



NYC DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

December 21, 2020

**PUBLIC NOTICE OF A SCOPING MEETING
DRAFT ENVIRONMENTAL IMPACT STATEMENT
(CEQR No. 20DCP130R)**

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, based on the Environmental Assessment Statement, that a draft environmental impact statement (DEIS) is to be prepared for the **Staten Island Special Districts Update** project (CEQR Number 20DCP130R). The CEQR lead agency hereby requests that the applicant prepare a DEIS in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

A public scoping meeting has been scheduled for Thursday, January 28, 2021, and will be held in two sessions with the first session starting at 4:00 pm and the second starting at 6:00 pm. In support of the City's efforts to contain the spread of COVID-19, DCP will hold the public scoping meeting remotely. To join the meeting and comment, please visit the NYC Engage site, <https://www.nyc.gov/engage> or dial the following number.

Dial-in information:

888-788-0099 (Toll Free)
877-853-5247 (Toll Free)
253-215-8782
213-338-8477

Meeting ID: 939 4180 7008

Passcode: 1

[The Participant ID can be skipped by pressing #]

If you would like to register to testify via phone, need assistance with technical issues, or have any questions about participation you may call any of the phone numbers listed above. Then enter the following meeting ID and password when prompted.

Meeting ID: 618 237 7396

Password: 1

[The Participant ID can be skipped by pressing #]

Instructions on how to participate, as well as materials relating to the meeting, will be posted on the NYC Engage site on the day of the scoping meeting, no later than 1 hour prior to the scoping meeting. To help the meeting host effectively manage members of the public who sign up to comment, those who do not intend to actively participate are invited to watch the livestream or the recording that will be posted after the meeting. The meeting livestream can be found in the above referenced NYC Engage site and will be made available on the day of the scoping meeting.

Written comments will be accepted through Monday, March 1, 2021. They can be submitted through the webpage below or mailed to Olga Abinader, Director, Environmental Assessment and Review Division, New York City Department of City Planning, 120 Broadway, 31st Floor, New York, New York 10271.

Copies of the Draft Scope of Work and the Environmental Assessment Statement may also be obtained by contacting the Environmental Assessment and Review Division, New York City Department of City Planning, 120 Broadway, 31st Floor, New York, New York 10271, Olga Abinader, Director, by calling (212) 720-3493 or by emailing oabinad@planning.nyc.gov. In addition, the Draft Scope of Work and scoping protocol will be made available for download at <https://www1.nyc.gov/site/planning/applicants/scoping-documents.page>.

Please inform the Department of City Planning if you need a reasonable accommodation, such as a sign language interpreter, in order to participate in the meeting. Requests for a reasonable accommodation or foreign language assistance during the meeting should be emailed to AccessibilityInfo@planning.nyc.gov or by calling 212-720-3508. Requests must be submitted at least ten business days before the meeting.

The New York City Department of City Planning (DCP) is proposing zoning text and zoning map amendments (the Proposed Actions) to the Special Natural Area District (SNAD) and Special Hillside Preservation District (SHPD), and a zoning text amendment to the Special South Richmond Development District (SSRDD) to provide a clear and consistent framework for natural resource preservation that balances development and ecological goals within these special districts. The Proposed Actions also include targeted zoning text changes to cross access requirements to further the original purposes of streamlining review processes and making the regulations easier to apply.

The Proposed Actions include zoning text and related zoning map changes that would affect SNAD (Article X, Chapter 5) and SHPD (Article XI, Chapter 9) of the Zoning Resolution (ZR). The Proposed Actions include a zoning text amendment that would affect SSRDD (Article X, Chapter 7). The Proposed Actions would affect Staten Island's SHPD in Community District 1; Staten Island's SNAD (Natural Area -1 (NA-1) and Natural Area-3 (NA-3)) in Community Districts 1 and 2; and Staten Island's SSRDD in Community District 3. The proposed zoning text amendment to modify requirements for cross access between non-residential parking lots, which applies in C4-1, C8, M1, M2, and M3 districts in Staten Island, would be affected. The proposed zoning text amendment would also clarify a Lower Density Growth Management Area (LDGMA) zoning regulation to allow ground floor residential uses along secondary and tertiary streets in Staten Island's C1, C2, and C4 commercial districts. SNAD in the Bronx (NA-2) and Queens (NA-4) would not be affected by the proposed changes.

The special districts that are the subject of the Proposed Actions were established in the 1970s and 1980s to balance development with environmental protections in areas with significant natural features, such as aquatic, botanic, biologic, geologic, and topographic features, having ecological and conservation values. Collectively, these regulations introduced valuable resource protection and oversight mechanisms, resulting in beautiful green neighborhoods. However, current regulations lack a broader approach to the ecological context, focusing 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, current regulations lack clear and consistent parameters to guide City Planning Commission (CPC) review when a property owner requests permission to remove or modify natural features, resulting in unpredictable and inconsistent outcomes. Additionally, a 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 move forward without any public oversight.

Moreover, the City's understanding of the natural environment has evolved, revealing a better understanding of how rare larger habitats are within the City. These larger habitats 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. Some of these natural resources exist on private properties and are the most important assets to protect, preserve, and enhance.

The Proposed Actions seek to update and refine existing regulations in the special districts to codify best practices learned over 40 years and to create a more homeowner-friendly environment with robust as-of-right rules with clearer outcomes for development on small lots (less than an acre). Such as-of-right regulations would protect significant natural features and ensure cohesion within neighborhoods with distinct character. It would also allow small properties (less than an acre) to proceed directly to the Department of Buildings (DOB) for approval by showing compliance with the proposed regulations without requiring CPC review.

The Proposed Actions would require special CPC review for development on large properties (1 acre or more), as well as developments with new private roads. Additionally, developments in areas of steep slope along the Serpentine Ridge that include four or more new lots/buildings, or eight dwelling units, would also require CPC review. All these developments have a greater potential of affecting the surrounding ecology, neighborhood character, and public realm.

Because the current regulations require many small properties to go through CPC review, the proposed framework would result in a reduction of over *66 percent* in the number of applications requiring CPC review; this number is based on data analysis of applications submitted to the CPC in the three special districts from 2012 to 2017.

The Proposed Actions would set clear parameters for large and sensitive sites such that CPC review would result in predictable outcomes for preservation and development. Additionally, for sites with existing habitat, portions of habitat may be required to be preserved in perpetuity by the CPC to maintain ecological connectivity and neighborhood character. Sites that are 1 acre or larger with habitat would be pre-identified and require an ecological assessment (i.e.,

a survey) of habitat during the application process at the CPC. There would be an option to cluster buildings on these sites to preserve natural habitat on a portion of the site while maintaining roughly the same development potential for the entire site.

The proposal would also remove CPC review for Bluebelt properties managed by NYC Department of Environmental Protection (NYC DEP) and NYC Department of Parks and Recreation (NYC Parks) properties; this review is required in the existing SNAD and SSRDD. 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, CPC review is redundant and unnecessary.

To achieve these objectives, the proposal would combine two of the existing special districts on Staten Island that share similar objectives today (Hillsides and Natural Areas) into one special district called the Special Hillsides and Natural Areas District (SHNAD) to create consistent natural resource preservation rules for properties containing steep slopes, and to protect and enhance the most ecologically sensitive resources along the Serpentine Ridge. In addition, the proposal would amend specific regulations of the existing SSRDD to achieve the aforementioned objectives and update cross access regulations on Staten Island to streamline review processes.

The Proposed Actions, as described in detail below, are not expected to cause a significant change in the overall amount, type, or location of development. On large sites (1 acre or more) with existing habitat, where a portion of the site may be required to be preserved pursuant to CPC discretionary review, the development under proposed regulations may be slightly reduced in some cases to balance the goals of habitat preservation on these limited number of sites. This proposal is not expected to induce development where it would not have occurred absent the Proposed Actions. However, the land use actions (certifications, authorizations, and special permits) necessary to facilitate development on a site may be changed or eliminated by the proposed regulations. Updates to cross access regulations are mostly clarifications of rules and changes to the review process and would not affect the type or amount of development.

The proposal is a coordinated effort developed over the course of several years with input from residents, elected officials, community boards, and other community stakeholders, along with City and other public agencies. Implementation of the proposed zoning text and map amendment would require review and approval of the discretionary action pursuant to the City's Uniform Land Use Review Procedure (ULURP). DCP is acting as lead agency on behalf of the CPC and is conducting a coordinated environmental review under the City Environmental Quality Review (CEQR) process. This Reasonable Worst-Case Development Scenario (RWCDS) establishes the framework for the environmental review of the Staten Island Special Districts Update proposal.

The analysis year for the Proposed Actions is 2030.