call the BEC Information Center or call or visit your BEC borough office for information about resolving any open BEC violations on the property.

To identify open violations

BIS shows ECB violations in either open status (A - active) or closed (D - dismissed). Open ECB violations are always shown in active (A) status. Open DOB violations are shown without an asterisk next to the violation number; dismissed DOB violations are shown with an asterisk, e.g., V*7052-18P. To identify open BEC violations, contact your BEC borough office.

To obtain copies of violations

ECB: Detailed information on all ECB violations is available in BIS.

DOB: Detailed information on certain DOB violations is available in BIS. If detailed information is not available via the *DOB Violations* screen, you may request copies of DOB violations as follows:

- For the specific DOB violation types listed in the table below, request a copy of the violation from the issuing unit named in the right column. Be prepared to provide the violation number indicated in BIS.
- For all other DOB violation types, request a copy of the violation from your borough's Construction customer service counter. Be prepared to provide the violation number indicated in BIS. The processing fee is \$8 per copy for each violation; each additional duplicate copy of a violation is \$5. Alternatively, you may submit a written request to your borough's Records Control Officer, citing the Freedom of Information Law (FOIL); the processing fee for FOIL requests is \$0.25 per page. It may take up to five business days for the Department to acknowledge receipt of your FOIL request, and if approved, may take additional time to fulfill the request.

BEC: To obtain a copy of a BEC violation, visit the BEC Information Center at 1 Centre St, 23rd floor. The processing fee is \$5 per violation.

To obtain forms and Policy and Procedure Notices

Forms and Policy and Procedure Notices (PPNs) referenced below are available at www.nyc.gov/buildings, via the *Resources* link, then the *DOB Forms* link.

Violation type (ECB, DOB, or BEC)	How to resolve	Who to contact
<p>ECB: All Environmental Control Board (ECB) violations</p> <p>DOB: Fire Safety violation (all occupancies) Local Law 16/84</p>	<p>Correct the condition cited in the violation. Obtain a <i>Certificate of Correction</i> (form AEU-2) and the accompanying instructions. Submit the form with proof of correction and a copy of the violation to the Administrative Enforcement Unit. Important: Even if you have paid the ECB penalty, the violation remains open in BIS until NYC Buildings has approved your Certificate of Correction.</p> <p>Note: Inquiries about ECB violations not related to certifying correction should be directed to your ECB borough office. ECB contact information is available online at www.nyc.gov/html/dep/html/ecb.html.</p> <p>Obtain a <i>Report of Compliance with Local Law 16/84</i> form (form LL 16/84). Submit according to instructions.</p>	<p>Administrative Enforcement Unit (AEU), 5th flr., 280 Broadway, NY, 10007 (212) 566-2850</p> <p>Local Law Enforcement Unit, 4th flr., 280 Broadway, NY, 10007 (212) 566-5120</p>
<p>DOB: Fire Safety violation (requirements pertain to office buildings only) Local Law 5/73</p>	<p>Ensure that a registered architect or professional engineer submits the documents required for Department signoff. Requirements vary according to the height and type (central or non-central air conditioning) of building. Refer to <i>Local Law 5 of 1973 Informational Checklist (form PEO-4)</i> for requirements.</p>	
<p>DOB: Failure to file a façade technical report (“NRF”) violation Local Law 11/98</p>	<p>Ensure that a registered architect or professional engineer submits the outstanding LL11/98 technical report (form TR-6). Pay the late filing penalties owed: \$150 for every month that report is not filed.</p> <p>Waiver requests: To request a penalty waiver, submit proof of one of the following circumstances. Refer to <i>Operations PPN 2/96</i> for specific requirements and forms.</p> <ul style="list-style-type: none"> • Ownership change: copy of recorded deed and a <i>No Relationship Affidavit</i> • Government ownership: official documentation from the government entity affirming ownership and a <i>No Relationship Affidavit</i> • Bankruptcy: copy of bankruptcy petition and proof that the Department or the Law Department was served with a “Notice of Bar Date” in the bankruptcy claim • Building demolished: official City record of demolition and a <i>Demolished Building Affidavit</i> 	
<p>DOB: Failure to file an amended façade technical report violation Local Law 11/98</p>	<p>Ensure that the unsafe façade condition resulting in a technical report of “unsafe” has been corrected. Ensure that a registered architect or professional engineer submits, and the Department approves, an amended LL11/98 technical report (form TR-6).</p>	

Violation type (ECB, DOB, or BEC)	How to resolve	Who to contact
<p>DOB: Boiler annual inspection violation Local Law 62/91</p>	<p>Ensure that an <i>Annual Boiler Inspection Report</i> (form OP-1) for the current year is on file with the Department. Submit a copy of the violation with payment of the penalty due via certified check or money order:</p> <ul style="list-style-type: none"> • \$500 penalty if building is six stories or less; • \$1500 penalty if building is greater than six stories <p>Should you decide to challenge the violation or request a reduced penalty, the following information outlines the Department's requirements. Refer to <i>Operations PPN 2/96</i> for specific requirements and forms.</p> <p>Exemptions: To challenge the violation on the basis that you are exempt from the filing requirements, submit the required documents along with a copy of the violation:</p> <ul style="list-style-type: none"> • Boiler in building with less than six families: certified copy of the current Certificate of Occupancy • Boiler in mixed use building: OP-49 form completed by a licensed master plumber, registered architect or professional engineer stating that the boiler does not heat the commercial space • Boiler does not exist: OP-49 form completed by a registered architect or professional engineer stating that the boiler is not there and when it was removed or disconnected; or Department signoff (first test) of new installation or replacement • Boiler violation issued to previous owner: OP-46 form completed by current owner; copy of recorded deed; and proof of current boiler inspection • Building sealed or vacated: Department documentation of premises sealed or vacated and a <i>Sealed or Vacated Building Affidavit</i> <p>Timely filing: To challenge the violation on the basis that the inspection report has been filed timely, submit legible copies of the following:</p> <ul style="list-style-type: none"> • <i>Annual Boiler Inspection Report</i> (form OP-1) completed by a licensed master plumber, high pressure boiler operator, oil burner installer or insurance representative • Canceled check (front and back) as proof of payment of the filing fee <p>Requesting reduced penalty: To request a reduced penalty on the basis that a timely inspection was performed but the report was not filed timely, submit all of the following:</p> <ul style="list-style-type: none"> • Notarized affidavit from a registered architect or professional engineer (with professional seal affixed) stating that the inspection was performed during the year in question 	<p>Central Inspections Boiler Division, 4th flr., 280 Broadway, NY, 10007 (212) 566-5048</p>

	<ul style="list-style-type: none"> • Original <i>Annual Boiler Inspection Report</i> (form OP-1) with professional seal affixed • Notarized affidavit from the owner stating the specific date that the inspection was performed during the year in question • Proof of payment to the licensed professional for timely inspection, including copies of bills, invoices or canceled checks • Certified check or money order for filing fee: \$30 per boiler • Certified check or money order for payment of the penalty due: <ul style="list-style-type: none"> ▪ \$50 per building if building is six stories or less; ▪ \$150 per building if building is greater than six stories 	
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<p>DOB: Mandated elevator inspection violation Local Law 10/81</p>	<p>Pay the penalty due for the filing period in question and file a current <i>Mandated Elevator Inspection Report</i> (ELV-3) for the device, no later than September 30 of the current year.</p> <p>Timely filing: To challenge the violation on the basis that the filing fee has been paid and the report filed on time, submit legible copies of the following:</p> <ul style="list-style-type: none"> • Completed <i>Mandated Elevator Inspection Report</i> (ELV-3) • Canceled check (front and back) as proof of payment of the annual filing fee for the filing period in question <p>Report not required: To challenge the violation on the basis that the report is not required, submit proof of one of the following circumstances. Refer to <i>Operations PPN 2/96</i> for specific requirements and forms.</p> <ul style="list-style-type: none"> • Ownership change: copy of recorded deed and a <i>No Relationship Affidavit</i> • Government ownership: official documentation from the government entity affirming ownership and a <i>No Relationship Affidavit</i> • Bankruptcy: copy of bankruptcy petition and proof that the Department or the Law Department was served with a “Notice of Bar Date” in the bankruptcy claim • Building demolished: official City record of demolition and a <i>Demolished Building Affidavit</i> • Elevator removed prior to filing deadline: permit for removal and either a <i>LL 10/81 Removal/Dismantling Affidavit</i> or Department signoff of removal • Building sealed or vacated: Department documentation of premises sealed or vacated and a <i>Sealed or Vacated Building Affidavit</i> <p>Work in progress: To challenge the violation on the basis that the elevator(s) or device(s) were being installed or</p>	<p>Local Law 10/81 Unit, 6th flr., 280 Broadway, NY, 10007 (212) 566-4700</p>
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	under major construction less than six months prior to the September 30 filing deadline, submit proof of work in progress (work permit or approval from the Department to perform the work).	
DOB: Elevator (“PVT”) violation	A certified elevator inspection company must submit a letter, by mail or in-person, indicating corrections made and requesting a reinspection of the device.	Elevator Technical Division, 4 th flr., 280 Broadway, NY, 10007 (212) 566-5514
	If the violation is non-hazardous, the certified company may itself perform the reinspection and submit an <i>Affirmation of Correction</i> (form ELV-29) along with a copy of the violation to the Elevator Division. Refer to <i>Operations PPN 2/03 for specific requirements.</i>	Elevator Administrative Division, 4 th flr., 280 Broadway, NY, 10007 (212) 566-4988
DOB: All other types of DOB violations	Requirements vary according to the type of DOB violation. Consult with your registered architect or professional engineer. For assistance, contact the NYC Buildings Construction office in your borough, which can help you identify and resolve all other types of DOB violations.	Brooklyn (718) 802-3681 Bronx (718) 579-6905 Manhattan (212) 566-5232 Queens (718) 286-0610 Staten Island (718) 816-2209
BEC: Violation to owner – no application on file	Engage a licensed electrical contractor to file an application. Penalties for unfiled work range from two to ten times the ordinary fee otherwise payable.	Bureau of Electrical Control, 23 rd flr., 1 Centre Street, NY, 10007
BEC: Violation to owner – defective electrical equipment	Engage a licensed electrical contractor to repair or replace the defective equipment. Contractor is required to file an application, make repairs, and obtain a <i>Certificate of Electrical Inspection</i> .	BEC Information Center (citywide): (212) 669-8353
BEC: Violation to owner – non-electrical work not in compliance (storage in electric room, improper signs at electric room, no access to electrical equipment)	Filing of an application by a licensed electrical contractor is not required. The owner should address the condition(s) cited in the violation (remove stored items; install proper signs; render equipment accessible) and call the BEC borough office for an inspection. Inspection requests are accepted from 9:30 am – 1 pm.	Brooklyn (718) 802-4342/4347 Bronx/Upper Manhattan (212) 669-8404/8350 Lower Manhattan (212) 669-8395/3489
BEC: Violation to electrical contractor – filed work not in compliance	Ensure that a licensed electrical contractor obtains a <i>Certificate of Electrical Inspection</i> . Filing of an additional application is not required if the contractor is the original filer.	Queens (718) 286-0640 Staten Island (718) 816-2154

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