

SPECIAL SOUTH RICHMOND DEVELOPMENT DISTRICT

Preliminary Recommendations

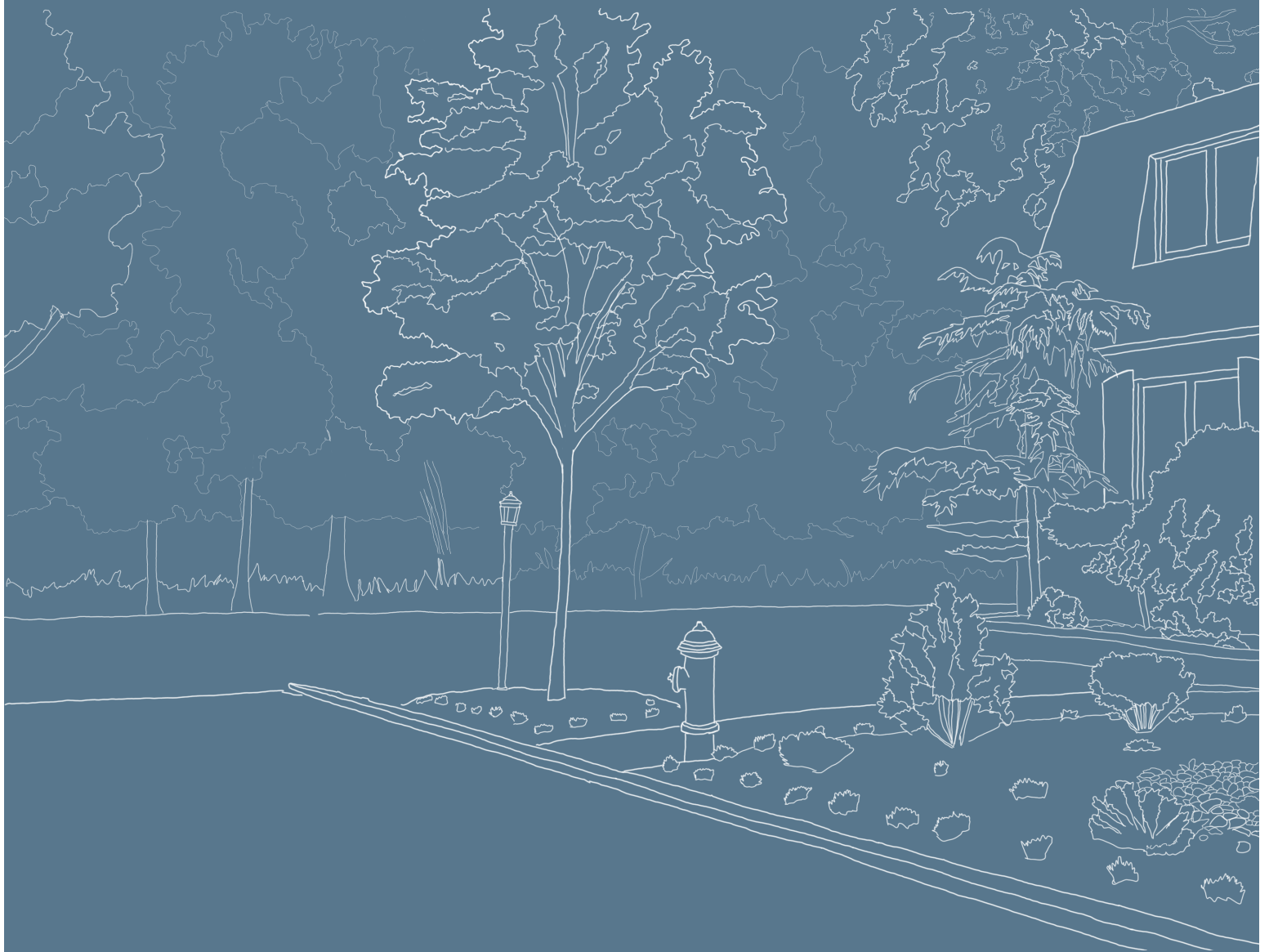


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EXECUTIVE SUMMARY

Over the past several years, the Department of City Planning (DCP) has been working with stakeholders on Staten Island to develop recommendations to update the existing regulations of the Special South Richmond Development District (SSRDD) on Staten Island established 45 years ago. These recommendations build upon the existing goals of these districts which have resulted in preserved wetlands, woodlands, and large areas of open space on the South Shore of Staten Island. Since the establishment of these rules, DCP established best practices based on review of hundreds of applications and updated ecological science, and we believe these regulations could be improved to be streamlined, homeowner friendly, and modernized. The implementation of the proposal would result in improved outcomes for balancing neighborhood development and the preservation of natural features, and an improved process for smaller sites while providing greater community oversight on developments that have a greater impact on the public realm.

The purpose of this document is to share an overview of the zoning proposal and preliminary recommendations, which reflects and responds to comments and feedback provided by the Staten Island Working Group. DCP aims to conduct further outreach to obtain community input prior to the formal public review process in order to inform the proposed zoning text.

Key strategies to improve the existing rules include:

- Creating zoning regulations that are standardized and fairer for homeowners by removing obsolete or redundant zoning regulations.
- Applying the latest environmental preservation science, technology and best practices to zoning regulations—which will make zoning application decisions more predictable.
- Focusing on preserving the natural features that will have the biggest impact on today's environment.

Please visit our website at
www.nyc.gov/SpecialDistricts
for more information about this project, to
ask questions, and to get involved.

Released: June 2020

Special Purpose Districts

The regulations for special purpose districts are designed to supplement and modify the underlying zoning rules. They address distinctive neighborhoods with particular goals. Special purpose districts are shown on the zoning maps and are in [Articles VIII–XIII](#) of the Zoning Resolution.

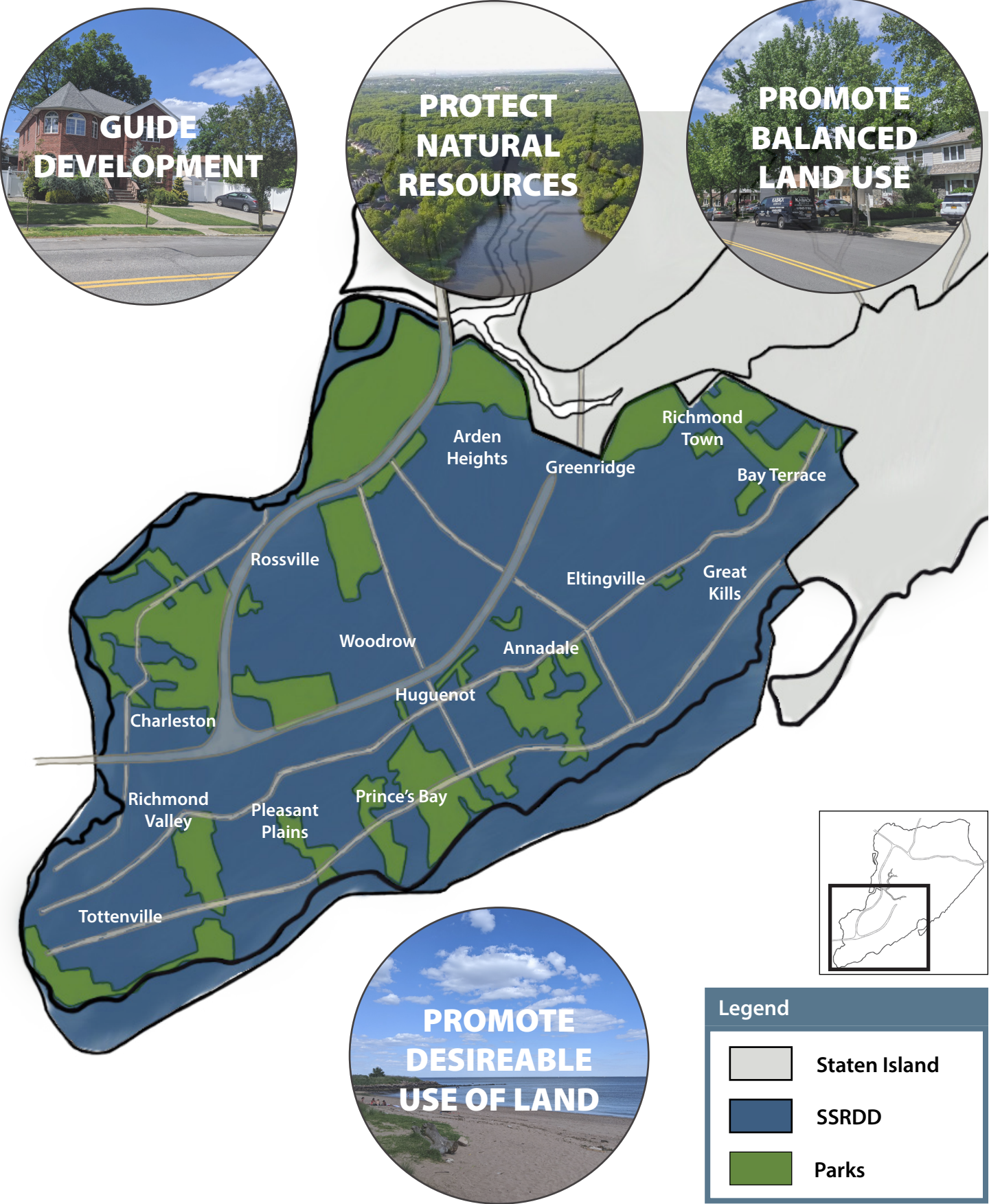
Low Density

Areas with a lower maximum number of dwelling units permitted on a zoning lot, usually characterized by detached homes.

Established in 1975 in response to rapid development after the opening of the Verrazzano-Narrows Bridge, the SSRDD provided a development framework for 12,000 acres of then largely undeveloped land in the southern portion of Staten Island. The purpose of the district was to coordinate development and services, protect and maintain natural features such as trees and topography; avoid destruction of irreplaceable natural and recreational resources and to ensure that new development was compatible with existing communities.

The district encompasses all of Community District 3, which includes the neighborhoods of Annadale, Arden Heights, Bay Terrace, Charleston, Eltingville, Great Kills, Greenridge, Huguenot, Pleasant Plains, Prince’s Bay, Richmond Valley, Richmond Town, Rossville, Tottenville, and Woodrow. It is bounded by the waters of Arthur Kill to the west and Raritan Bay to the southeast.

SSRDD is comprised of primarily low-density residential zoning districts with over 90 percent of all lots containing a detached single- and two-family homes. Additionally, large commercial and manufacturing parcels are located mostly along the West Shore. Other uses include a small number of multi family buildings, mixed-use buildings, and institutional uses.



As-of-Right

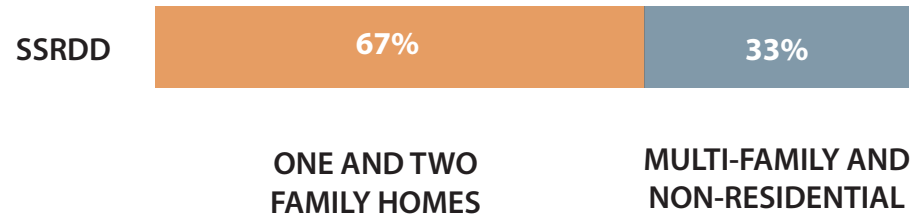
Development that complies with all applicable zoning regulations and does not require any action by the City Planning Commission.

Applications

A formal request to the Department of City Planning for zoning and land use actions which require review and/or approval by the City Planning Commission.

DCP, local communities and the City Planning Commission (CPC) have been reviewing applications in these special districts for nearly 45 years, learning where the existing rules work well and where they can be improved. During this time, **ecological science and mapping technology** have evolved, giving us more precision on the location of significant natural resources, and allowing us to prioritize the preservation of our last remaining natural areas. The goal of these proposed zoning updates is to create a more predictable process for homeowners, and strengthen oversight and community input for larger and more ecologically sensitive sites.

The majority of applications reviewed in this special district were one and two family homes.



Who Is Asking for These Changes?

- Homeowners in the Special Districts have asked:
- Why do homeowners need CPC approvals for simple or minor alterations?
 - Why can't the City focus its review on larger or more sensitive sites?

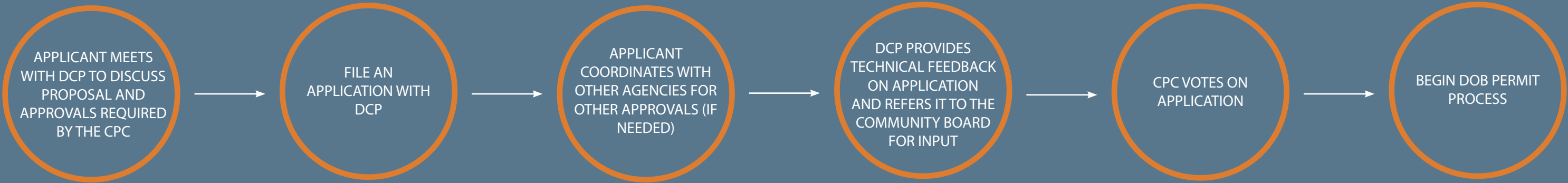
We've heard from homeowners, and agree, that the current regulations create an unnecessarily expensive, unpredictable and long process for City approval of home improvement projects.

For example, the current approval process can last a year and often costs homeowners more than the project itself. These planning approvals are needed before a homeowner can even apply for a permit from the DOB.

Because projects are currently reviewed and heard by the CPC over time and on a case by case basis, we've seen unpredictable development outcomes. By codifying four decades of best practices, we build predictability and fairness into the process.



CURRENT APPROVAL PROCESS FOR DEVELOPMENT IN SSRDD



SI Working Group Members

- SI Community Board 1
- SI Community Board 2
- SI Community Board 3
- SI Borough President’s Office
- Serpentine Art and Nature Commons Inc.
- SI Chapter-American Institute of Architects
- SI Building Industry Association
- SI Taxpayers Association
- NYC Parks –Natural Resources Group
- Protectors of Pine Oak Woods
- Westervelt Civic Association
- NYC Department of Buildings
- Professional Landscape Architects and Planners

GUIDING PRINCIPLES

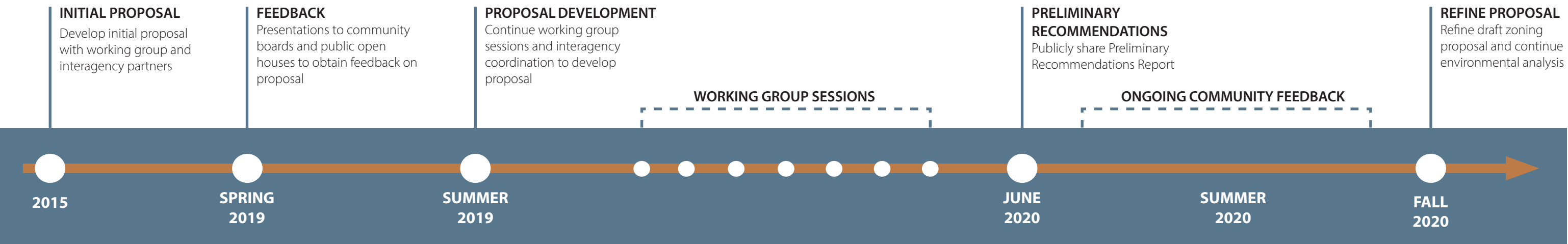
DCP and the SI Working Group established the following **principles** to guide the proposal to update SSRDD:

- Create **home-owner friendly** zoning regulations by **streamlining** the CPC approvals process and removing red-tape for small properties and individual homeowners.
- Provide **greater predictability** for the protection of natural resources and neighborhood character, with clearer rules based on nearly 40 years of **best practices and updated ecological science**.
- **Improve regulations** to give the CPC and community **greater oversight of and input on large and sensitive sites** that have a significant impact on the public realm

UPDATING THE REVIEW PROCESS

The goal of this proposal is to streamline and improve the review process in SSRDD, focusing CPC and public review on sites where predictable outcomes are less likely and where development has a greater impact on the neighborhood character and natural areas. This will be done by:

- Removing CPC approvals for most small sites (less than 1 acre) altogether
- Focusing CPC and community oversight where development is proposed on:
 - all sites 1 acre or greater
 - the more sensitive sites with natural features, the creation of 4 or more zoning lots, development of 4 or more buildings or 8 or more dwellings units (even if less than 1 acre)
 - new private roads



Park Streets

- Marcy Avenue from Richmond Parkway to Woodrow Road
- Albee Avenue from Richmond Parkway to Amboy Road
- Grantwood Avenue from Richmond Parkway to Woodrow Road
- Miles Avenue from Arthur Kill Road to Barlow Avenue
- Barlow Avenue from Miles Avenue to Colon Avenue

PARK STREETS

Goal: Park Streets were originally designed to create protected pathways for pedestrians, while serving as wide landscaped area between the street and private properties. They are used in areas where the Open Space Network (OSN) crosses major arteries or passes through developed neighborhoods. These local streets are limited to traffic and used primarily by pedestrians, bicyclists, and emergency vehicles.

Currently: any development on a zoning lot with access to a Park Street must comply with curb cut and landscaping requirements. The zoning lot is only allowed one curb cut and the property owner must plant one tree per 40-60 ft of street frontage. The property owner is responsible for landscaping/maintenance of the portion of the Park Street located between the front lot line and the curb.

Issues: Because these Park Street regulations were well received by the community, they were later incorporated into citywide front yard planting regulations and street tree requirements, making the South Richmond regulations redundant. Additionally, most sites along Park Streets in South Richmond have been developed and the access regulations have been successfully implemented and are also redundant.



PRELIMINARY RECOMMENDATIONS:

Since there are citywide zoning rules for front yard landscaping and curb cut requirements, the proposal would remove the “Park Street” designation. This would allow property owners along current park streets to more easily make improvements without requiring CPC review.

Curb Cut

An angled cut in the edge of a curb that permits vehicular access from a street to a driveway, garage, parking lot or loading dock.

Arterial Streets

- Hylan Boulevard
- Woodrow Road
- Amboy Road
- Frontage roads for Richmond Parkway
- Huguenot Avenue
- Page Avenue
- Service roads for West Shore Expressway
- Richmond Avenue

ARTERIAL STREETS

Goal: Arterial Streets were originally mapped along rights-of-way that link regional traffic to major thoroughfares. Arterial Street regulations buffer development from heavy vehicular traffic by requiring landscaped setbacks and limiting curb cuts.

Currently: A 20- to 35-foot building setback is required on all Arterial Streets. CPC approval is required when more than one curb cut is proposed along Arterial Streets.

Issues: The 1975 South Richmond Plan intended to apply the Arterial Street designation to Arthur Kill Road as it functions as a major thoroughfare, however the zoning text does not include this major arterial.

Although the zoning today only allows one curb cut along an Arterial Street, in some cases the Department of Transportation (DOT) and the Fire Department (FDNY) have required additional curb cuts to enhance emergency access and circulation. This has resulted in additional time and costs for property owners who then need to seek CPC approval for additional curb cuts that are required by the City.

Certain Arterial Streets run through historical town centers that have a different neighborhood character than those running through regional commercial and manufacturing districts. The current setback regulations do not reflect the historic building forms and are inconsistent with the character of these neighborhoods.



Legend

- Arterial Street
- Parks

PRELIMINARY RECOMMENDATIONS:

To align with the intent of the 1975 rules, the proposal would add the “Arterial Street” designation to Arthur Kill Road. This means that properties along this street would be subject to special curb cut and setback restrictions.

To codify existing best practices and eliminate unnecessary red-tape, the proposal would eliminate CPC review if the additional access is required by City agencies including DOT and FDNY for traffic mitigation or emergency access purposes

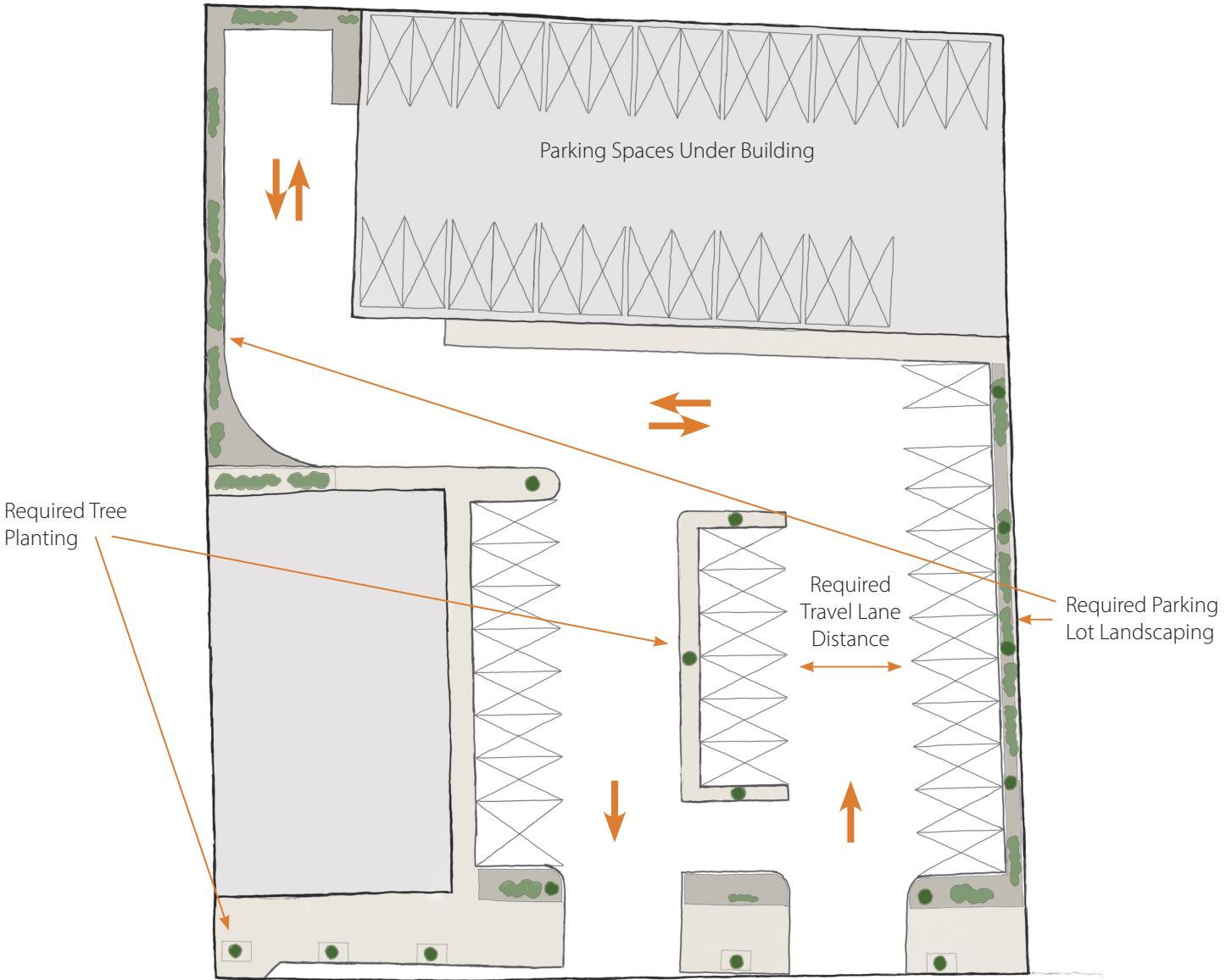
In order to reflect the character of existing historic town centers, the proposal would allow new storefronts to waive setback requirements along Arterial Streets to promote pedestrian friendly streetscape.

GROUP PARKING REGULATIONS

Goal: The purpose of requiring CPC review for parking lots with more than 30 spaces was to guide future commercial and manufacturing development, preserve neighborhood character and natural features, and to provide the community and CPC with greater oversight and input on the larger, vacant sites on the South Shore of Staten Island.

Currently: Any non-residential development that proposes a parking lot with more than 30 parking spaces, requires CPC approval. In granting the approval, the CPC considers access, circulation, maneuverability, and landscaping within the parking area.

Issues: As these regulations were well-received by the community, they were later translated into citywide parking lot landscaping and maneuverability regulations. All new parking lots are required to meet these regulations, which results in this CPC approval becoming redundant and limits the scope of the CPC review, especially for smaller developments where the property owner is solely showing compliance and not proposing a project that necessarily has a broader impact to natural features or neighborhood character.



PRELIMINARY RECOMMENDATIONS:

Since citywide zoning rules for parking lot design have been adopted and an analysis of existing non-residential lots in South Richmond has demonstrated that future group parking facilities are likely to be located on larger lots of at least one acre in size, the proposal would remove the burden of CPC review from smaller properties.

The proposal would continue to require CPC review for larger developments with parking lots, but improve the considerations of the CPC approval to align with the intent of guiding larger developments and preserving neighborhood character and natural features.

DEP Bluebelts

Ecologically rich and cost-effective drainage systems managed by the NYC Department of Environmental Protection. Bluebelts naturally handle the runoff precipitation that falls on our streets and sidewalks.

Open Space Network

A planned system of open spaces, which includes public parks, park streets, designated open space and the waterfront esplanade.

DESIGNATED OPEN SPACE

Goal: Designated Open Space (DOS) was created in South Richmond to regulate a 672 acre interconnected system of open space (collectively known as the Open Space Network). DOS protects South Richmond’s streams, ponds, wetlands, shorelines and woods by limiting development within it and encouraging its use for active and passive recreation. Many of the areas mapped as DOS in 1975 were sites for potential parks and Bluebelts, which have come to fruition.

Currently: All sites containing DOS require CPC Review to facilitate new development or site alteration. All sites with DOS are required to provide a public pedestrian path within DOS, however the Commission has the discretion to waive this requirement and in practice only requires them for larger sites.

Current zoning allows residential developments on sites with DOS to modify bulk to provide a usable yard area and buildable area without needing to alter the DOS.

Issues: CPC review is required for all sites that contain DOS even if DOS isn’t being altered, which adds additional time and costs for a property owner, or is serving an intended use such as DEP Bluebelts.

In addition, more precise mapping has identified locations where DOS was unintentionally mapped over existing buildings and developed properties or within built out streets, that do not meet the goals of the Open Space Network.

To ensure future developments have buildable area outside of the DOS, CPC review and best practice results in required yards to be measured outside of the DOS; however this is not codified in the zoning.



PRELIMINARY RECOMMENDATIONS:

For smaller residential sites, less than one acre, where DOS is not altered, or for a planned Bluebelt, the proposal would remove the burden of CPC review.

Instead, the CPC and community oversight would focus on larger sites with Designated Open Space where there are more options for input on public pedestrian pathways, active, or passive recreational space. The DEP Bluebelts would continue to go through a separate public input process with the NYC Public Design Commission.

To align with the intent of DOS, the proposal would remove DOS from existing buildings and rear yards, where it is not enhancing the Open Space Network but instead limiting usable yard area for homeowners to add new amenities like pools and patios. In addition, the proposal would provide more predictability and codify the best practice to measure required yards outside of the DOS .



SPECIAL AREAS

Goal: Special Areas D, F, and K were established in 1975 to preserve space for development, protect specific natural features and enhance community character. Area D was mapped to preserve a large natural area as parkland and Areas F and K were mapped to preserve the existing neighborhood character of one- and two-family homes.

Currently: Special Area designations require CPC approvals for development located within Special Areas D, F, and K.

Issues: Conditions have changed since 1975 making Areas D, F and K redundant or obsolete. For example, land acquisitions by DPR and wetlands mapping by DEC provided new protections that ensure that undeveloped parcels in Area D will remain undeveloped. Properties within Areas F and K have been developed and no longer require special consideration. Very few vacant parcels remain in these Special Areas and they are permitted to develop one-and two- family homes.



PRELIMINARY RECOMMENDATIONS:

Due to these designations becoming obsolete, the proposal would remove the Special Areas designation for Areas D, F and K. The few vacant parcels that remain or those parcels that seek to redevelop in these neighborhoods would comply with all other Special South Richmond Development District regulations.

Tree Credit

A credit applied to a property owner’s tree preservation or planting requirements, earned by preserving an existing tree depending on its caliper.

Caliper

The diameter of a tree trunk measured 4 feet, 6 inches from the ground.

TREE CREDIT CALCULATION SYSTEM

Goal: The SSRDD district requires each site to have a minimum number of trees planted or preserved, which has resulted in tree-lined neighborhoods that characterize the beautiful streetscape of these districts, foster storm water retention, and improve air quality.

Currently: The minimum tree planting requirement is determined using a credit system and the lot area of the site, one tree credit per 1,000 square feet of lot area. The tree credit system uses a linear relationship based on the caliper size of the tree; credit for one tree is given for the first six inches of caliper, with an additional credit given for every additional four inches of caliper, which means mature trees gain a greater credit.

Issues: As a CPC best practice, mature trees are encouraged to be preserved. The current tree-credit values do not provide sufficient incentive to preserve more mature trees.

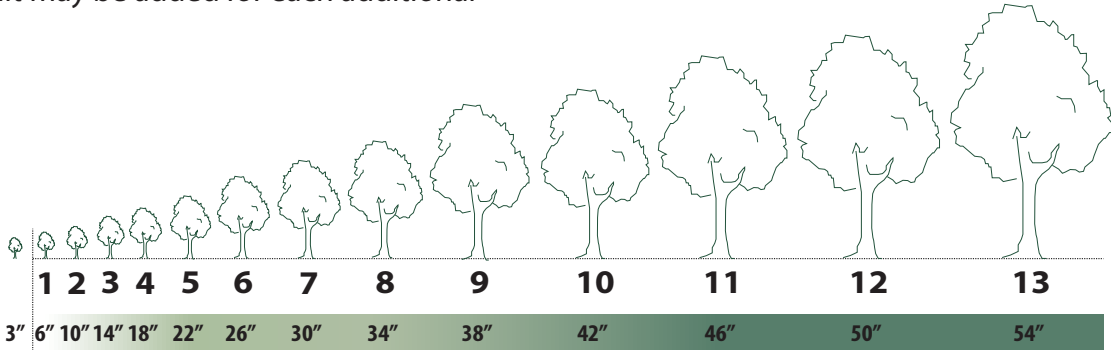
PRELIMINARY RECOMMENDATIONS:

The proposal aims to modernize the tree credit system by changing how credits are valued. It would assign a greater value, or more credits, to mature/larger trees. This updated system would incentivize tree preservation without CPC review.

TREE CREDIT VALUE

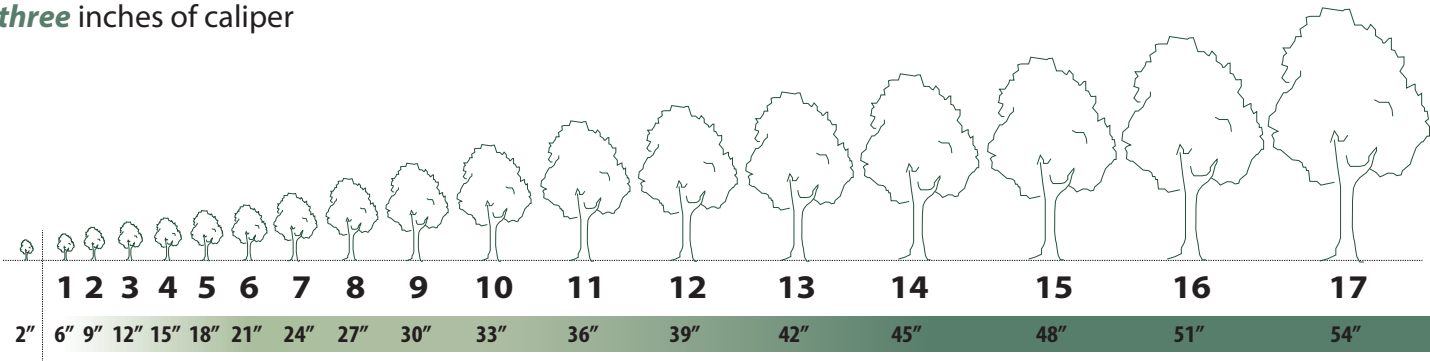
Existing Tree Credit Requirement

A tree of at least a six-inch caliper is equal to one tree credit
One additional tree credit may be added for each additional **four** inches of caliper



Proposed Tree Credit Requirement

A tree of at least a six-inch caliper is equal to one tree credit
One additional tree credit may be added for each additional **three** inches of caliper



TREE CREDIT CALCULATION SYSTEM

Tree credit requirements are determined by one method within the existing Special South Richmond Development District:

Method

One tree credit per 1,000 square feet of lot area

Invasive Tree

A tree that is non-native to the ecosystem under consideration; and whose introduction causes or is likely to cause economic or environmental harm or harm to human health.

Critical Root Zone

The area containing the roots of a tree that must be maintained and protected to ensure the tree’s survival. It is measured as one radial foot for every caliper inch of the tree, with a required minimum of four radial feet and maximum of 22 radial feet, measured from the surface of the tree trunk at grade.

TREE PLANTING

Currently: Any tree of six-inch caliper or more, even if it is invasive per State law, cannot be removed unless the property owner obtains CPC approval. There is a tree planting list in the zoning which prescribes what species of plants are permitted to be planted. Trees within eight feet of a proposed building do not count towards credit as they may be damaged during construction.

Issues: Current rules require CPC discretionary review if trees are proposed for removal, even to add common amenities such as a pool, deck or small kitchen. Tree preservation is achieved through a CPC discretionary process and site by site negotiation with a property owner. This results in unpredictable outcomes and adds significant time and cost burdens for homeowners.

Updated environmental science and best practices have indicated that minor disturbances to a tree’s critical root zone will not hinder its health. However, the current zoning do not allow any alterations to area within eight feet of a proposed building. As a best practice, the CPC accepts a letter from a certified arborist and tree protection plan to demonstrate the tree would be preserved even if a portion of the critical root zone area is altered; this practice isn’t indicated in zoning.

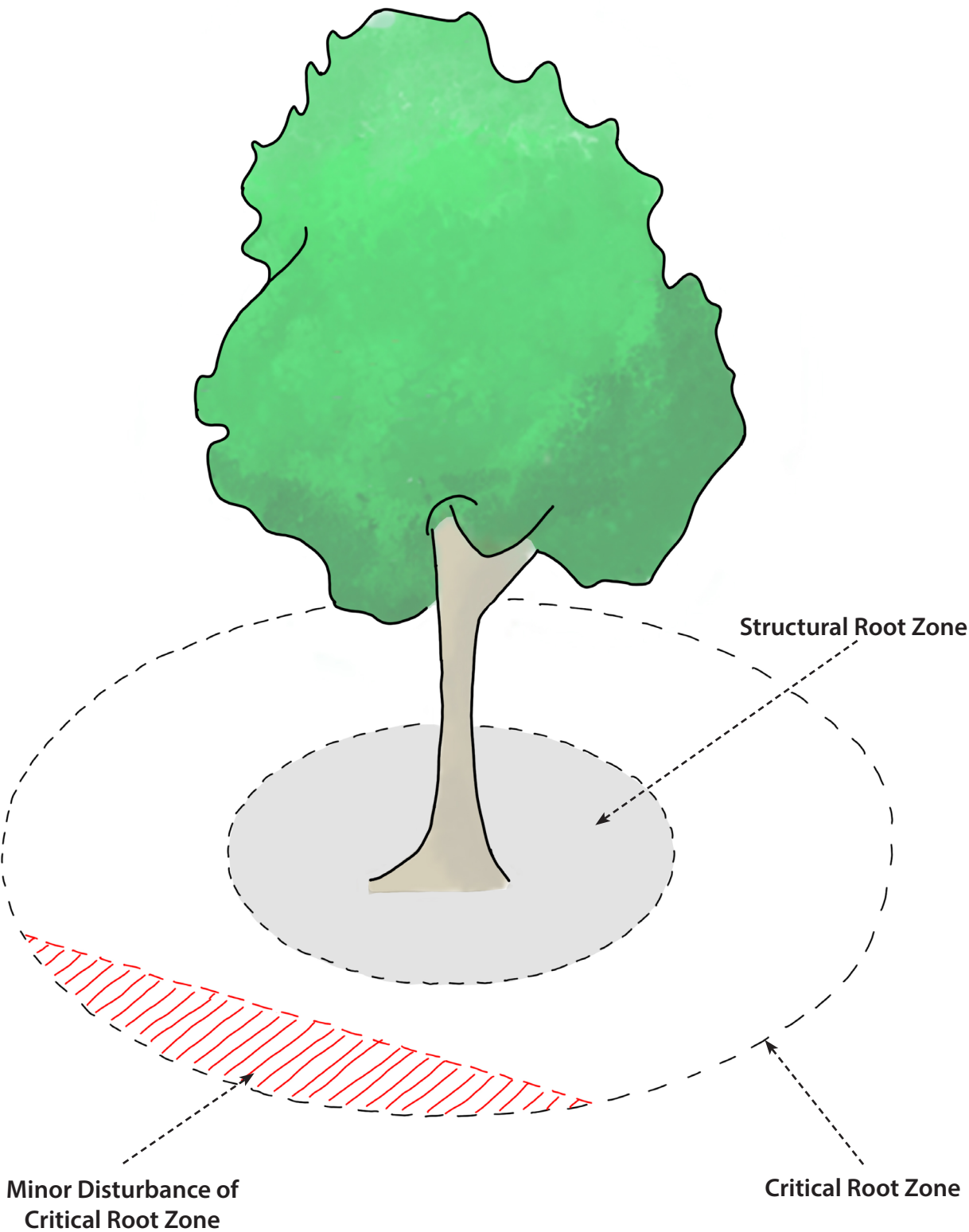
The planting list established in 1975 includes trees which have since become invasive trees, ones which are also prohibited from being planted per State law. The current rules, which haven’t been refreshed for decades does not reflect the State’s more appropriate list.

PRELIMINARY RECOMMENDATIONS:

All sites would have greater flexibility to preserve or plant trees to meet the required minimum tree credits. To ease review process for smaller properties, the proposal would remove the required CPC review of tree removals so long as they meet a minimum number of credits, as already required today.

The proposed rules would codify CPC best practice by allowing minor disturbance to Critical Root Zones based on updated environmental science.

The proposal would modernize the tree planting list to ensure homeowner-friendly rules that aren’t at odds with State regulations.



Freshwater Wetland

Land or areas (such as marshes or swamps) that are covered often intermittently with shallow water or have soil saturated with moisture.

NYSDEC

A state agency, created in 1970. Its purpose is to conserve, improve and protect New York’s natural resources and environment and to prevent, abate and control pollution, to enhance the health and well-being of people in the state.

WETLAND REGULATIONS

Goal: SSRDD aims to preserve irreplaceable natural and recreational resources such as lakes, ponds, watercourses, beaches and natural vegetation. This special district has the largest amount of undeveloped private property with NYSDEC freshwater wetlands within NYC.

Currently: Preservation of freshwater wetlands are reviewed on a site-by-site basis through the CPC’s review process and in coordination with NYSDEC. Past CPC decision-making has resulted in larger zoning lots with usable yard areas near State protected wetlands to ensure there is sufficient buildable area and preservation of the wetland.

Issues: There are inconsistencies between DEC and local rules regarding aquatic features, which results in inconsistent outcomes for development and preservation. There is a lack of clear rules within zoning regarding CPC and DEC best practices for development on lots with freshwater wetlands.

PRELIMINARY RECOMMENDATIONS:

The proposal seeks to ensure that there is enough developable area on a zoning lot to meet the goals of the special district, create consistency with DEC regulations, and allow for greater predictability of development outcomes. This proposal aims to provide flexibility of design to preserve wetlands to the greatest extent possible by allowing minor reductions to yard or height without requiring CPC approval.



STEP 1
Reach out to NYSDEC to determine Area of No Land Alteration

STEP 2
Modify yard requirements if needed to create a useable side or rear yard

STEP 3
Site building using yard modifications and include required parking and required trees on site

ECOLOGICALLY SENSITIVE AREAS

Goal: The SSRDD was established in 1975 when there was an abundance of vacant property with significant natural features. Zoning requirements were established to preserve open space, woodlands, and wetlands; to preserve and plant trees; and to provide oversight on site planning for commercial and non-residential uses which have resulted in distinct character of the various neighborhoods with South Richmond.

Issues: While today’s rules are very strict for small sites and individual homeowners, they don’t provide strong parameters to guide development or prioritize preservation on larger or more sensitive sites where there are significant natural features, such as forests and wetlands. In many instances, these large developments have the greatest impact on natural features and neighborhood character, yet they don’t require CPC review or input from the community.

PRELIMINARY RECOMMENDATIONS:

The proposal seeks to correct this imbalance by prioritizing the review of sites one acre or greater, and those with sensitive natural features such as DEC freshwater wetlands.

Thanks to today’s mapping technology and data, we have an enhanced understanding of our last remaining natural areas. The proposal seeks to focus CPC review and community input on larger sites of one acre or greater, and those with the presence of sensitive natural features such as the hillsides contiguous to the Serpentine Ridge or DEC freshwater wetlands.

These larger developments or more ecologically sensitive sites would benefit from CPC and community review because they tend to have unique design needs and are more likely to impact sensitive natural features or neighborhood character. The CPC process for these larger or more sensitive sites would require an amount of habitat to remain preserved, allow flexibility in site design and permit modifications to special district requirements to meet the goals of preservation and address site specific constraints (i.e. access, overlapping resources, inter-agency review).



Sources:
U.S. Army Corps of Engineers, U.S. Fish & Wildlife Service
NYS Department of Environmental Conservation
NYC Department of Parks
NYC Department of City Planning
Natural Area Conservancy

Legend

	Forested Areas
	DEC Freshwater Wetlands
	Parks

