



DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

November 9, 2018

**PUBLIC NOTICE OF A SCOPING MEETING
DRAFT ENVIRONMENTAL IMPACT STATEMENT
(CEQR No. 19DCP083Y)**

Notice is hereby given that pursuant to Section 5-07 of the Rules of Procedure for Environmental Review (CEQR) AND 6 NYCRR 617.8 (State Environmental Quality Review) that the New York City Department of City Planning, acting on behalf of the City Planning Commission as CEQR lead agency, has determined that a draft environmental impact statement is to be prepared for the proposed actions related to the **Staten Island and Bronx Special Districts Update**, CEQR Number **19DCP083Y**. The SEQRA classification for this proposal is Type I.

Two public scoping meetings have been scheduled. The first public scoping meeting will be held on Monday, December 10, 2018 at Wagner College, Spiro Hall, Room 2, 1 Campus Road, Staten Island, NY 10301. The meeting will begin at 4:00PM.

The second public scoping meeting will be held on Thursday, December 13, 2018 at Ethical Culture Fieldston School, Student Commons Room, 3901 Fieldston Road, Bronx, NY 10471. The meeting will begin at 4:00PM.

Written comments will be accepted by the lead agency until the close of business on Monday, January 14, 2019.

The New York City Department of City Planning (DCP), the Applicant, is proposing zoning text and zoning map amendments (the "Proposed Action") to the Special Natural Area District, Special South Richmond Development District and Special Hillside Preservation District to provide a clear and consistent framework for natural resource preservation that balances development and ecological goals within these Special Districts. In Staten Island, the Proposed Action also includes targeted zoning text changes to the Lower Density Growth Management Areas (LDGMA) and to areas with applicable cross access requirements to further the original purposes of protecting neighborhood character and making the regulations easier to apply.

The Proposed Action includes zoning text and related zoning map changes that would affect the Special Natural Area District (Article X, Chapter 5), Special South Richmond Development District (Article X, Chapter 7), and Special Hillside Preservation District

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(Article XI, Chapter 9) of the Zoning Resolution (ZR). The Proposed Action would affect Staten Island's Special Hillside Preservation District (SHPD) in Community District 1; Staten Island's Special Natural Area Districts (NA-1 and NA-3) in Community Districts 1 and 2; Staten Island's Special South Richmond Development District (SSRDD) in Community District 3; and the Bronx's Special Natural Area District (NA-2) district in Riverdale and Fieldston, Community District 8. The proposed zoning text amendment to Lower Density Growth Management Area (LDGMA) will affect all three Community Districts in Staten Island; modification of requirements for cross access between non-residential parking lots would affect C4-1, C8, M1, M2 and M3 districts in Staten Island. The Special Natural Area District in Queens (NA-4) would not be affected by the proposed changes.

The Special Districts that are the subject of the Proposed Action were established in the 1970's and 1980's to balance development with environmental protections in areas with significant natural features, such as aquatic, botanic, biologic, geologic and topographic features, that have ecological and conservation values. Collectively, these regulations introduced valuable resource protection and oversight mechanisms. However, current regulations lack a broader approach to the ecological context, since they focus on the preservation of natural features on a site-by-site basis. Without considering the relationship of the natural features on a site to the wider ecological context, the current regulations lack clear and consistent parameters to guide the City Planning Commission's (CPC) review when a property owner requests permission to remove or modify natural features, resulting in unpredictable and inconsistent outcomes. Additionally, the current one-size fits all approach for properties of all sizes, land uses and types of natural feature subject to CPC review imposes burdensome costs and time delays for homeowners seeking to make modest changes to their properties, while allowing some larger developments in sensitive areas to be developed without any public oversight.

Moreover, the City's understanding of the natural environment has evolved, revealing a better understanding of the importance of larger natural areas, such as Forever Wild parklands, which are referred to as "designated natural resources" in the Proposed Action. These larger natural areas are now understood to be key "anchor habitats" that have a high level of biodiversity with more species of plants and animals and form an integral part of the larger ecosystem. Technology has also improved in the last 40 years, allowing these areas to be mapped more accurately. These "designated natural resources" that are already on publicly protected lands, combined with other larger habitats on private properties, are the assets that the Proposed Action intends to protect, preserve and enhance.

The Proposed Action seeks to update and refine current regulations to strengthen and rationalize natural resource preservation, to codify best practices learned over the past 40 years and to create a more homeowner-friendly environment with robust as-of-right rules with clearer outcomes for development on smaller lots (defined for the purposes of the Proposed Action as sites of less than one acre in size). As-of-right regulations that protect significant natural features and ensure cohesion within neighborhoods with distinct character would allow small lots (less than one acre) to be developed as-of-right, provided compliance with the Proposed Action without requiring CPC review.

The Proposed Action would require special review by the CPC for development on large lots (defined as sites measuring one acre or more in size), as well as development with new private roads or new buildings or subdivisions of a lot in a historic district. In areas of steep slope or ecological sensitivity (abutting designated natural resources), developments including four or more new lots or buildings would also require CPC review. These types of developments have a greater potential to affect the surrounding ecology, neighborhood character and the public realm.

Because the current regulations require many small properties to go through CPC review, it is anticipated that the proposed framework will result in a reduction of over 66 percent in the number of applications requiring CPC review, based on data analysis of applications to the CPC in the three affected special districts from 2012 to 2017.

The Proposed Action would set clear parameters for large (one acre or more) and sensitive sites such that CPC review would result in predictable outcomes for natural feature preservation and development. Additionally, for sites with existing habitat, portions of their habitat would be required to be preserved in perpetuity to maintain ecological connectivity and neighborhood character. These sites, which will be pre-identified in the Zoning Resolution, will require ecological assessment of habitat before a development is designed so that the requirement can be met by preservation of the most valuable ecological areas that may also provide connectivity to the larger protected natural areas. There will be an option to cluster buildings on these sites in order to preserve natural habitat on a portion of the site while maintaining roughly the same development potential for the entire site. The proposal would encourage upfront long-term site planning to create a holistic development plan for the public and the property owner, considering natural resource preservation.

The proposal would also remove CPC review for Bluebelt properties managed by the NYC Department of Environmental Protection (DEP) and NYC Parks properties as required in the existing SNAD regulations. Due to NYC Parks and NYC DEP goals of preserving natural resources as well as their own public review process and the Public Design Commission (PDC) public review process for any publicly owned property, the goals of the Proposed Action would be maintained without CPC review.

To achieve these objectives, the proposal would combine the existing three Special Districts (Hillsides, Natural Areas and South Richmond) into one Special District called the “Special Natural Resources District” to create consistent natural resource preservation rules. The Proposed Actions would establish a new Subdistrict to maintain the existing special bulk, parking and open space rules of the Special South Richmond Development District. Within the new Special District, three ecological areas (Escarpment, Resource Adjacent and Base Protection) would be established to create a hierarchy of natural resource preservation based on the proximity of a private property to “designated natural resources” or properties containing steep slopes, to protect, enhance and connect the most ecologically sensitive resources. The Proposed Action would also update cross access regulations on Staten Island and LDGMA regulations that established residential

development controls regarding parking, yard, open space, private roads and other regulations to preserve neighborhood character.

The Proposed Action is not expected to cause a significant change in the overall amount, type, or location of development. On large sites (one acre or more) with existing habitat, where a portion of the site is required to be preserved, in certain cases, the development under the Proposed Action may be reduced to balance the goals of habitat preservation. This proposal is not expected to induce development where it would not have otherwise occurred absent the Proposed Action. The land use actions (certifications, authorizations and special permits) necessary to facilitate development on a site may be changed or eliminated by the Proposed Action. The proposed changes to LDGMA regulations in Staten Island are not expected to cause a significant change in the overall amount, type or location of development, though in some cases due to updates in minimum lot area rules along private roads, the amount of development under proposed regulations may be reduced. Updates to cross access regulation are mostly clarifications of rules and changes to review process and would not affect the type or amount of development.

The analysis year for the Proposed Action is 2029.

Copies of the Draft Scope of Work and the Environmental Assessment Statement may be obtained from the Environmental Assessment and Review Division, New York City Department of City Planning, 120 Broadway, 31st Floor, New York, New York 10271, Olga Abinader, Acting Director (212) 720-3493; or from the Mayor's Office of Environmental Coordination, 253 Broadway, 14th Floor, New York, New York 10007, Hilary Semel, Director (212) 676-3273. The Draft Scope of Work and scoping protocol will also be made available for download at <https://www1.nyc.gov/site/planning/applicants/scoping-documents.page>.

Public comments are requested with respect to issues to be addressed in the draft environmental impact statement.