



## **CITY PLANNING COMMISSION**

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November 5, 2003/Calendar No. 29

N 040087 ZRR

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**IN THE MATTER OF** an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for amendments to the Zoning Resolution of the City of New York, relating to Article XI, Chapter 9, (Special Hillside Preservation District), to modify the provisions of Section 119-211 concerning lot coverage on Tier II and steep slope sites.

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The application for amendment of the Zoning Resolution was filed by NYC Department of City Planning on September 2, 2003, to amend the Special Hillside zoning text to cover all residential development by extending lot coverage controls to areas proposed to be mapped R3X and R3A and to clarify applicability to all R1 districts.

### **RELATED ACTIONS**

In addition to the amendment of the Zoning Resolution which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

C 030001 ZMR          Zoning Map change from R5, R4, R3-2, R3-1 to R3A and R3X

### **BACKGROUND**

A full background discussion and description of this project appears in the report on the related application for an amendment of the Zoning Map (C 030001 ZMR).

## **ENVIRONMENTAL REVIEW**

This application (N 040087 ZRR ), in conjunction with the applications for the related action (C 030001 ZMR) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 04DCP009R. The lead is the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on September 8, 2003.

## **PUBLIC REVIEW**

On September 8, 2003, this text change application was duly referred to Community Board 1, and the Borough President for information and review in accordance with the procedure for referring non-ULURP matters.

### **Community Board Public Hearing**

Community Board 1 held a public hearing on this application on October 14, 2003, and on October 14, 2003, by a vote of 35 to 0 with no abstentions, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application was considered by the Borough President, who issued a recommendation approving the application on October 28, 2003.

### **City Planning Commission Public Hearing**

On October 8, 2003 (Calendar No. 11), the City Planning Commission scheduled October 22, 2003, for a public hearing on this application (N 040087 ZRR). The hearing was duly held on October 22, 2003 (Calendar No. 21), in conjunction with the public hearing on the application for the related action (C 030001 ZMR).

There were a number of speakers, as described in the report on the related application for an amendment of the Zoning Map (C 030001 ZMR), and the hearing was closed.

### **Waterfront Revitalization Program Consistency Review**

This application, in conjunction with the applications for the related actions, was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), adopted by the Board of Estimate on September 30, 1982 (Calendar No. 17), pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is WRP #03-053.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

## **CONSIDERATION**

The Commission believes that this amendment to the Zoning Resolution is appropriate. The Special Hillside Preservation District guides development in the steep slope areas of Staten Island. In order to preserve steep slope and hillside the SHPD applies stricter lot coverage controls than the underlying zoning. This text amendment will amend the zoning text to cover all residential developments by extending all lot coverage controls to areas proposed to be mapped R3X and R3A and to clarify applicability to all R1 districts.

A full consideration and analysis of the issues, and the reasons for approving this application appear in the report on the related application for a zoning map amendment (C 030001 ZMR).

## **RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

**RESOLVED**, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination and consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter in Underline is new, to be added;

Matter in ~~Strikeout~~ is old, to be deleted;

Matter within # # is defined in Section 12-10;

\* \* \* indicate where unchanged text appears in the Zoning Resolution

## **Article XI - Special Purpose Districts**

### **Chapter 9**

#### **Special Hillside Preservation District**

\* \* \*

**119-211**

**Lot coverage, floor area and density regulations**

\* \* \*

The maximum permitted percentage of #lot coverage# on a #zoning lot# shall be determined by Table I or Table II of this Section, as applicable.

TABLE I

PERMITTED PERCENTAGE OF LOT COVERAGE ON A ZONING LOT  
BY ZONING DISTRICT, AVERAGE PERCENT OF SLOPE AND  
RESIDENCE TYPE

#Residence District#*							
R6							
#Average							
Percent of							
Slope#	<del>R1-1</del>	<del>R3-1</del>				1-2	
	<del>R1-2</del>	R2	<del>R3-2</del>	R4	R5	Family	Other
	<u>R1</u>		<u>R3</u>				
10-14.9	22.5	22.5	22.5	36.0	45.0	48.6	32.4
15-19.9	20.0	20.0	20.0	32.0	40.0	43.2	28.8
20-24.9	17.5	17.5	17.5	28.0	35.0	37.8	25.2

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\* or #Residence District# equivalent when #zoning lot# is located within a #Commercial District#

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TABLE II

PERMITTED PERCENTAGE OF LOT COVERAGE ON A ZONING LOT  
OR PORTION OF A ZONING LOT WITH A STEEP SLOPE,  
BY ZONING DISTRICT AND RESIDENCE TYPE

#Residence District#*						
R6						
1-2						
R1-2	R2	R3-2	R4	R5	Family	Other
<u>R1</u>		<u>R3</u>				
12.5	12.5	12.5	20.0	25.0	27.0	18.0

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\* or #Residence District# equivalent when #zoning lot# is located within a #Commercial District#

\* \* \*

The above resolution (N 040087 ZRR), duly adopted by the City Planning Commission on November 5, 2003 (Calender No. 29) , is filed with the Office of the Speaker, City Council and the Borough President in accordance with the requirements of Sections 197-d and 200 of the New York City Charter.

**AMANDA M. BURDEN, AICP, Chair**  
**KENNETH J. KNUCKLES, Esq., Vice Chairman**  
**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.,**  
**ANGELA R. CAVALUZZI, R.A., RICHARD W. EADDY,**  
**ALEXANDER GARVIN, JANE D. GOL, JOHN MEROLO, DOLLY WILLIAMS,**  
**Commissioners**