



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIR

November 1, 2023

City Council
City Hall
New York, NY 10007

Re: South Richmond Zoning Relief
ULURP No. N 230112 ZRR
Borough of Staten Island

Honorable Members of the Council:

The City Planning Commission (the "Commission") has received the attached correspondence, dated October 19, 2023, and October 26, 2023, from the City Council regarding the proposed modifications to the above-referenced application submitted by the Department of City Planning for a Zoning Text Amendment to update the Special South Richmond Development District (Zoning Resolution Article X, Chapter 7) in portions of Community District 3 in the Borough of Staten Island.

In accordance with Section 197-d(d) of the New York City Charter, the Commission, on October 30, 2023, has determined that the City Council's proposed modifications do not require additional review of environmental issues or pursuant to Section 197-c of the Charter.

Sincerely yours,

Daniel R. Garodnick

c: C. F. Iannitto G. Todorovic D. DeCerbo F. Ruchala Jr.
S. Amron A. Too S. Avila S. Shellooe



THE COUNCIL
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October 26, 2023

Honorable Dan Garodnick, Chair
City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

Re: Application No. N 230112 ZRR (L.U. No. 263)

South Richmond Zoning Relief

Dear Chair Garodnick:

The purpose of this letter is to correct an omission from the zoning text attached to the modification letter dated October 19, 2023. The zoning text previously sent did not incorporate a modification to Section 107-64, which was intended to be included in the initial letter. Attached is a corrected version of the zoning text that Council is modifying.

Pursuant to Section 197-d(d) of the City Charter I hereby file a corrected copy of the proposed modifications with the Commission:

Matter ~~double struck out~~ is old, deleted by the City Council;
Matter double-underlined is new, added by the City Council

* * *

Matter underlined is new, to be added;
Matter ~~struck out~~ is existing, to be deleted;
Matter within # # is defined in Section 12-10, 66-11 or 107-01;
* * * indicates where unchanged text appears in the Zoning Resolution.

* * *

ARTICLE I
GENERAL PROVISIONS

Chapter 1
Title, Establishment of Controls and Interpretation of Regulations

* * *

11-45
Authorizations or Permits in Lower Density Growth Management Areas

The provisions of this Section shall apply within #lower density growth management areas#.

(a) Notwithstanding the provisions of N 040414 ZRY, pertaining to #lower density growth management areas#, and subject to the provisions of Section 11-30 (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT) with respect to amendments of this Resolution other than N 040414 ZRY, Section 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution) and Section 11-43 (Renewal of Authorization or Special Permit), the following provisions shall apply with respect to special permits and authorizations granted by the City Planning Commission or for which certification or referral for public review has been made prior to August 12, 2004:

(1)(a) Any #development# or #enlargement#, including minor modifications thereto, granted a special permit or authorization by the Commission and, where applicable, the City Council, prior to August 12, 2004, may be #developed# or #enlarged# pursuant to the terms of such permit or authorization and, to the extent not modified under the terms of such permit or authorization, in accordance with the regulations in effect at the time such permit or authorization was granted.

(2)(b) Any application for a special permit certified by the Department of City Planning or application for an authorization referred by the Department of City Planning for public review prior to May 24, 2004, may be continued pursuant to the regulations in effect at the time of certification or referral and, if granted by the Commission and, where applicable, the City Council, may be #developed# or #enlarged# pursuant to the terms of such permit or authorization, including minor modifications thereto and, to the extent not modified under the terms of such permit or authorization, in accordance with the regulations in effect at the time such application was certified or referred for public review.

(b) ~~Notwithstanding the provisions of N040414ZRY, the following provisions shall apply to certain #developments# within the #Special South Richmond Development District#:~~

(1) ~~#Developments#, including minor modifications thereto, within the #Special South Richmond Development District# that contain #designated open space# and a portion of the #waterfront esplanade#, where such #development# is conditioned upon a restrictive declaration that includes a site plan for such #development#, including provisions for~~

~~public access to such #designated open space# and #waterfront esplanade#, may be #developed# in accordance with the regulations in effect prior to August 12, 2004.~~

- (2) ~~#Developments# within the #Special South Richmond Development District# accessed, in part, by #private roads# and consisting, in part, of construction within #streets# that are unimproved, and for which a conservation easement has been granted to the City, and for which the Board of Standards and Appeals has granted a permit pursuant to Section 35 of the General City Law, or its successor, and an application for an authorization for such #development# has been filed pursuant to paragraph (a) of Section 26-27 (Waiver of Bulk Regulations Within Unimproved Streets) prior to May 1, 2004, may be #developed# in accordance with the regulations in effect prior to August 12, 2004.~~

* * *

ARTICLE X SPECIAL PURPOSE DISTRICTS

Chapter 7 Special South Richmond Development District

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107-00
GENERAL PURPOSES

The “Special South Richmond Development District” established in this Resolution is designed to promote and protect public health, safety, general welfare and amenity. These general goals include, among others, the following purposes:

- (a) to guide future development in accordance with the Land Use Plan for South Richmond and the Capital Improvement Plan for the Special District area;
- (b) to promote balanced land use and development of future land uses and housing in the Special District area, including private and public improvements such as schools, transportation, water, sewers, drainage, utilities, open space and recreational facilities, on a schedule consistent with the City’s Capital Improvement Plan and thereby provide public services and facilities in the most efficient and economic manner, and to ensure the availability of essential public services and facilities for new development within the area;
- (c) to avoid destruction of irreplaceable natural and recreational resources such as lakes, ponds, watercourses, beaches and natural vegetation and to maintain the natural ecological balance of the area with minimum disruption of natural topography, trees, lakes and other natural features; and
- (d) to promote the most desirable use of land in the South Richmond area and thus to conserve the value of land and buildings and thereby protect the City’s tax revenues.

107-01
Definitions

Definitions ~~specifically~~ specifically applicable in this Chapter are set forth in this Section. The definitions of other defined terms are set forth in Section 12-10 (DEFINITIONS).

Area of no land alteration

~~An “area of no land alteration” is an area adjacent to a wetland or other body of water regulated by the New York State Department of Environmental Conservation (NYSDEC) where a permit indicates #development# restrictions, such as those pursuant to permits or deed restrictions issued by NYSDEC, may occur.~~

Area of no disturbance

An “area of no disturbance” is an area designated on a site plan or #area plan# to be protected from #site alteration#, except for new native planting. An #area of no disturbance# shall contain natural features including trees of six-inch caliper or more, #designated open space#, and aquatic features.

Area of no land alteration

An “area of no land alteration” is an area adjacent to a wetland or other body of water regulated by the New York State Department of Environmental Conservation (NYSDEC) where a permit indicates #development# restrictions may occur such as those pursuant to permits or deed restrictions issued by NYSDEC.

#Plan review sites# may include safeguards such as an #area of no disturbance# to define areas where #site alterations# shall not be proposed.

Area plan

An “area plan” is a proposed layout for a #zoning lot# subdivision with traffic circulation, including curb cuts on #arterials#; access easements; #areas of no disturbance#; #areas of no land alteration#; areas of #designated open space#; #building# envelopes; required #building# setbacks within proposed #zoning lots# in #Residence Districts#; and any other information prescribed by the City Planning Commission.

Arterial

An “arterial” is a #street# designated as an #arterial# listed in Section 107-25 107-24 (Special Regulations Along Certain Streets for Arterials or Railroads Rights of Way) whose function is primarily the accommodation of through vehicular traffic and to which special provisions of this Chapter apply. All such #arterials# are shown on the District Plan, Map 2 in Appendix A, which is hereby incorporated as an integral part of the provisions of this Chapter.

Caliper (of a tree)

“Caliper” of a tree is the diameter of a tree trunk measured 4 feet, 6 inches from the ground. If a tree splits into multiple trunks below this height, the trunk is measured at its narrowest point beneath the split. For trees with a diameter of less than three inches measured 4 feet, 6 inches from the ground, the #caliper# shall be measured 12 inches from the ground.

Development

For the purposes of this Chapter, a “development” includes a #development# as defined in Section 12-10 (DEFINITIONS), the #enlargement# of a non #residential building#, or the #enlargement# of a #residential use# that involves the addition of one or more #dwelling units#. To “develop” is to create a #development#.

Designated open space

“Designated open space” is a portion of the #open space network# located on a #zoning lot# as shown on the District Plan (Map 3 in Appendix A), and is to be preserved in its natural state in accordance with the provisions of the #Special South Richmond Development District#.

Detached

For the purposes of this Chapter a “detached” #building# is a #building# surrounded by #yards# or other open area on the same #zoning lot# or is a #building# #abutting# a #street line# which is surrounded by #yards# or open area on the same #zoning lot# except where the #building# #abuts# the #street line#.

Drainage scheme

A “~~drainage scheme~~” is a plan for a system of storm sewers and/or sanitary sewers intended to serve a #development# which is submitted to the Department of Environmental Protection for review and approval.

Open space network

The “open space network” is a planned system of #open spaces# as shown on the District Plan (Map 3 in Appendix A), which includes #public parks#, #park streets#, #designated open space#, and the #waterfront esplanade#.

Park street

A “~~park street~~” is a #street# designated as such in Section 107-25 (Special Regulations Along Certain Streets or Railroads) and whose primary function is to provide connecting links for pedestrians and cyclists between portions of the #open space network# and to which special provisions of this Chapter apply. #Park streets# shall be designated to provide limited vehicular access.

Plan review site

A “plan review site” is any #zoning lot# that contains one or more acres, where there is a proposed #development, #enlargement#, #site alteration#, or subdivision of such #zoning lot# into two or more #zoning lots#.

Sewer acceptance

A “~~sewer acceptance~~” is the acceptance by the Department of Environmental Protection of a system of storm and/or sanitary sewers which were built in accordance with an approved #drainage scheme# intended to serve a #development#.

Site alteration

A “site alteration” is an alteration on any vacant tract of land, #land with minor improvements# or any tract of land containing #buildings or other structures#, which includes ~~land contour work~~, permanent topographic modifications, removal of topsoil, removal of trees of six-inch caliper or more, excavating, filling, dumping, changes in existing drainage systems, ~~improvements in public rights-of-way~~, whether or not a permit is required from the Department of Buildings, ~~the Department of Transportation~~ or other public agencies. ~~A #site alteration# shall include any land operation within #designated open space#.~~

Tree credit

A “tree credit” is a credit for preserving an existing tree or for planting a new tree which is counted towards tree requirements.

Waterfront esplanade

The “waterfront esplanade” is a pedestrian way to be provided for public #use# within the #open space network# along the Raritan Bay waterfront, as shown on the District Plan (Map 3 in Appendix A).

107-02
General Provisions

In harmony with the general purpose and intent of this Resolution and the general purpose of the #Special South Richmond Development District#, the regulations of the districts upon which this Special District is superimposed are supplemented or modified in accordance with the provisions of this Chapter. Except as modified by the express provisions of this Chapter, the regulations of the underlying districts remain in effect. In #flood zones#, or for #transit-adjacent sites#, as defined in Section 66-11 (Definitions), in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), or Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI shall control.

Property within the jurisdiction and control of the Department of Environmental Protection shall be exempt from the provisions of this Chapter where such property is an existing or planned portion of the Staten Island Bluebelt intended to support best management practices of stormwater.

~~In addition to applicability as provided in Section 11-10 (ESTABLISHMENT AND SCOPE OF CONTROLS, ESTABLISHMENT OF DISTRICTS, AND INCORPORATION OF MAPS), the provisions of this Chapter shall apply to #site alterations# or subdivision of #zoning lots#, except:~~

- ~~(a) — public improvement projects for which preliminary design contracts were approved by the Board of Estimate prior to January 2, 1975, or for which title was vested by the City prior to September 11, 1975; and~~
- ~~(b) — any #large scale development# for which an authorization or special permit was granted prior to September 11, 1975. For the purposes of this Chapter, the City Planning Commission may extend such authorization or special permit for a renewable term of one year provided that the Commission finds that the facts upon which the authorization or special permit was granted have not substantially changed and that the adoption of this amendment shall not constitute a substantial change of fact.~~

~~For all #developments# located within areas D, F or K as shown on the District Plan (Map 4 in Appendix A), the applicant shall obtain from the Commission a certification indicating that the #development# complies with the approved South Richmond Development Plan. As a condition for such certification, the Commission shall find that:~~

- ~~(1) — the minimum #lot area# for any #commercial# #development# is at least two acres;~~
- ~~(2) — vehicular access and egress for the #development# is arranged so that it affords the best means of controlling the flow of traffic generated by such #development#; and~~
- ~~(3) — due consideration has been given to relate the proposed #development# to the character of the surrounding area by providing suitable buffering, landscaping and #building# setbacks.~~

~~For such certification, the applicant shall submit to the Commission a site plan and drawings depicting the proposed #buildings# and location of off street parking facilities, curb cuts and pedestrian walkways. For #residential uses# within Area K, the #bulk# and parking regulations of R3-2 Districts, as modified by this Chapter, shall apply.~~

107-03
Requirements for Certification, Authorization or Special Permit Application

An application to the City Planning Commission for a certification, authorization or special permit respecting a #development#, #enlargement#, or #site alteration# shall include a survey map, prepared by a licensed land surveyor and dated no more than two years prior to the date of filing an application, showing:

- (a) existing topography at two foot contour intervals;
- (b) the location of all existing #buildings or other structures#, and the location of all proposed #buildings or other structures#;
- (c) the location of individual existing trees of six inch caliper or more;
- (d) the location of any elements of the #open space network# on or adjacent to the #zoning lot#; and
- (e) the location of any #areas of no land alteration#, streams, and natural watercourses;

and such other information as may be required by the Commission for its determination as to whether or not the certification, authorization or special permit is warranted.

107-04

Applications to the City Planning Commission Prior to [date of adoption]

- (a) Applications for authorization or special permit which were adopted prior to [date of adoption] may be continued pursuant to the terms of such authorization or special permit or as such terms may be subsequently modified.

Continuance of such application shall be subject to the provisions of Sections 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution) and 11-43 (Renewal of Authorization or Special Permit).

- (b) Applications for certification granted by the Commission prior to [date of adoption] may be continued, in accordance with the terms thereof or as such terms may be subsequently modified, pursuant to the regulations in effect on the date that such certification was granted.

107-05

Relationship to Public Improvement Projects

In all cases, the City Planning Commission shall deny a special permit, authorization or certification application whenever a #development# will interfere with a public improvement project (including, without limitation, housing, highways, public #buildings# or facilities, redevelopment or renewal projects, or rights of way for sewers, transit or other public facilities) which is approved by or pending before the Board of Estimate, City Planning Commission or Site Selection Board.

107-06

District Plan (Appendix A)

The District Plan for the #Special South Richmond Development District# shows the #open space network#, #designated open space#, #park streets#, #waterfront esplanade#, and #building# setback lines. The elements of the District Plan are set forth in Appendix A, which is hereby incorporated as an integral part of the provisions of this Chapter.

107-07

Tree Selection (Appendix B)

Where planting of trees is required by the provisions of this Chapter, the selection of trees for their planting shall be in accordance with the Tree Selection Table set forth in Appendix B, which is hereby incorporated as an integral part of the provisions of this Chapter.

107-08

Future Subdivision of Certain Plan Review Sites

Within the Special District, any #zoning lot# existing on September 11, 1975, may be subdivided into two or more #zoning lots# provided that the existing topography, all individual trees of six inch caliper or more and all land located within a #designated open space#, to the greatest extent possible, are preserved under future #development# options.

Any subdivision of a #plan review site# that is proposed to take place within the Special District after September 11, 1975, shall be filed with the Department of City Planning Commission, and the Chairperson of the City Planning Commission shall certify that such subdivision of such #plan review site#: complies with the approved South Richmond Plan and the above objective.

- (a) does not contain, or have frontage along, any District Plan Element listed in Section 107-20 (DISTRICT PLAN ELEMENTS), inclusive;
- (b) does not contain an #area of no land alteration#;
- (c) does not exceed the rate of two #tree credits# per 1,000 square feet of lot area; and
- (d) does not have a violation for tree removal without prior permission or approval and no trees have been removed since [date of adoption] unless permitted pursuant to Section 107-312 (Regulations within plan review sites).

In the case of a subdivision which does not comply with the above conditions, subdivision of such #plan review site# shall not be permitted unless authorized by the Commission pursuant to Section 107-64

~~(Future Subdivision of Certain Plan Review Sites). of a tract of land containing #designated open space#, a site plan indicating the distribution of #bulk# for the individual #zoning lots# shall be submitted to the Commission. Such approved subdivision shall then be recorded in the land records and indexed against all #zoning lots#.~~

The subdivision plan for the #plan review site# shall include a survey map in accordance with the requirements set forth in Section 107-03 (Requirements for Certification, Authorization or Special Permit Application) ~~indicating existing topography at two foot contour intervals, all individual trees of six inch caliper or more, and the location of #designated open space# within the area. When a #zoning lot# existing on September 11, 1975, is more than five acres and is intended to be subdivided, an area plan of the entire subdivision shall be filed with the Commission. The area plan shall include the proposed vehicular circulation system within the area, #block# and lot layouts and any other information required by the Commission.~~

~~For the purpose of applying the provisions of this Section, a subdivision includes the reconfiguration of a #zoning lot# in a manner that would reduce the area~~ change its area or any dimension of such #zoning lot#.

107-09
Applicability of Article VI

* * *

107-10
GENERAL SPECIAL REQUIREMENTS

107-11
Special Requirements for Application

~~Prior to the approval of any application to the Department of Buildings for~~ For a #site alteration#, or a #development#, or #enlargement#, no certificate of occupancy or sign-off of a permit, as applicable, shall be issued by the Department of Buildings until the planting requirements of the following provisions, as applicable, have been satisfied, and reflected on an as-built survey, tree schedule, or any such information as may be required:

Section 107-32 (Tree Requirements)

Section 107-48 (Special Landscaping and Buffering Provisions)

~~the applicant shall file applications with the appropriate City agency requesting the certifications required in Section 107-12 (Public Facilities).~~

Any application to the Department of Buildings for a #site alteration# or #development# shall include a survey map or maps prepared by a licensed land surveyor showing, for the site, existing topography at two foot contour intervals and the locations, names and calipers of all existing trees of six inch caliper or

~~more and; for any #development#, the application shall also include certifications from the appropriate City agencies as required by Section 107-12.~~

~~However, the requirements of a survey map at two-foot contour intervals shall not apply to #zoning lots# 4,000 square feet or less owned separately and individually from all other adjoining #zoning lots# on September 11, 1975, and on the date of filing such application.~~

~~However, when a #zoning lot# which was owned separately and individually from all other adjoining #zoning lots# existing prior to January 2, 1975, is proposed to be #developed# with one #single # or #two-family# #detached# #residence#, the certification reports of Section 107-12 shall not be required, but the provisions of local laws shall apply. When a permit for land contour work, storm water drainage systems or other #site alteration# work is required from the Department of Transportation or Department of Environmental Protection or when a public agency requires a #site alteration# on either privately or City owned land, the public agency involved shall, prior to initiating or issuing a permit for such site work, notify the Department of Buildings.~~

~~The Department of Buildings and the public agency involved shall jointly determine that the proposed #site alteration# work is consistent with the provisions of Sections 107-31 (Topographic Regulations), 107-32 (Tree Regulations) and 107-25 (Special Regulations along Certain Streets and Railroads). In case of non-agreement, the provisions of Section 107-91 (Inter-agency Coordination) shall apply.~~

107-12

Public Facilities

107-121

Public schools

~~For any #development# containing #residential uses#, the Department of Buildings shall be in receipt of a certification from the Chairperson of the City Planning Commission which certifies that sufficient #school# capacity exists to accommodate the anticipated primary and intermediate public school children of the #development#. All applications for certification pursuant to this Section shall be referred by the Chairperson of the Commission to the Board of Education.~~

~~The Board of Education shall issue a report concerning the availability of #school# capacity within 60 days after receipt of the application. The Chairperson of the Commission shall respond within 90 days after receipt of an application. The report shall specify the following:~~

- ~~(a) whether or not #school# space is available;~~
- ~~(b) if #school# space is not available, the report shall include:
 - ~~(1) the number of seats required;~~
 - ~~(2) the grade organization;~~
 - ~~(3) the location of the #school#;~~
 - ~~(4) the size of #school# (sq. ft. per pupil); and~~~~

(5) ~~the proposed financing mechanism.~~

For the purposes of this Section, sufficient #school# capacity shall be deemed to exist if:

- (1) ~~such capacity is available in existing #schools#; or~~
- (2) ~~construction funds have been authorized in the Capital Budget to accommodate anticipated primary and intermediate public school children from the #development# upon its completion or within three years from the date of the Chairperson's certification; or~~
- (3) ~~sufficient #school# space is to be provided by the applicant under a plan jointly approved by the Chairperson of the Commission and Board of Education.~~

~~After approval of the Chairperson of the Commission and Board of Education of the applicant's plan to provide the #school# #building#, the certification may be granted either upon approval of a financial agreement by the Board of Estimate or such guarantee of construction with provision for future #school# occupancy as may be accepted by the Board of Education and the Chairperson of the Commission.~~

~~However, the Chairperson of the Commission may grant such certification if capacity is not currently available and the Board of Education after consulting with the Community School Board determines that the impact from the #development# will have a minimal effect on the concerned #schools# and includes such statement in their report.~~

~~A certification by the Chairperson of the Commission that sufficient capacity will be available in the public #schools#, as set forth in the above circumstances, shall automatically lapse if substantial construction of the foundations of the #development# in accordance with approved plans has not been completed within one year from the date of such certification.~~

~~No certification concerning the availability of #school# capacity shall be required for any #development# within a predominantly built up area or within an area for which #drainage schemes# were approved prior to January 1, 1975. For the purposes of this Chapter, a "predominantly built up area" is a #block# having a maximum of four acres which is #developed# with #buildings# on #zoning lots# comprising 75 percent or more of the area of the #block#. All such #buildings# shall have a certificate of occupancy or other evidence acceptable to the Commissioner of Buildings issued not less than three years prior to the date of application for a building permit.~~

107-20

DISTRICT PLAN ELEMENTS

All land in the #open space network# as shown on the District Plan (Map 3 in Appendix A), except #public parks#, ~~and all any #zoning lots# along an #arterial# as shown on the District Plan (Map 2 in Appendix A),~~ are is subject to the provisions of this Section, inclusive.

107-21

Modification of Designated Open Space

* * *

107-22
Designated Open Space

* * *

Within any #designated open space#, removal of trees, alteration of topography, #development# or #enlargement# of active recreational facilities, or the establishment of utility easements may be undertaken only in accordance with the provisions of this Section and Section 107-30 (TOPOGRAPHIC AND TREE-NATURAL FEATURE REGULATIONS).

* * *

107-221
Active recreational facilities

#Designated open space# may be used for active recreational facilities provided that the City Planning Commission certifies that such #uses# are compatible with the purposes of the ~~network~~ #open space network# and have minimal impact on tree removal, topographic alterations or drainage conditions.

Active recreational facilities may include swimming pools, tennis courts or facilities and equipment normally found in playgrounds, and shall comply with the #use# regulations of the underlying district. In the development of active recreational facilities, no individual trees of six-inch #caliper# or more shall be removed except by special authorization of the Commission in accordance with the provisions of Section 107-64 (Removal of Trees) or 107-65 (Modification of Existing Topography)-107-65 (Modification of Natural Feature Regulations). Active recreational facilities shall not be allowed within 60 feet of any watercourse in #designated open space# unless the Commission certifies that a location closer to such watercourse will not adversely affect the natural character of the watercourse or its drainage function. The Commission, where appropriate, shall be guided by the reports from other City agencies involved in land contour work, storm water drainage systems or similar operations.

If the City of New York acquires an easement for public access to any #designated open space# on which a #building# has been, is being or could be in the future, constructed in accordance with the provisions of this Chapter, the City's acquisition of an easement shall not affect the qualifications of the #designated open space# for satisfying #lot area# requirements, #yard# requirements, #floor area# or #lot coverage# restrictions or #open space# requirements as provided in Section 107-224 (Qualification of designated open space as lot area for bulk computations) and shall not be deemed to create a #non-compliance#.

107-222
Public pedestrian ways

For any #site alteration#, #development#, or #enlargement# on a #zoning lot# which contains #designated open space#, the City Planning Commission shall certify whether or not the applicant shall be required to provide a public pedestrian way through a portion of the #designated open space#.

When a public pedestrian way is required, it shall be built and maintained by the owner of the #zoning lot# and shall be accessible to the public at all times. The public pedestrian way shall be improved at the time the #site alteration#, #enlargement#, or #development# takes place, ~~except that for #site alterations# or #developments# on a tract of land less than 1.5 acres, the Commission may allow the applicant to delay~~

~~the construction of the public pedestrian way if the applicant complies with Section 107-24 (Performance Bond).~~

The location and dimension of such pedestrian way shall be determined by the Commission. The owner of the #zoning lot# may request the City to take an easement on the property. If the City of New York acquires an easement for public access to any #designated open space# on which a #building# has been, is being or could be in the future, constructed in accordance with the provisions of this Chapter, the City's acquisition of an easement shall not affect the qualifications of the #designated open space# requirements as provided in Section 107-224 (Qualification of designated open space as lot area for bulk computations) and shall not be deemed to create a #non-compliance#.

107-223

Permitted obstruction in designated open space

* * *

No #accessory# off-street parking facilities shall be permitted in #designated open space#. No #building or other structure# shall be erected in #designated open space# except as permitted by the provisions of Section 107-221 (Active recreational facilities). Any existing #building or other structure# located within the #designated open space# on ~~September 11, 1975~~ [date of adoption], and not complying with the provisions of this Section or the other Sections specified in the preceding paragraph, shall not be #enlarged# but may be continued as a #non-conforming# #use# or #non-complying# #building# subject to the applicable provisions of Article V (Non-conforming Uses and Non-complying Buildings) in accordance with the underlying district regulations.

107-224

Qualification of designated open space as lot area for bulk computations

* * *

107-225

Special bulk regulations for developments containing designated open space

* * *

107-226

~~Zoning lots entirely or substantially within designated open space~~

~~When a #zoning lot# owned separately or individually from all adjoining #zoning lots# prior to January 2, 1975, is located entirely or substantially within #designated open space# and no reasonable development is possible on the #zoning lot#, the owner may request the City to provide, in exchange, a City owned #zoning lot#.~~

~~The #zoning lots# may be exchanged only after an appraisal made by a body consisting of the following:~~

- ~~(a) one independent fee appraiser appointed by the City;~~
- ~~(b) one independent fee appraiser appointed by the private property owner, which appraiser may be the same as in paragraph (a) of this Section; and~~

- (e) ~~if needed to resolve a disagreement between the two appraisers appointed in paragraphs (a) and (b), one independent fee appraiser chosen by mutual agreement between the two individually appointed appraisers.~~

~~Such requests for exchange shall be filed by the owner of the #zoning lot# with the City Planning Commission.~~

~~If such exchange of #zoning lots# is not feasible under this Section or Section 384-7.0 of the New York City Administrative Code, the City may either acquire such #zoning lot# or permit development to proceed thereon with the minimal modification of the #designated open space# necessary to permit #development# containing #residences#.~~

107-23 Waterfront Esplanade

* * *

107-24 Performance Bond

~~When the provision of the required improvement is to be delayed for a period not to exceed five years from the date of the City Planning Commission certification, the owner of the #zoning lot# shall, prior to obtaining any certificate of occupancy, provide to the Comptroller of the City of New York a performance bond or City securities to ensure the future provision of either the #waterfront esplanade# or the public pedestrian way.~~

~~When the required improvement has been constructed, the Comptroller of the City of New York may release the bond or City securities posted to ensure such construction, provided an amount of the bond or City securities to ensure maintenance of the improvement, as set forth in the paragraph above, remains with the Comptroller.~~

~~The value of the bond or City securities tendered to ensure the future provision of the improvement shall be at the rate of \$400 per 100 square feet of #waterfront esplanade# and at \$200 per 100 square feet of public pedestrian way, if such bond or securities are tendered prior to January 1, 1980. At five year intervals after January 1, 1980, the Commission, with the approval of the Board of Estimate, shall establish the new rates for the future provision (and maintenance) of the improvement.~~

107-25 107-24

Special Regulations for Arterials Along Certain Streets or Railroads Rights of Way

~~Along the following #streets# designated as either #arterials# or #park streets# and identified as such on the District Plan, or along a designated railroad, special regulations relating to restriction of access, and setback of #buildings#, and landscaping apply as set forth in this Section and shown on the District Plan (Map 2 in Appendix A).~~

Arterials

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

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~~

Railroads

The Staten Island Rapid Transit right-of-way.

In accordance with the primary function of an #arterial# to accommodate vehicular through traffic, access is restricted to #arterials# pursuant to paragraph (a) of Section 107-241 (Special provisions for arterials).

In addition, along portions of #arterials# as indicated on Maps 2.1 through 2.4 (Arterial Setback Plan) in Appendix A of this Chapter, the #building# setback provisions of paragraph (b) of Section 107-241 apply.

~~107-251~~ 107-241

Special provisions for arterials

Along those #streets# designated as #arterials#, the following regulations shall apply:

(a) Access restrictions

Curb cuts are not permitted along an #arterial# #street# on #zoning lots# with ~~access to a frontage on an improved~~ non-#arterial# #street#. For #zoning lots# with ~~access frontage only to~~ on an improved #arterial# #street#, one curb cut is permitted along such #arterial# #street#. For purposes of this Section, adjoining #zoning lots# in the same ownership or control on [date of adoption] shall be treated as ~~one~~ a single #zoning lot#. For any #zoning lot# which includes an #area plan# approved by the City Planning

Commission, no curb cut shall be allowed except where a curb cut is designated on such #area plan#. Such access restrictions with regard to curb cuts shall not apply to #schools#, hospitals and related facilities, police stations, or fire stations.

For a #zoning lot# with no less than 100 feet of frontage on an #arterial# #street#, the Commissioner of Buildings may approve curb cuts that exceed the access restrictions listed above where the Commissioner of Transportation submits a letter certifying that such additional curb cuts are necessary to avoid adverse effects on the traffic operations and safety of the #arterial#, or that such curb cuts will not adversely affect traffic operations and safety on the #arterial# including, but not limited to, all curb cut locations on an #arterial# #street# by either implementing a traffic pattern serving right-turn only movements or the implementation of traffic signalization, or other reasons acceptable to the Commissioner of Transportation.

~~For #zoning lots# with access only to a #arterial street#, the City Planning Commission may, by certification, approve additional curb cuts for access to such #arterial street# when necessary to avoid adverse effects on the traffic flow of the #arterial#.~~

~~For #zoning lots# with access to both #arterial# and non #arterial streets#, the Commission may authorize one or more curb cuts on the #arterial street#, pursuant to the provisions of Section 107-68 (Modification of Group Parking Facility and Access Regulations).~~

(b) #Building# setback

Along portions of the #arterials#, as indicated on the District Plan (Maps 2.1 through 2.4 in Appendix A of this Chapter), a 20 foot #building# setback shall be provided for the full length of the #front lot line# #abutting# such #arterial#. The front #building# setback area shall be unobstructed from its lowest level to the sky except as permitted by this Section. Where a front #building# setback area at least 35 feet in depth is provided, such setback area may be used for required #accessory# off-street parking or loading facilities. No portion of such required setback area may be used for open storage.

In the case of the service roads of the West Shore Expressway, a 30 foot #building# setback shall be provided and required off-street parking and loading facilities are permitted within such setback. Within the required front #building# setback, there shall be provided one tree of three-inch #caliper# or more, pre-existing or newly planted, for each 400 square feet of such front open area, unless waived pursuant to the provisions of paragraph (c) of Section 107-483 (Planting and screening for parking areas). The trees shall be selected in accordance with the provisions of Section 107-32 (Tree Requirements) ~~the table set forth in Appendix B.~~

107-252

Special provisions for park streets

For those #streets# designated as #park streets#, the following regulations shall apply:

(a) Access restrictions

No curb cuts are permitted on such #streets# except that one curb cut is permitted for any #residential#, #community facility# or #commercial# #use# whose #zoning lot# has frontage only on a #park street#. For purposes of this Section, adjoining #zoning lots# in the same ownership shall be treated as one #zoning lot#.

For #zoning lots# with access to both #park streets# and non #park streets#, the City Planning Commission may authorize one or more curb cuts on the #park street#, pursuant to the provisions of Section 107-68 (Modification of Group Parking Facility and Access Regulations).

(b) Landscaping

One tree of at least three inch caliper, pre-existing or newly planted, shall be provided for each 400 square feet of area of the #street# sidewalk area. Trees shall be selected in accordance with the table set forth in Appendix B and shall be planted in the #street# sidewalk area.

(c) Development and maintenance responsibility

The owner of each #development# abutting a #park street# shall have responsibility for landscaping and maintenance of that portion of the #park street# located between the #front lot line# and the curb.

Alternatively, maintenance responsibility may be vested in a properly constituted Home Association or other organization established for this purpose. Those segments of a #park street# which are abutted by land #developed# prior to the effective date of the Special District designation shall be #developed#, landscaped and maintained by the City of New York.

107-253-107-242

Building setbacks along railroad rights-of-way

For all #developments# on #zoning lots# immediately adjacent ~~or directly opposite~~ to the Staten Island Rapid Transit right-of-way, a #building# setback of at least 20 feet in depth, unobstructed from its lowest level to the sky, except as permitted herein, shall be provided along the #lot line# immediately adjacent to ~~or directly opposite~~ the right-of-way of such railroad. Such #building# setback shall be measured perpendicular to such #lot line#, as indicated on the District Map.

Within such #building# setback area, unless the area is within a #street# or is waived according to the planting waiver provisions of paragraph (c) of Section 107-483 (Planting and screening for parking areas), there shall be provided one tree of three-inch #caliper# or more, pre-existing or newly planted, for each 400 square feet of such open area. The trees Tree species shall be selected in accordance with ~~the~~ table set forth in Appendix B Section 107-32 (Tree Requirements).

107-30

TOPOGRAPHIC AND TREE NATURAL FEATURE REGULATIONS

Any #development#, #enlargement# resulting in changes to #lot coverage#, or #site alteration# shall comply with the provisions of this Section, inclusive.

All #zoning lots# shall comply with the provisions of Sections 107-31 (General Regulations for Natural Features), inclusive, and 107-32 (Tree Requirements).

In addition, regulations within areas of #designated open space# are set forth in Section 107-311 (Areas within designated open space).

Any #plan review site# shall also comply with the provisions of Section 107-312 (Regulations within plan review sites).

Any application to the Department of Buildings for a #site alteration#, #development#, or #enlargement# shall include a survey map in accordance with the requirements set forth in Section 107-03 (Requirements for Certification, Authorization or Special Permit Application).

A site plan for such application shall also include the location of any #area of no disturbance#, proposed paving, and shall identify those trees proposed to be removed and proposed to be preserved.

107-31

General Topographic Regulations for Natural Features

Except for any existing topographic natural feature which is unsafe and the removal of which is required by the Department of Buildings to eliminate hazardous conditions, no topographic modifications #site alteration# may take place except as provided in this Section or as authorized by Section 107-65, inclusive.

No modification of topography shall take place within eight feet of a tree that is counted toward minimum #tree credits# pursuant to the provisions of Section 107-32 (Tree Requirements).

Within any #zoning lot# which is not a #plan review site#, tree removal shall be permitted in areas that do not contain #designated open space#, provided that such #zoning lot# complies with the provisions of Section 107-32.

107-311

Areas within designated open space

Within #designated open space# on a #zoning lot#, any #site alteration# shall be permitted only by authorization of the City Planning Commission pursuant to Section 107-65 (Modification of Existing Topography Natural Feature Regulations).

107-312

Areas not within designated open space Regulations within plan review sites

On any portion of a #zoning lot# #plan review site# not within #designated open space#, #development#, #enlargement#, or #site alteration# of topography shall be permitted only in accordance with the provisions of this Section or by authorization of the City Planning Commission pursuant to the provisions of Section 107-65 (Modification of Natural Feature Regulations) or by certification of the Chairperson of the City Planning Commission pursuant to the provisions of Section 107-51 (Certification of Certain Plan Review Sites).

The ground elevation of land existing on September 11, 1975-[date of adoption], may be modified by up to two feet of cut or fill, provided that such modification shall not result in the destruction of trees of six-inch #caliper# or more, unless authorized pursuant to other provisions of this Chapter. Modification of

topography to a greater extent and removal of trees of six-inch #caliper# or more shall only be is permitted:

- (a) in an area designated for within 20 feet of an existing #building's# foundations, driveways, or in an area designated for utilities for a proposed #building or other structure#; whose location is approved by the Department of Buildings in accordance with the provisions of this Chapter; and
- (b) in order to meet the legal mapped grades of a #street#, the existing topography of that portion of the #zoning lot# abutting such #street# may be modified to create a slope on the #zoning lot# of not less than one foot vertical to each two feet horizontal, provided the slope is landscaped to prevent erosion;
- (c) within an existing #group parking facility#, or within existing landscaping required pursuant to Section 107-483 (Planting and screening for parking areas), which does not result in the removal of parking spaces or travel lanes;
- (d) where such modification of topography takes place more than 20 feet from the boundary of an area of #designated open space#, a #side lot line#, or a #rear lot line#; or
- (e) where such tree interferes with another tree of six-inch #caliper# or more, and such tree to be preserved belongs to a species pursuant to the provisions of Section 107-32 (Tree Requirements).

~~Topographic modifications not permitted by the provisions of this Section may be permitted only by authorization of the City Planning Commission pursuant to the provisions of Section 107-65. If an existing tree of six-inch #caliper# or more is removed without prior approval from the Department of Buildings or the City Planning Commission and does not meet the provisions of this Section, any permit issued by the Department of Buildings for a #site alteration#, #enlargement#, #development#, or any #use# on the #zoning lot# shall not be granted a letter of completion, certificate of occupancy, or similar sign-off until such tree is replanted, or proposed to be replaced, as applicable, in accordance with Section 107-32. A violation for tree removal without prior permission or approval shall be recorded against such site.~~

107-32 Tree Regulations

~~The following regulations in Sections 107-321 through 107-323, inclusive, shall not apply to existing trees which are unsafe and the removal of which is required by the Department of Buildings.~~

107-321 Tree preservation

~~No trees of six inch caliper or more shall be removed, or land operations affecting their survival undertaken, in connection with any #site alteration#, or #development#, except in compliance with the provisions of this Section.~~

~~Prior to any such removal or land operations, plans shall be filed with the Department of Buildings showing the locations of all trees of six inch caliper or more on the #zoning lot# and in the public~~

~~sidewalk area of the #street# or #streets# adjacent thereto, and identifying those which are proposed to be removed. Removal of live trees of six inch caliper or more will be permitted only under the following circumstances:~~

- ~~(a) where such trees are located areas to be occupied by #buildings#, driveways, areas for required #accessory# parking, or within a distance of eight feet of the exterior walls of such #building#, provided that it is not possible to avoid such removal by adjustments in the arrangement of such #buildings#, driveways or required parking areas;~~
- ~~(b) where the would create special hazards or dangers to persons or property, which it would not be possible or practical to eliminate by pruning;~~
- ~~(c) where continued presence of the trees would interfere with another tree of six inch caliper or more designated for preservation and belonging to a species listed in Appendix B (Tree Selection Tables); or~~
- ~~(d) where authorizations granted by the City Planning Commission under the provisions of this Chapter require or clearly contemplate the removal of such trees.~~

~~If an existing tree of six inch caliper or more identified for preservation is removed without prior approval by the Department of Buildings or the City Planning Commission, any permit issued by the Department of Buildings for a #site alteration#, #development# or any #use# on the #zoning lot# shall be revoked. In order to remove such violations, the owner of the #zoning lot# shall request the Commission to specify the tree restoration requirements and to certify such requirements to the Department of Buildings. No building permit, reinstatement of such permit or issuance of a certificate of occupancy shall occur until the owner of the #zoning lot# either posts with the Comptroller of the City of New York a landscaping performance bond in an amount determined by the Commission or completes the replanting in accordance with the requirements set forth by the Commission in order to correct the planting violations.~~

~~Replacement trees to be planted shall be of a caliper no less than three inches and be of a species listed in Appendix B and the sum of whose calipers shall be at least equivalent to that of the trees removed. In addition, the Commission may require a restrictive declaration specifying the terms of implementing the restoration plan.~~

~~Where on-site planting of such replacement trees would result in over crowding or would adversely affect the ecology of the site, the Commission may authorize planting of one or more replacement trees on adjoining public sidewalks or in a nearby public area or substituting other planting material pursuant to Section 107-323.~~

~~107-322-107-32~~

~~Tree requirements Requirements~~

~~For all #zoning lots#, New newly planted trees shall be provided in accordance with the table set forth in Appendix B planted no closer than eight feet from any other tree and be of a species selected from the New York City Native Species Planting Guide (as issued and revised by the Department of Parks and Recreation), or its successor.~~

~~For any existing tree of at least six-inch caliper which is preserved, credit for one tree shall be given for the first six inches of caliper and, for each additional four inches of caliper, credit for an additional tree shall be given.~~

- (a) ~~On-site~~ Planting in #Residence Districts# or in a #zoning lot# with fewer than 10 parking spaces.

~~In connection with any #development#, #site alteration#, or #enlargement# involving the addition of at least 1,000 square feet of #floor area# in a #Residence District#, or in any #group parking facility# with fewer than 10 parking spaces, that are not fully enclosed, newly planted trees of at least one three-inch #caliper# and less than six-inch #caliper#, or pre-existing or newly planted, trees of at least six-inch #caliper#, shall be provided on the #zoning lot# at the rate of one #tree credit# for each 1,000 square feet of #lot area# or portion thereof.~~

~~A newly planted tree of between one and two-inch #caliper# shall have 0.5 #tree credits#, and a newly planted tree greater than two-inch #caliper# but less than six-inch #caliper# shall have one #tree credit#. Newly planted trees appearing on a site plan in an approved application may be counted toward #tree credits# on site plans for future applications if they have not yet grown to a six-inch or greater #caliper#, provided that they remain in good health and continue to comply with the standards set forth in this Section.~~

~~Any existing tree of at least six-inch #caliper# which is preserved and has no new paving, #development#, #enlargement#, or modification of topography within eight feet of such tree, shall have one #tree credit# for the first six inches of #caliper# and an additional #tree credit# for each additional three inches of #caliper#.~~

- (b) Planting for ~~open~~ parking areas

~~Any #development# or #enlargement# on a #zoning lot# that contains with open off-street parking areas with a #group parking facility# with 10 or more parking spaces that are not fully enclosed in or more shall be subject to the tree planting and screening requirements of Section 107-483.~~

~~107-323-107-33~~

~~Substitution of other plant materials~~ Other Plant Materials

For any #development#, #site alteration# or #enlargement# which is required to provide trees in accordance with the provisions of paragraph (a) of Section 107-322, the City Planning Commission may allow the substitution of other plant material for such required trees, provided a detailed landscaping plan is filed with the Commission for approval and certification. A copy of such approved landscaping plan shall be filed with the Department of Buildings by the Commission.

~~107-33-107-34~~

Preservation of Natural Features

107-40
SPECIAL USE, BULK AND PARKING REGULATIONS

107-41
Type of Residence

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107-411
Affordable independent residences for seniors in Area SH

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107-412
Special bulk regulations for certain community facility uses in lower density growth management areas

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107-42
Minimum Lot Area and Lot Width for Residences

For all #zoning lots# containing #residences#, the minimum #lot area# and #lot width# requirements set forth in the table in this Section shall apply, which shall vary by #building# height. Where two or more #buildings# that are #single-# or #two-family# #detached# or #semi-detached# #residences# are located on a #zoning lot#, the applicable minimum #lot area# requirement shall be multiplied by the number of such #buildings# on the #zoning lot#.

The #lot width# requirements set forth in this Section shall be applied as set forth in the definition of #lot width# in Section 12-10 (DEFINITIONS), provided that the applicable #lot width#, in feet, set forth in the table shall be met along at least one #street line# of the #zoning lot# or, for #corner lots#, along each intersecting #street line#. No #residence#, or portion thereof, shall be permitted between opposing #side lot lines# where such #lot lines# would be nearer to one another at any point where such #residence# is located than the applicable minimum lot width, in feet, set forth in the table.

However, one #single-family# #detached# #residence# or, where permitted, one #single-# or #two-family residence#, may be built upon a #zoning lot# consisting entirely of a tract of land, that:

- (a) has less than the minimum #lot area# or #lot width# required pursuant to this Section; and
- (b) was owned separately and individually from all other adjoining tracts of land, both on December 8, 2005, and on the date of application for a building permit.

In all cases, the density regulations of the applicable district shall remain in effect, except that the factor for determining the maximum number of #dwelling units# shall be 1,000 in R3A and R4A Districts, 1,140 in R3X Districts, and 685 for #semi-detached# #residences# in R3-1 and R3-2 Districts.

Honorable Dan Garodnick, Chair
 Application No. N 230112 ZRR
 October 26, 2023
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District	Type of #Residence#	Height (in stories)	Minimum #Lot Area# (in sq. ft.)	Minimum #Lot Width# (in feet)
R1-1	#detached#	1-4	9,500	100
R1-2	#detached#	1-2 3 4	5,700 5,700 5,700	40 50 60
R2	#detached#	1-4	3,800	40
R3-1	#detached#	1-2 3-4	3,800 3,800	40 45
R3-1 R3-2	#semi-detached#	1-2 3-4	2,375 ³ 3,800	24 ³ 40
R3-2	#detached# #attached#	1-2 3-4 1-2 1-2 3-4 3-4	3,800 4,275 1,700 2,375 ¹ 2,280 3,800 ¹	40 45 18 24 ¹ 24 40 ¹
R3A	#detached#	1-3	3,325	35
R3X ²	#detached#	1-2 3 4	3,800 4,750 5,700	40 50 60
R4A	#detached#	1-3	3,325	35
R4-1	#semi-detached# #detached#	1-3 1-3	2,375 ³ 3,325	24 ³ 35

¹ For #attached buildings# that #abut# an #attached building# on a separate #zoning lot# on one side and on the other side are bounded by #yards# or open area.

² In Area LL as shown on the District Plan (Map 4 in Appendix A) of this Chapter, all #residences# shall have a minimum #lot area# of 5,700 square feet and a minimum #lot width# of 50 feet. ~~However, the minimum #lot area# and minimum #lot width# set forth in this table shall apply to any #development# on a #zoning lot# having an area of at least 1.5 acres for which applications for certifications pursuant to Sections 107-08 (Future Subdivision) and 107-121 (Public schools) have been filed prior to March 1, 2003.~~

³ For #two-family# #semi-detached# #residences# with a height of one or two #stories# in R3-1 and R3-2 Districts and for all #two-family# #semi-detached# #residences# in R4-1 Districts, the minimum #lot area# shall be 3,135 square feet and the minimum #lot width# shall be 33 feet.

BY SPECIAL PERMIT (PURSUANT TO SECTION 107-74)

District	Type of #Residence#	Height (in stories)	Minimum #Lot Area# (in sq. ft.)	Minimum #Lot Width# (in feet)
R2	#semi-detached#	1-4	3,800	30
	#attached#	1-4	3,800	22
R3-1	#attached#	1-2	1,700	20
		2-3	2,280	24

107-421

Minimum lot area and lot width for zoning lots containing certain community facility uses

* * *

107-43

Maximum Height for Buildings or Structures

Subject to the requirements for maximum height of walls and required setbacks in Sections 23-63, 24-52 or 33-43, no #building# or other structure# shall exceed a height of four #stories# and no structures other than #buildings# shall exceed a height of 50 feet unless modified by a special permit of the City Planning Commission, pursuant to Section 107-73 (Exceptions to Height Regulations).

107-44

Maximum Floor Area Ratio for Community Facility Uses

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107-45

Required Open Space for Residences

* * *

107-46

Yard and Court Regulations

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107-461

Front yards

* * *

107-462

Side yards

* * *

107-463
Side yard regulations for other residential buildings

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107-464
Side yards for permitted non-residential use

* * *

107-465
Modifications of special yard regulations for certain zoning lots

* * *

107-466
Court regulations

* * *

107-467
Modifications of yard and court requirements

* * *

107-47
Special Parking Regulations

107-471
Modification of waiver requirements for spaces below minimum number

For the purposes of this Chapter, the waiver provision set forth in Section 36-231 (In districts with high, medium or low parking requirements) shall not apply to any #development# in the Special District.

107-472
Maximum size of group parking facility Group parking facilities within plan review sites
For the purposes of this Chapter, no #accessory# #group parking facility# for non-#residential uses# shall contain more than 30 off-street parking spaces be permitted anywhere on a #plan review site#, or any #zoning lot# that contained one or more acres on [date of adoption], except as set forth in Sections 107-51 (Certification of Certain Plan Review Sites) or 107-68 (Modification of Group Parking Regulations).

107-473
Location of required parking

For a #residential# #building# on a #zoning lot# containing an #area of no land alteration# or #designated open space#, the provisions of Section 25-622 (Location of parking spaces in lower density growth management areas) that do not permit open off-street parking between the #street line# and the #street wall# or prolongation thereof of a #building# shall not apply.

107-48
Special Landscaping and Buffering Provisions

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107-481
Planting provisions along Residence District boundaries

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107-482
Landscaped buffer for manufacturing development adjacent to residences

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107-483
Planting and screening for open parking areas

#Zoning lots# that contain a #group parking facility# with 10 or more parking spaces that are not fully enclosed, shall be subject to paragraphs (a) and (b) of this Section and may be subject to paragraph (c) of this Section.

(a) Tree planting requirements for open parking

The provisions of Section 37-921 (Perimeter landscaping) shall apply to all facilities. In addition, one ~~One~~ tree, of three-inch #caliper# or more, pre-existing or newly planted, shall be provided for each four open parking spaces and. ~~Such trees~~ may be located in the perimeter landscaped area of the parking area or in planting islands within the parking area.

However, where 30 or more open parking spaces are provided, at least 50 percent of the required trees shall be located within planting islands within the parking area. Such planting islands shall have a minimum area of 150 square feet of pervious surface and comply with the requirements of paragraphs (a), (b) and (c) of Section 37-922 (Interior landscaping).

For open parking areas with at least 36 parking spaces, the total number of trees required pursuant to Section 37-922 (~~Interior landscaping~~) shall be superseded by the number of trees required pursuant to this Section.

(b) Screening requirements

The ~~For~~ open parking areas or parking garages located on the ground floor and not fully enclosed, such non-enclosed portion shall be screened from all adjoining #zoning lots# by a landscaped area at least four feet in width, densely planted with shrubs maintained at a maximum height of three feet. ~~Such~~ Open parking areas shall also be screened from all adjoining #streets# by a perimeter landscaped area at least seven feet in width in accordance with Section 37-921 (Perimeter landscaping). Such perimeter landscaped area may be interrupted only by vehicular

entrances and exits. Sidewalks that provide a direct connection between the public sidewalk and a pedestrian circulation route within the parking area may also interrupt a perimeter landscaped area.

In addition, such screening shall be maintained in good condition at all times and may be interrupted by normal entrances and exits.

(c) Planting ~~W~~waiver

Tree planting and screening requirements may be waived if the Commissioner of Buildings certifies that planting is unfeasible due to:

- (1) unique geological conditions, such as excessive subsurface rock conditions or high water table;
- (2) underground municipal infrastructure; or
- (3) a City, State or Federal mandated brownfield remediation that requires the site to be capped.

Such waiver shall be based on a report prepared by a licensed engineer that such conditions exist.

For #developments# in #~~Residential~~ Residence Districts#, trees provided in accordance with the provisions of this Section may be counted for the purposes of meeting the requirements of paragraph (a) of Section 107-322, ~~paragraph (a)~~. Furthermore, for #developments# in #Commercial# or #Manufacturing Districts#, which provide trees in accordance with the provisions of this Section, the requirements of Section paragraph (a) of 107-322, ~~paragraph (a)~~, shall not apply.

107-49
Special Regulations for Area M

* * *

107-491
Special use regulations for residential uses

* * *

107-492
Special bulk regulations

* * *

107-50

CERTIFICATIONS

Administrative certifications from the City Planning Commission are required, as set forth in various sections of this Chapter, in any one of the following circumstances:

- (a) when ~~a tract of land is~~ certain #plan review sites# are subdivided, as set forth in Section 107-08 (Future Subdivision of Certain Plan Review Sites);
- (b) ~~when a #development# contains #residential uses#, as set forth in Section 107-121 (Public schools);~~
when certain #plan review sites# meet the requirements set forth in Section 107-51 (Certification of Certain Plan Review Sites) and do not require an authorization pursuant to Section 107-60, inclusive;
- (c) when a #zoning lot# contains #designated open space#, as set forth in Section 107-22 (Designated Open Space);
- (d) where required #yards# or equivalents are to be modified as set forth in Section 107-465 (Modifications of special yard regulations for certain zoning lots);
- (e) ~~where a #zoning lot# along an #arterial# requests more than one curb cut, as set forth in Section 107-251 (Special provisions for arterials);~~
- (f) where plant material is substituted for required trees as set forth in Section ~~107-32~~ 107-33 (Substitution of ~~other plant materials~~ Other Plant Materials); or
- (g) ~~when #development# takes place within areas D, F, or K, as set forth in Section 107-02 (General Provisions); or~~
- (h) when a #zoning lot# contains a portion of the proposed #waterfront esplanade#, as set forth in Section 107-23 (Waterfront Esplanade).

107-51

Certification of Certain Plan Review Sites

On a #plan review site# ~~for any #enlargement# or #site alteration# on a #plan review site#~~ which does not comply with the provisions of Section 107-31 (General Regulations for Natural Features), the Chairperson of the City Planning Commission shall certify that:

- (a) such #plan review site# does not:
 - (1) contain any of the district plan elements as set forth in Section 107-20 (DISTRICT PLAN ELEMENTS), inclusive;
 - (2) contain an #area of no land alteration#;
 - (3) exceed the rate of two #tree credits# per 1,000 square feet of lot area; and

(4) does not have a violation for tree removal without prior permission or approval and no trees have been removed since [date of adoption] unless permitted pursuant to Section 107-312 (Regulations within plan review sites).

(b) new or existing tree planting shall satisfy tree requirements pursuant to Section 107-32 (Tree Requirements); and

(c) the resulting #enlargement# or #site alteration# does not require more than 10 additional accessory off-street parking spaces for a #commercial#, #community facility#, or #manufacturing use#.

Any #enlargement or #site alteration# on a #plan review site# which does not comply with these conditions, or any #development# on a #plan review site#, shall require an authorization pursuant to Section 107-60 (AUTHORIZATIONS).

107-60
AUTHORIZATIONS

107-61
General Provisions

* * *

107-62
Yard, Court and Parking Regulations

For any #plan review site# or for any #zoning lots# containing #designated open space# or an #area of no land alteration#, the City Planning Commission may authorize variations in the #yard# or #court# regulations as set forth in Section 107-46, inclusive, or in the location of parking, driveway or curb cut regulations as set forth in Sections 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents), 25-621 (Location of parking spaces in certain districts), 25-622 (Location of parking spaces in lower density growth management areas) and ~~25-631 (Location and width of curb cuts in certain districts)~~ 25-632 (Driveway and curb cut regulations in lower density growth management areas) for the purpose of allowing proper arrangements of #buildings#, driveways or required parking areas so as to avoid the destruction of natural features, existing topography and individual trees of six inch caliper or more. ~~#Rear yard#, #side yard# or #side yard# equivalent variations shall not be authorized on the periphery of a #development# unless acceptable agreements are jointly submitted for #development# of two or more adjacent #zoning lots# by the owners thereof, incorporating the proposed #yard# or #side yard# equivalent variations along their common #lot lines#.~~

As a condition for granting such authorizations, the Commission shall find that the proposed placement of #buildings# and arrangement of #open spaces# will not have adverse effects upon light, air and privacy on adjacent #zoning lots# and will preserve natural features in #areas of no disturbance#.

107-63
Minimum Distance Between Buildings

* * *

107-64
~~Removal of Trees~~ Future Subdivision of Certain Plan Review Sites

~~For any #development#, the City Planning Commission may authorize the removal of trees of six-inch caliper or more whose removal would otherwise be prohibited under the provisions of Section 107-32 provided that the Commission makes one or more of the following findings:~~

- ~~(a) that the tree's retention would cause serious disadvantage in the arrangement of open areas on the lot, impairing the usefulness of such areas;~~
- ~~(b) that such tree is located in an area where more than two feet of cut or fill is required and measures for saving the tree would be extremely difficult and impractical; or~~
- ~~(c) that provision of a segment of the #waterfront esplanade# is not feasible without such tree's removal.~~

For any #plan review site# that does not comply with Section 107-08 (Future Subdivision of Certain Plan Review Sites), the City Planning Commission may authorize a future subdivision into two or more #zoning lots#, provided that the Commission finds that:

- (a) to the greatest extent possible, all individual trees of six-inch #caliper# or more, the existing topography, and all land located within a #designated open space#, are preserved under future #development# options;
- (b) such subdivision complies with the goals described in paragraph (c) of Section 107-00 (GENERAL PURPOSES); and
- (c) where vehicular access and egress are located on an #arterial#, the location of such vehicular access and egress permits better site planning.

Any subdivision that is proposed to take place within the Special District after [date of adoption], shall be filed with the City Planning Commission. A site plan and #area plan# shall indicate the distribution of #bulk# for the individual #zoning lots# submitted to the Commission. Such approved subdivision shall then be recorded in the land records and indexed against all #zoning lots#.

For the purpose of applying the provisions of this Section, a subdivision includes reconfiguration of a #zoning lot# in a manner that would ~~reduce the area~~ change its area or any dimension of such #zoning lot#.

107-65

Authorization for Modifications of Existing Topography Natural Features Regulations

For any #development#, #enlargement#, or #site alteration# on #plan review sites# or within #designated open space#, the City Planning Commission may authorize modifications of the natural topography existing on ~~September 11, 1975~~ [date of adoption] beyond the amount specified in Section 107-31 (~~Topographic Regulations~~ General Regulations for Natural Features), inclusive, or modification of tree regulations pursuant to Section 107-312 (Regulations within plan review sites), ~~provided that the Commission finds that:~~

The Commission may authorize modifications to natural features, provided that the Commission finds that:

- (a) ~~#development# on the #zoning lot# is not feasible without such modifications~~ the modifications are the minimum necessary to facilitate the project;
- (b) such modification of topography is necessary to accommodate any public amenities, as applicable, such as public pedestrian ways, the #waterfront esplanade# or active recreational facilities within a #designated open space# as required under the provisions of this Chapter;
- (c) such modification will not cause unnecessary disturbance of the drainage pattern in the area; ~~and~~
- (d) such ~~modified topography~~ modification will have minimal impact on the existing natural ~~topography~~ features of the surrounding area and will blend harmoniously with ~~#such area;~~ and
- (e) ~~areas within the #zoning lot# that contain natural features are preserved within a proposed #area of no disturbance#, especially those areas which are contiguous to #designated open space#, #areas of no land alteration#, or other area containing mostly natural features.~~

~~Where a permit for land contour work or topographic modification is required from the Department of Transportation or the Department of Buildings, the City Planning Commission and other such agencies shall jointly determine the conditions under which such topographic modification may be permitted so as best to serve the purposes of the Special District, in accordance with the provisions of Section 107-91 (Inter-agency Coordination).~~

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

107-66
Developments Partly Within Designated Open Space

107-661
Modification of permitted obstructions

* * *

107-662
Modification of required yards of building setbacks

On application, the City Planning Commission may grant an authorization modifying the building setback requirements of Section ~~107-251~~ 107-241 (Special provisions for arterials), provided that the Commission finds that:

* * *

107-67
Uses and Bulk Permitted in Certain Areas

~~107-671~~
~~In Areas F and K~~

~~In Areas F and K, as shown in the District Plan (Map 4 in Appendix A), the City Planning Commission may authorize one or more #uses# in the Use Groups specified in this Section not permitted by the underlying district regulations.~~

~~As a condition for such authorization, the Commission shall find that:~~

- ~~(a) such #uses# are so located as not to impair the essential character of the surrounding area for its future development;~~
- ~~(b) the minimum #lot area# of a #zoning lot# on which such #uses# are located is at least 20 acres;~~
- ~~(c) vehicular access and egress for such proposed #uses# are located and arranged so as to draw a minimum of vehicular traffic to and through local #streets# in nearby residential areas; and~~
- ~~(d) where vehicular access and egress are located on an #arterial#, such location affords the best means for controlling the flow of traffic generated by such proposed #uses# to and from such #arterial#.~~

~~In each case the Commission may prescribe additional conditions and safeguards, including requirements for adequate screening, planting or landscaping.~~

Areas (as designated on the District Map)	Permitted Use Groups
F	12
K	7A 7B 7D 7E

~~107-672~~ 107-671
In Area SH

* * *

107-68
Modification of Group Parking Facility ~~and Access Regulations~~

For a permitted ~~#commercial#, #community facility# or #manufacturing#~~ ~~#use#~~ on a #plan review site# or portion of a #plan review site# existing on [date of adoption], the City Planning Commission may authorize ~~more than 30 #accessory#~~ off-street parking spaces in a #plan review site# or portion of a #plan review site# existing on [date of adoption] ~~and for any #use#, may modify access restrictions with regard to curb cuts as set forth in paragraph (a) of Section 107-251 (Special provisions for arterials) or paragraph (a) of Section 107-252 (Special provisions for park streets).~~ In order to grant such authorization, the Commission, upon a review of the site plan, shall find that:

- (a) vehicular access and egress are located and arranged so as to draw a minimum of vehicular traffic to and through local ~~#streets#~~ in nearby residential areas;
- (b) where vehicular access and egress are located on an ~~#arterial# or #park street#~~, such location affords the best means for controlling the flow of traffic generated by such ~~#use#~~ to and from such ~~#arterial# or #park street#~~, and does not unduly interfere with pedestrian traffic; and
- (c) ~~the location of such vehicular access and egress~~ the design of the parking facility permits better site planning avoids undue conflict between pedestrian and vehicular movements in a manner that results in a better site plan.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area and may, in appropriate cases, condition its authorization upon compliance with an approved site and landscaping plan. The Commission may also permit modifications to parking lot landscaping and maneuverability requirements only if such modifications preserve ~~vegetation and natural topography~~ natural features.

107-69
Residential Uses in Area M

* * *

107-70
SPECIAL PERMITS

107-71
General Provisions

On application, the City Planning Commission, may grant special permits for modifications of specified regulations of this Chapter or of the underlying districts in accordance with the provisions of Sections 107-72 to 107-78, inclusive, relating to ~~Special Permits~~ special permits.

107-72
Qualification of Designated Open Space as Lot Area

* * *

107-73
Exceptions to Height Regulations

* * *

107-74
Modification of Permitted Use Regulations

* * *

~~**107-75**~~
~~**Modification of Underlying R1-1 District Regulations**~~

~~For any #development#, the City Planning Commission may grant special permits for the modifications of underlying R1-1 District regulations on #yards# or #courts# where such modifications are appropriate in order to:~~

- ~~(a) permit siting of a #building# or driveway so as to avoid destruction of a valuable tree of six inch caliper or more; or~~
- ~~(b) allow a #building# to be arranged on a #zoning lot# that includes #designated open space# without encroaching on such #designated open space#.~~

~~As a condition for granting such modifications, the Commission shall find that:~~

- ~~(1) the siting of the #building# will not adversely affect adjacent properties by impairing privacy or access of light and air;~~
- ~~(2) the benefits to the surrounding area from the proposed arrangement of #buildings# and #open spaces# outweigh any disadvantages which may be incurred thereby in the area; and~~
- ~~(3) such modification is the least modification required to achieve the purpose for which it is granted.~~

~~The Commission may impose appropriate conditions or safeguards, such as special landscaping requirements, to minimize any adverse effects on the character of the surrounding area.~~

107-76
Boundary Adjustments in Designated Open Space

* * *

107-77
Community Facility Buildings or Treatment Plants Permitted in Designated Open Space

* * *

107-78
Other Buildings Permitted in Designated Open Space

* * *

107-80
~~LARGE-SCALE RESIDENTIAL DEVELOPMENT REGULATIONS~~

107-81
~~Applicability of Large-scale Residential Development Regulations~~
~~All regulations of Article VII, Chapter 8 (Special Regulations Applying to Large-scale Residential Development), are applicable in the Special District.~~

107-82
~~Applicability of Large-scale Residential Development Regulations to Parcels Containing Designated Open Space~~

~~Any #development# used predominantly for #residential use# on a #zoning lot# which includes #designated open space# may be treated as a #large-scale residential development#, and special authorizations or special permits for such #development# may be granted in accordance with the provisions of Article VII, Chapter 8, as modified herein, regardless of whether such #development# will have the area, number of #buildings#, or number of #dwelling units# specified in the definition of #large-scale residential development# as set forth in Section 12-10 (DEFINITIONS), except as provided in Sections 107-821 to 107-823, inclusive.~~

107-821
~~Bonus provisions~~
~~Bonuses which may be granted for #large-scale residential developments# under the provisions of Sections 78-32 (Bonus for Good Site Plan), 78-33 (Bonus for Common Open Space) or 78-35 (Special Bonus Provisions), may not be granted for #developments# which have less than the minimum area, number of #buildings# or number of #dwelling units# required by the definition of a #large-scale residential development#.~~

107-822
~~Lot area restriction~~
~~Authorizations or special permits granted within the #Special South Richmond Development District# pursuant to this Resolution shall be consistent in all cases with the provisions of Section 107-224 (Qualification of designated open space as lot area for bulk computations).~~

107-823

Common open space

Approval by the City Planning Commission of a development plan incorporating #designated open space# as common #open space# shall be conditioned upon the findings required in Section 78-52 (Common Open Space), except that the Commission may waive or modify any requirements of paragraph (g) of Section 78-52.

Notwithstanding any provision in Article VII, Chapter 8, or elsewhere in this Zoning Resolution, if the City of New York acquires title or a less than fee interest in any #designated open space# which serves as required #open space# for a #development# and the acquisition occurs while the #development# is under construction or after it is completed, it shall not affect the area's qualifications for satisfying #open space# requirements for #zoning lots# in the #development#.

107-83

Modification of Minimum Required Lot Area for Residences

Modification of minimum required #lot area# for #residences# as set forth in Section 107-42 may be granted by the City Planning Commission, pursuant to Section 78-311, paragraph (e).

107-84

Joint Applications

Notwithstanding the provisions of Section 78-06 (Ownership), a tract of land which includes #designated open space# and which is the subject of an application under the provisions of Section 107-81 (Applicability of Large-scale Residential Development Regulations), may include adjacent properties in more than one ownership, provided that the application is filed jointly by the owners of all the properties included. Any subdivision of the tract reflecting ownerships at the time of application or creating new ownerships before, during or after #development# shall be subject to the provisions of Section 78-51 (General Provisions).

107-90

SPECIAL ADMINISTRATIVE PROVISIONS FOR RECORDATION

107-91

Inter-agency Coordination

Where an authorization or permit for a #site alteration# or #development# is required from the City Planning Commission pursuant to this Chapter and where a permit is required from the Department of Transportation or Department of Buildings for land contour work, or from the Department of Environmental Protection for a storm water drainage system for #buildings# or adjacent areas, or where construction of a public improvement project is undertaken by a City agency, the Department of City Planning and the agencies involved shall jointly determine the conditions under which such proposed #development# or #site alteration# will best meet the purposes of the #Special South Richmond Development District#. Applications for any required permit or authorization shall be filed simultaneously with each agency from which the permit or authorization is required.

107-92

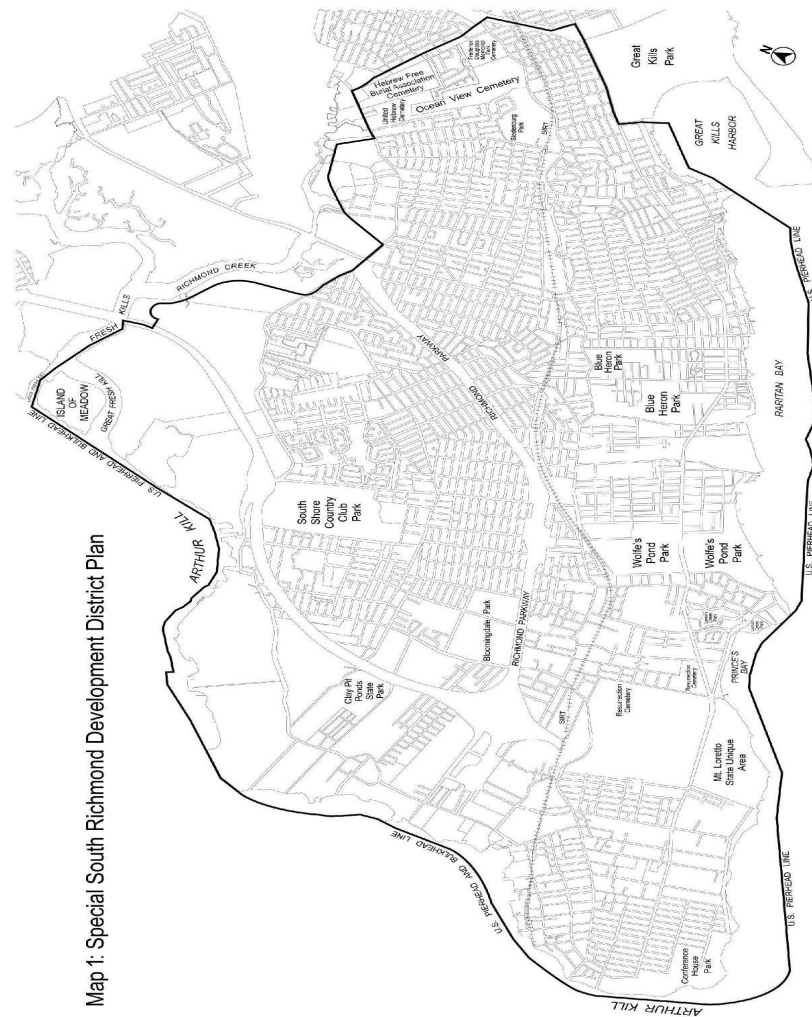
Recordation

When any #yard# requirement of the applicable district regulations is modified by the City Planning Commission pursuant to Section 107-46 (Yard and Court Regulations), prior to the filing of an

application for any permit with the Department of Buildings, there shall be recorded in the Office of the County Clerk, County of Richmond, and indexed against such #zoning lots# to be #developed# as a unit, an instrument describing all conditions and restrictions required by the Commission for the #development# and #use# of such #zoning lots#. Recordation of instruments may be required in connection with any other zoning application hereunder. A certified copy of such instrument shall be submitted to the City Planning Commission upon recordation thereof. The #Special South Richmond Development District# Plan, ~~individual District Plan Maps and Tree Selection Tables are~~ is incorporated as ~~Appendices A and B~~ Appendix A of this Chapter.

Appendix A Special South Richmond Development District Plan

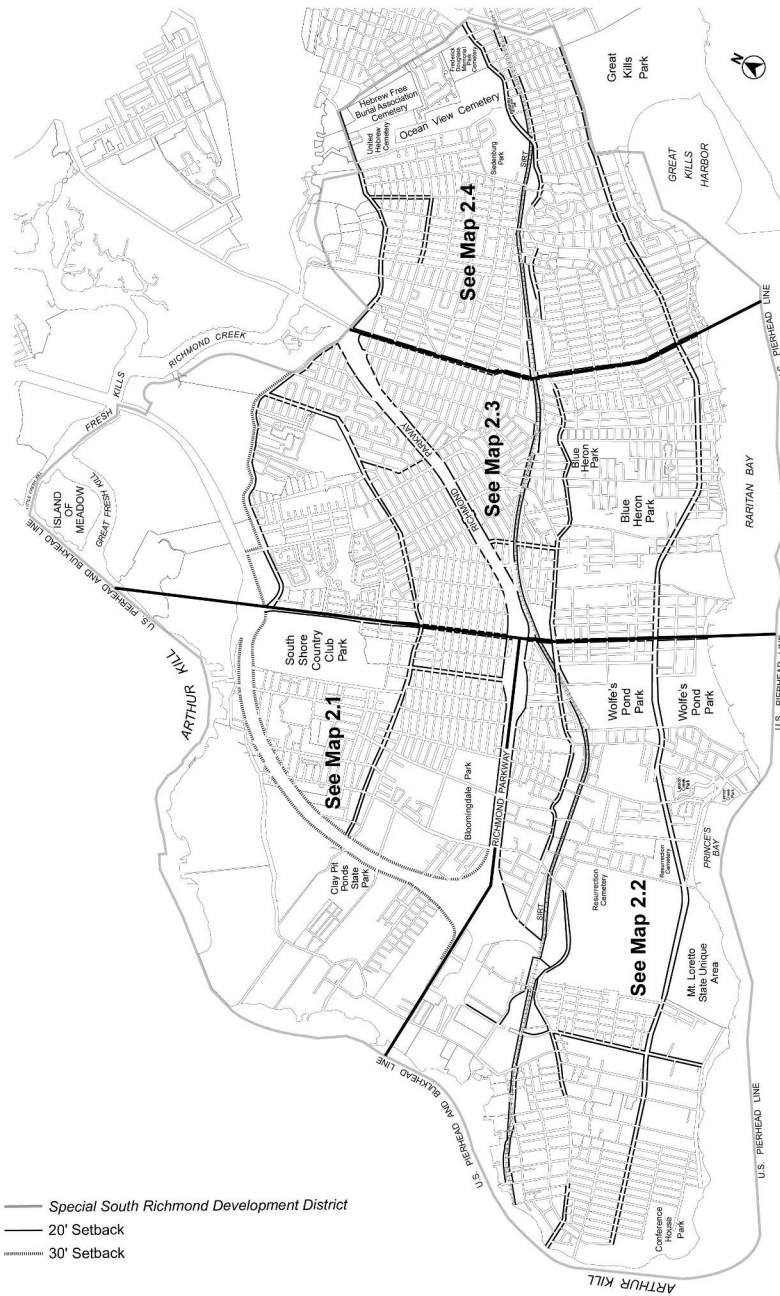
Map 1 — District Plan



Map 1: Special South Richmond Development District Plan

Map 2 — Arterial Setback Plan

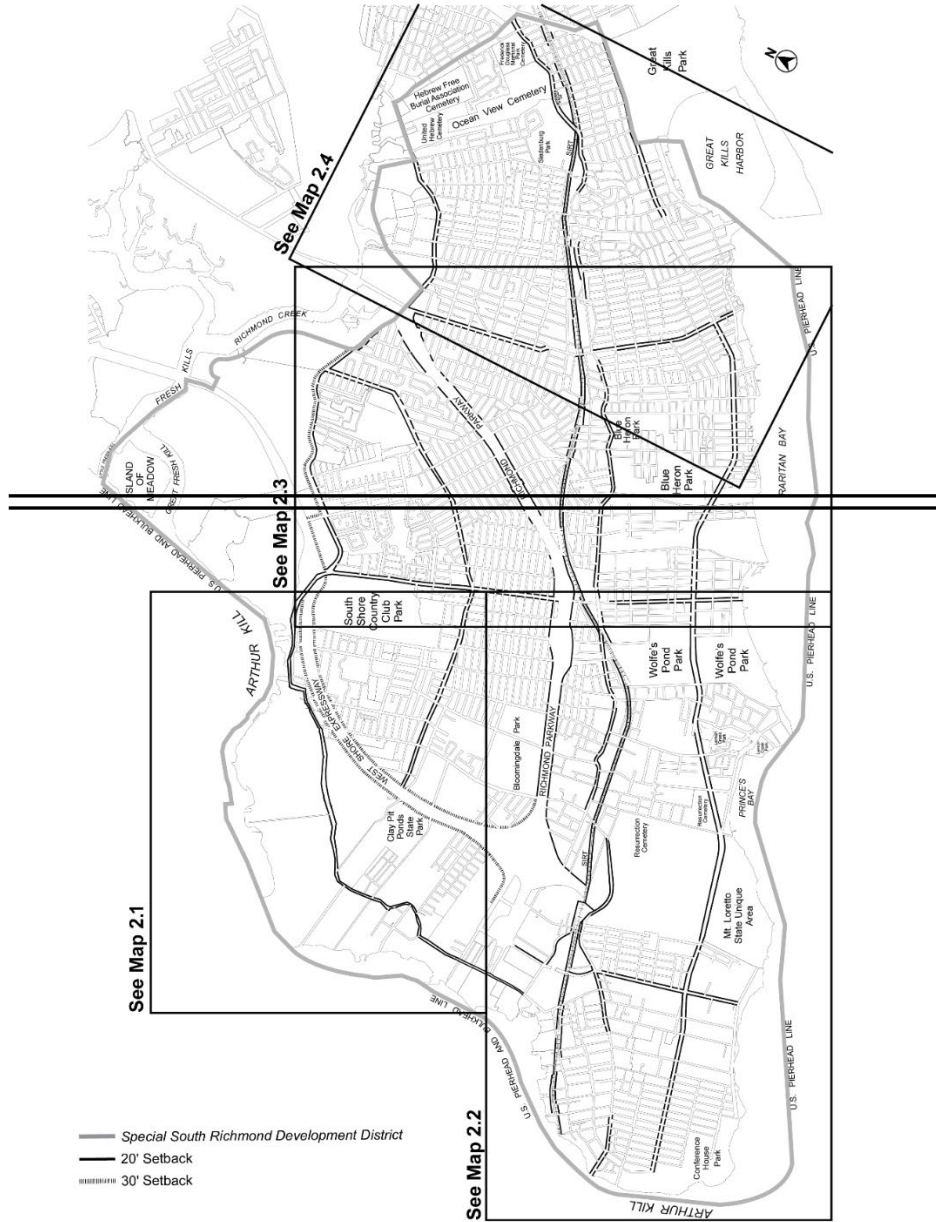
[EXISTING MAP]



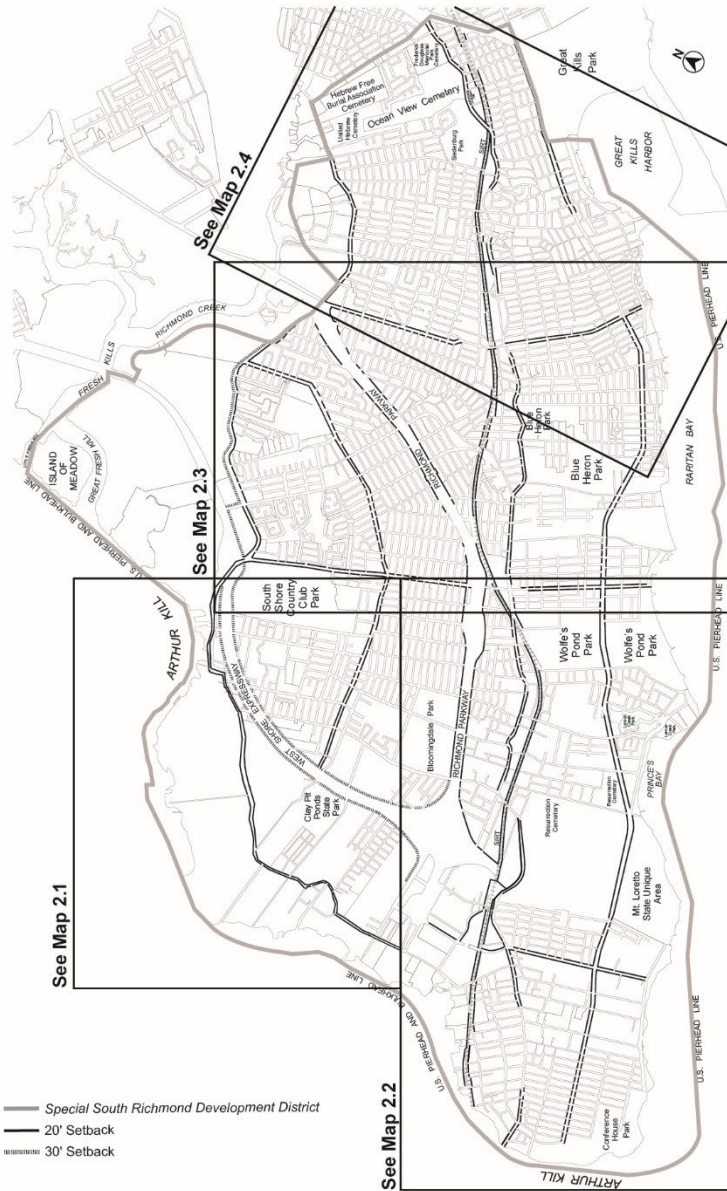
[PROPOSED MAP]

Appendix A

Map 2. Arterial Setback Plan (date of adoption)

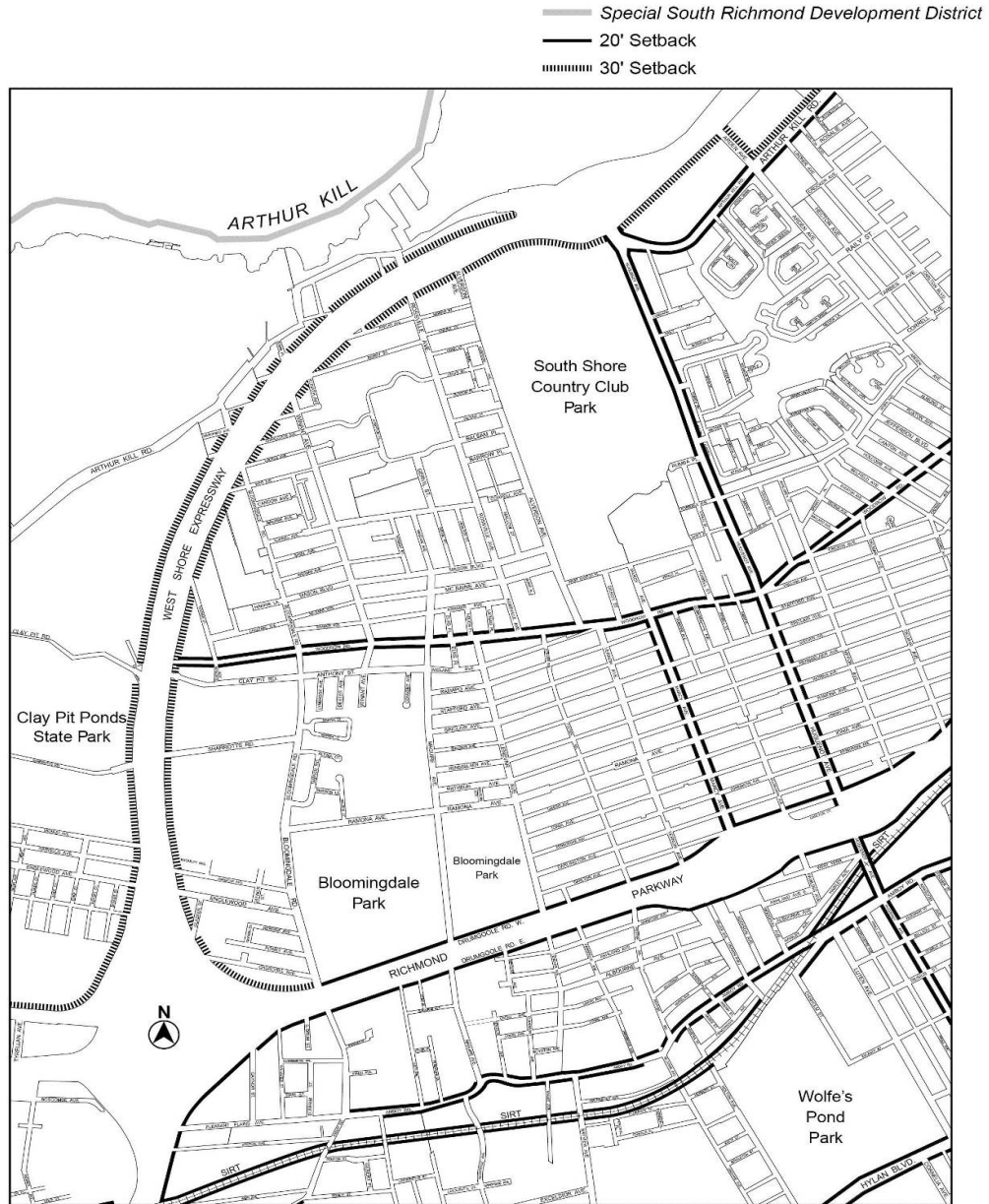


Appendix A
Map 2. Arterial Setback Plan (date of adoption)



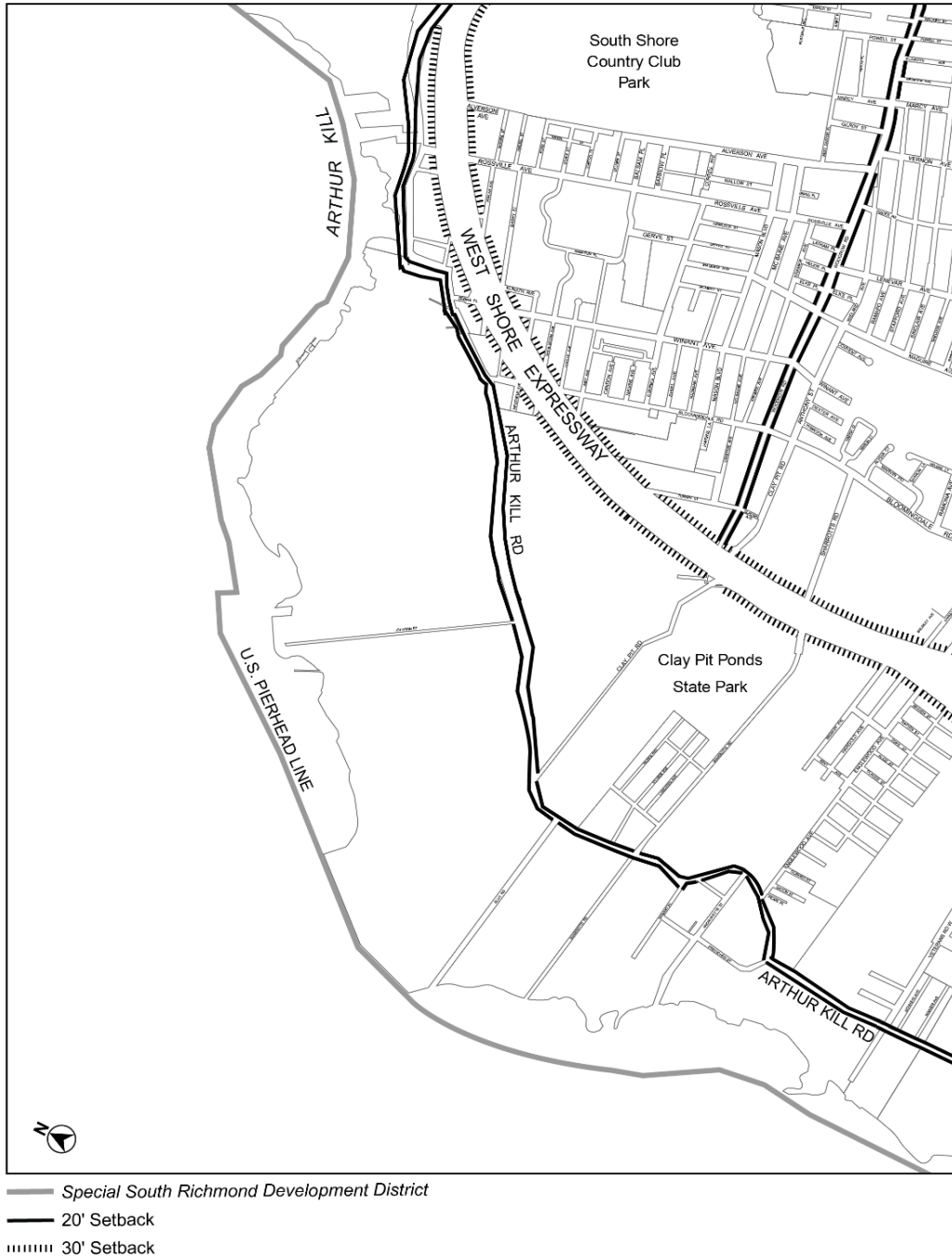
Map 2.1 — Arterial Setback Plan

[EXISTING MAP]



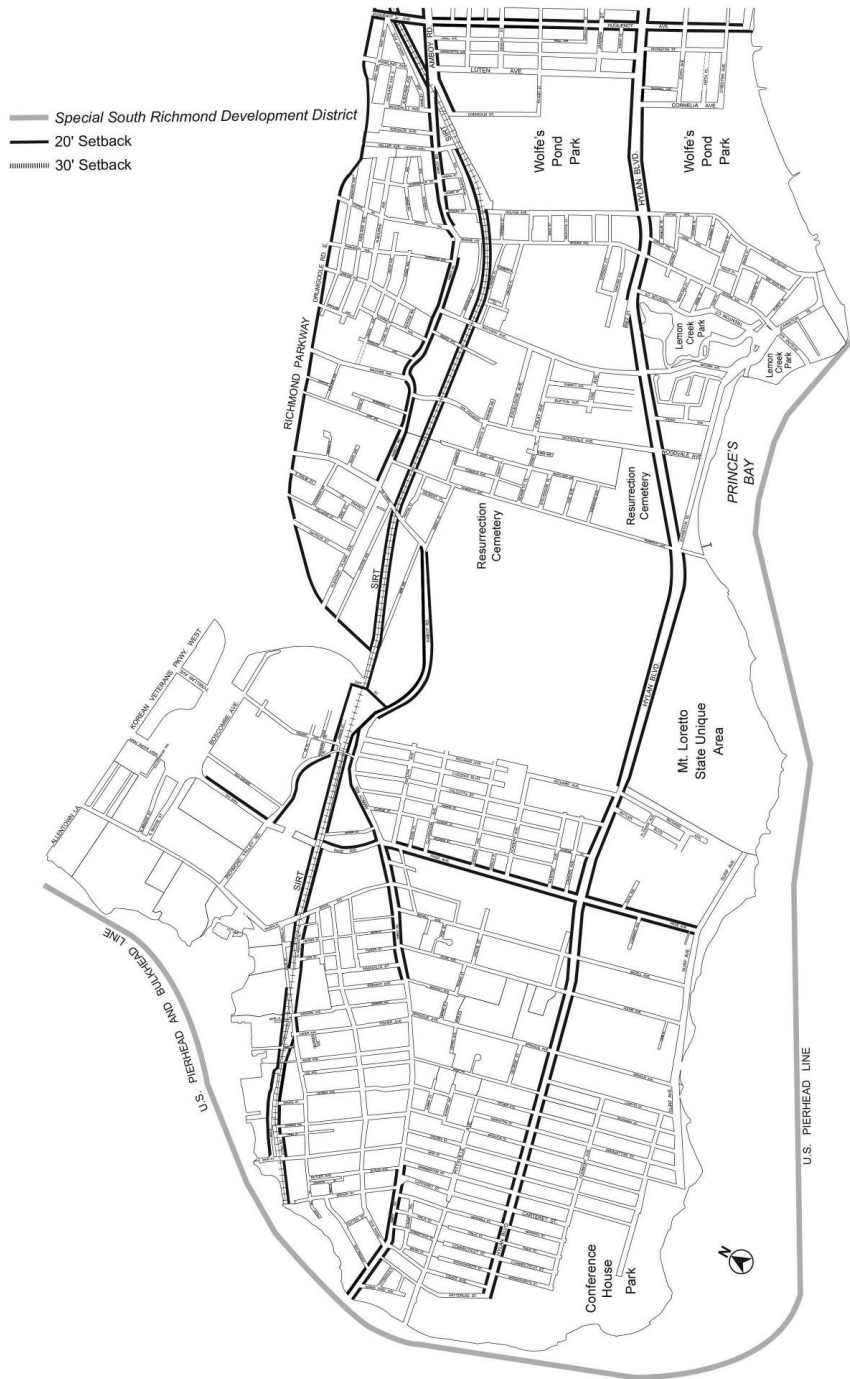
[PROPOSED MAP]

Map 2.1 Arterial Setback Plan (date of adoption)



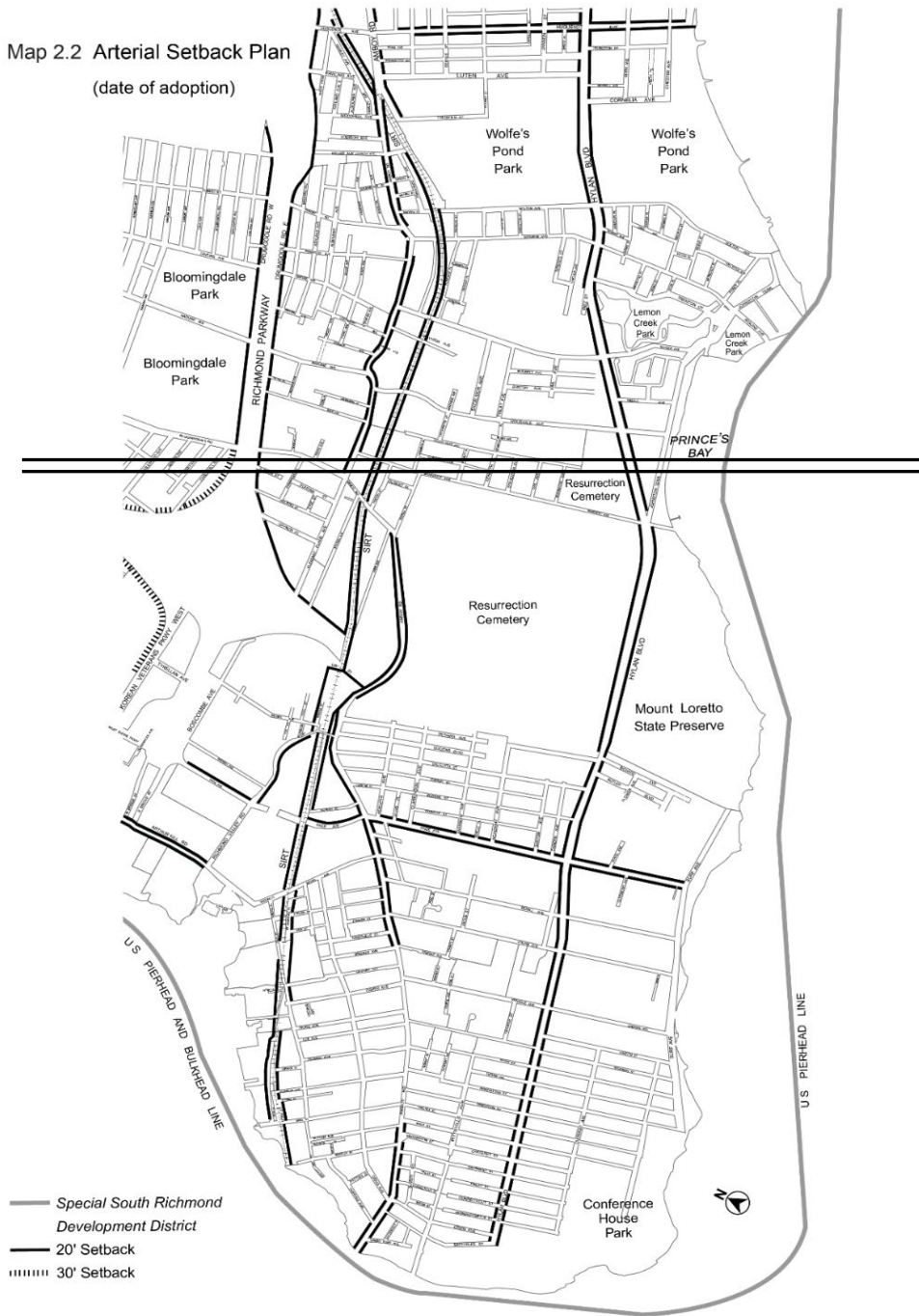
Map 2.2 — Arterial Setback Plan

[EXISTING MAP]



[PROPOSED MAP]

Map 2.2 Arterial Setback Plan
(date of adoption)

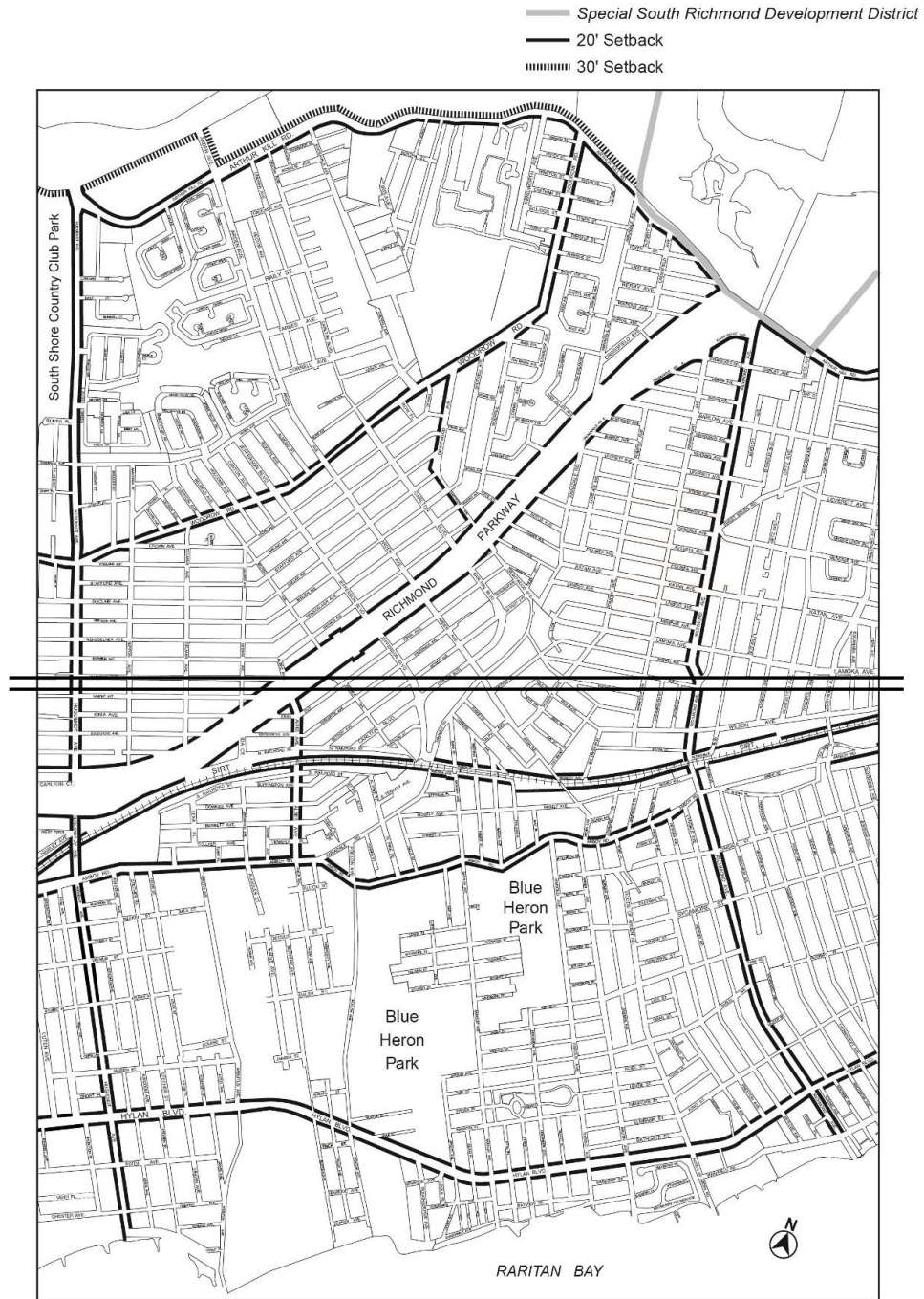


Map 2.2 Arterial Setback Plan
(date of adoption)



Map 2.3 — Arterial Setback Plan

[EXISTING MAP]



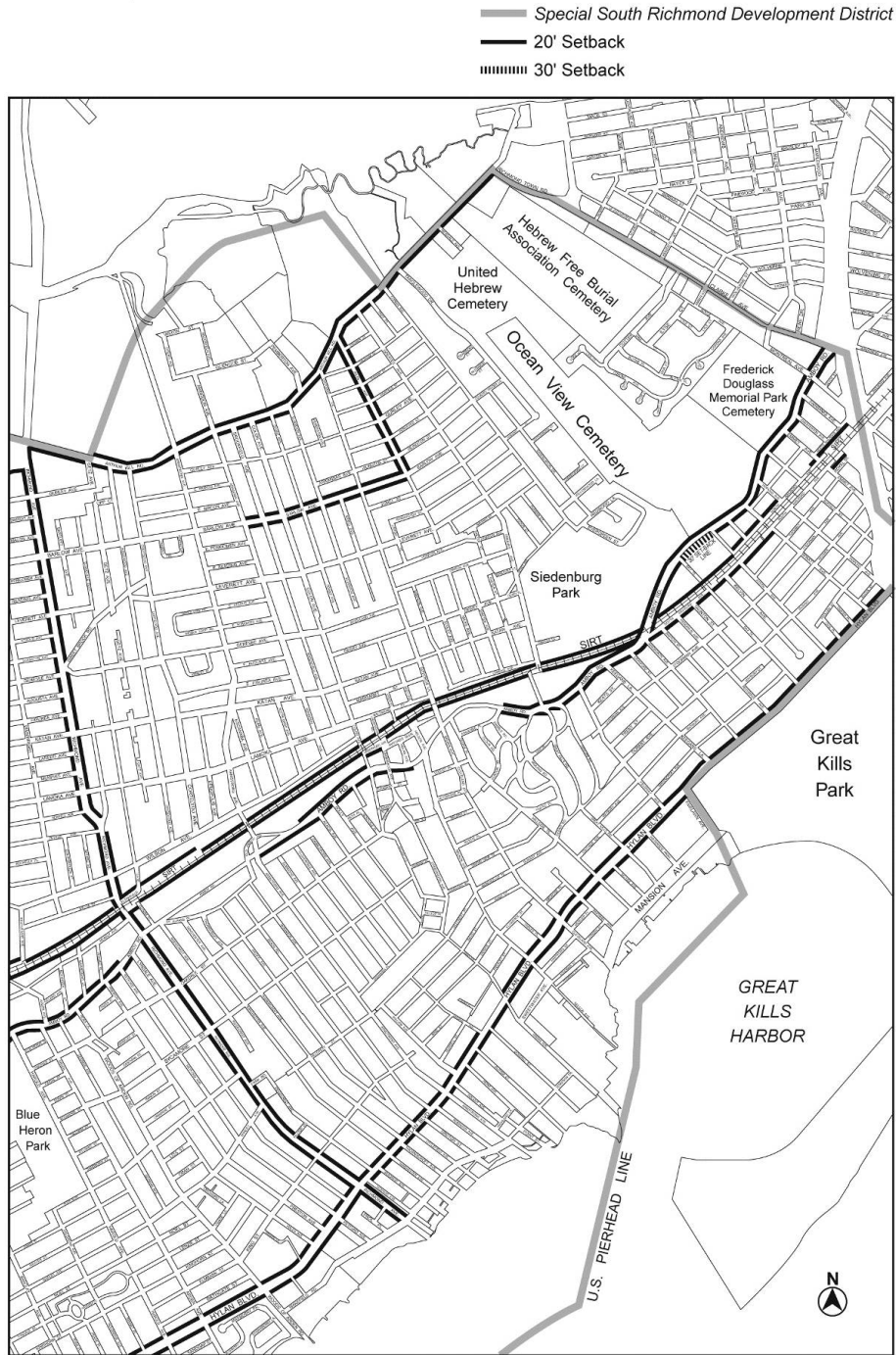
[PROPOSED MAP]

Map 2.3 Arterial Setback Plan (date of adoption)



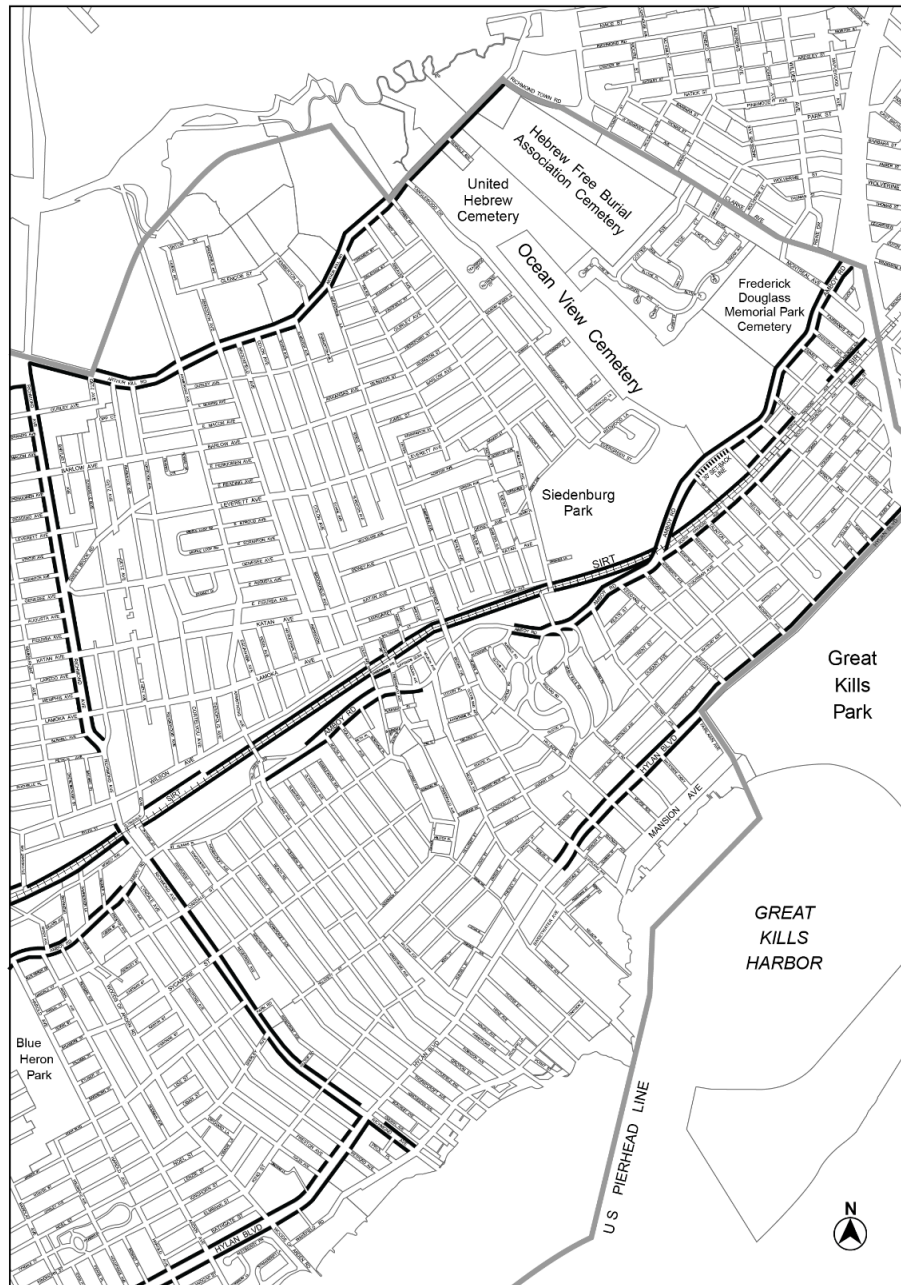
Map 2.4 — Arterial Setback Plan

[EXISTING MAP]



[PROPOSED MAP]

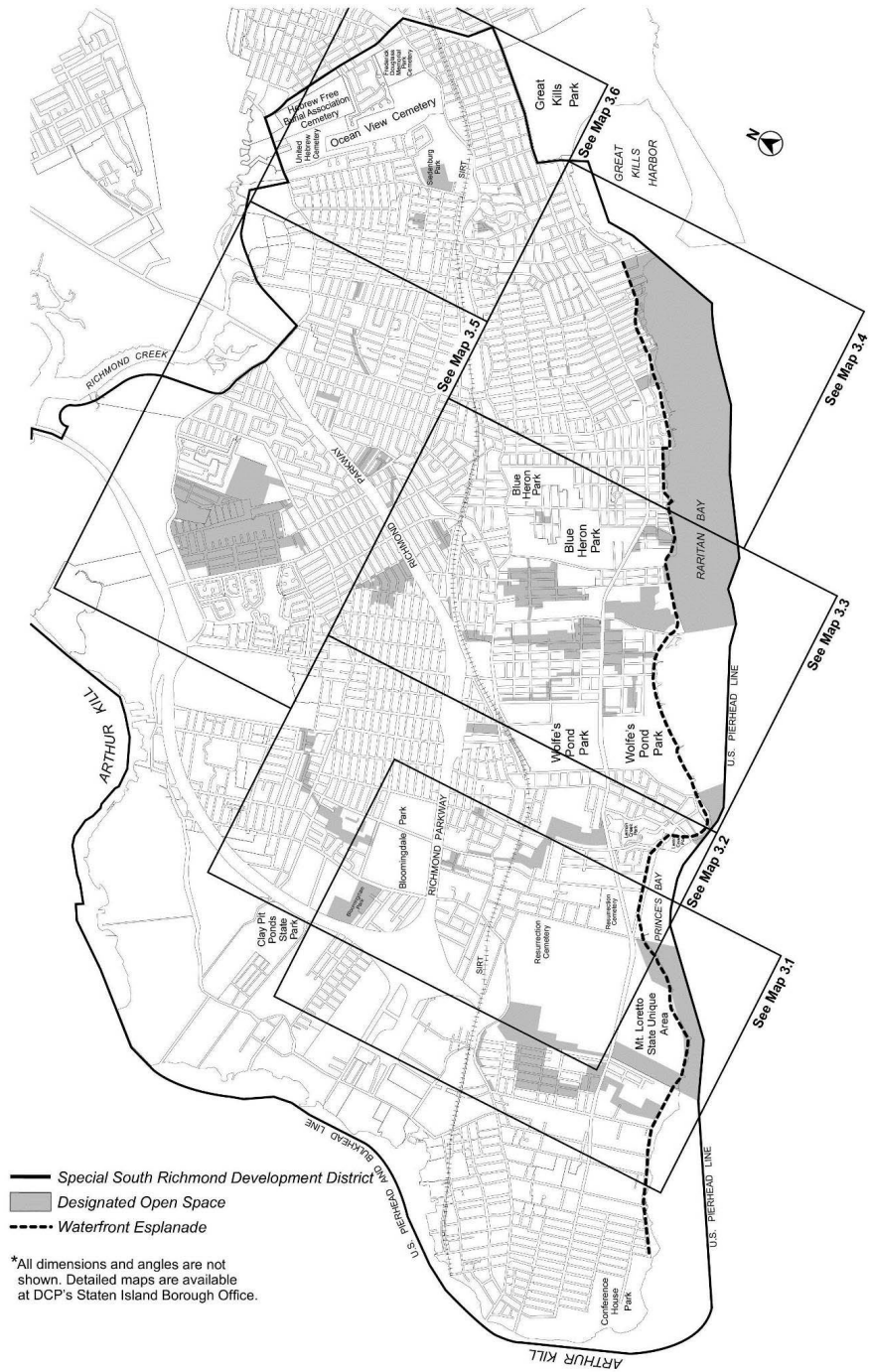
Map 2.4 Arterial Setback Plan (date of adoption)



- Special South Richmond Development District
- 20' Setback
- 30' Setback

Map 3 — Open Space Network

[EXISTING MAP]



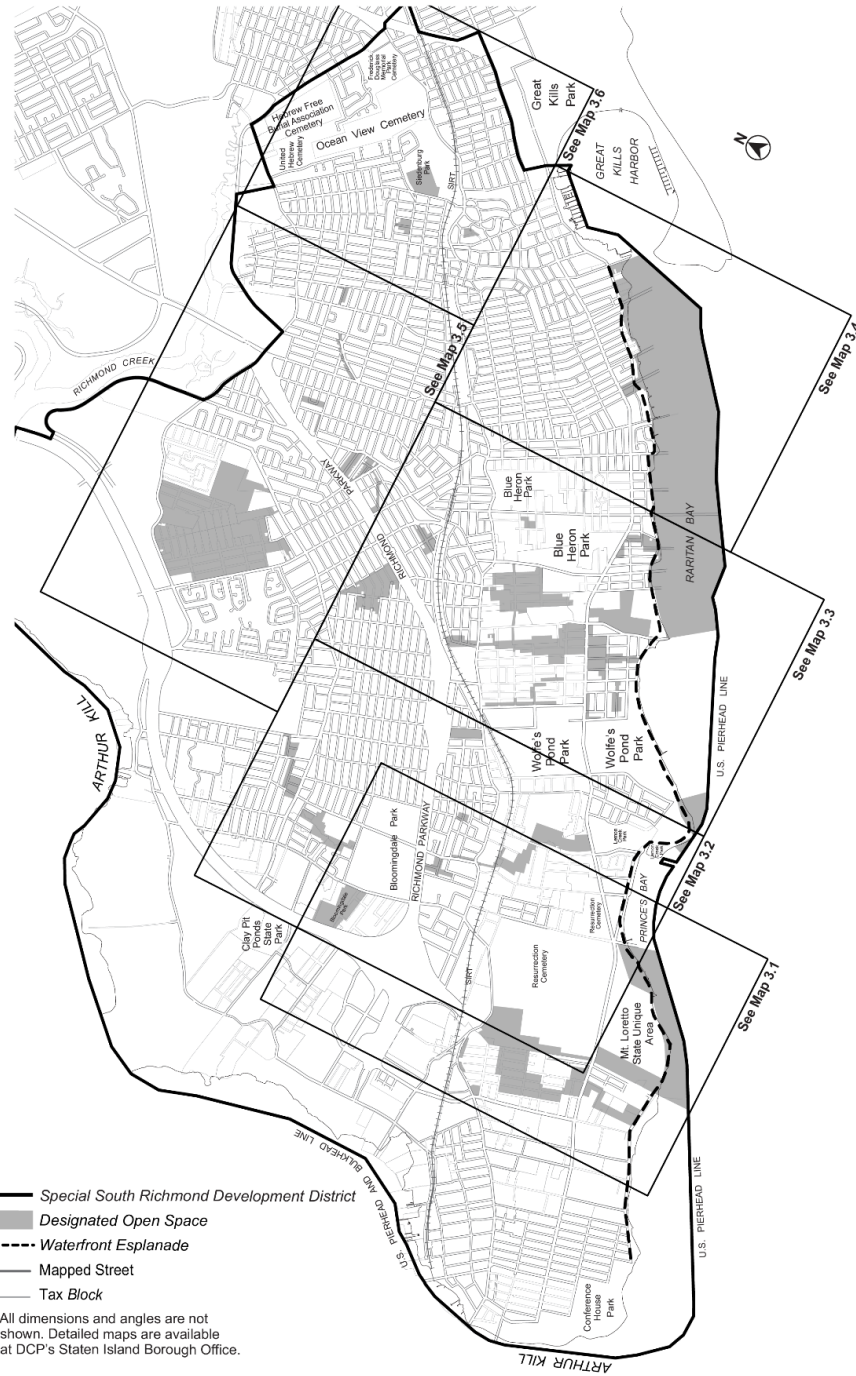
- Special South Richmond Development District
- Designated Open Space
- - - Waterfront Esplanade

*All dimensions and angles are not shown. Detailed maps are available at DCP's Staten Island Borough Office.

[PROPOSED MAP]

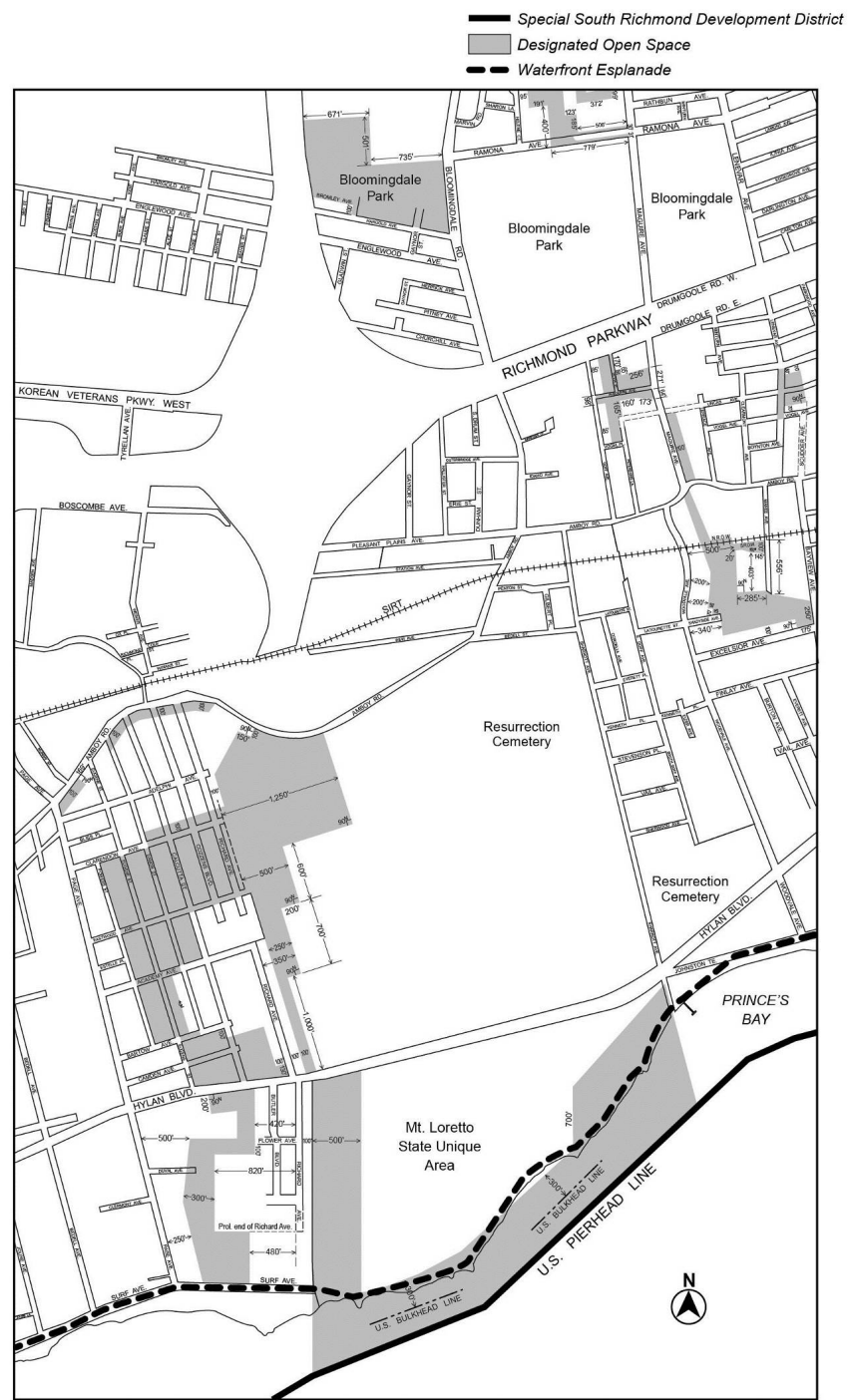
Appendix A

Map 3 Open Space Network (date of adoption)



Map 3.1 — Open Space Network

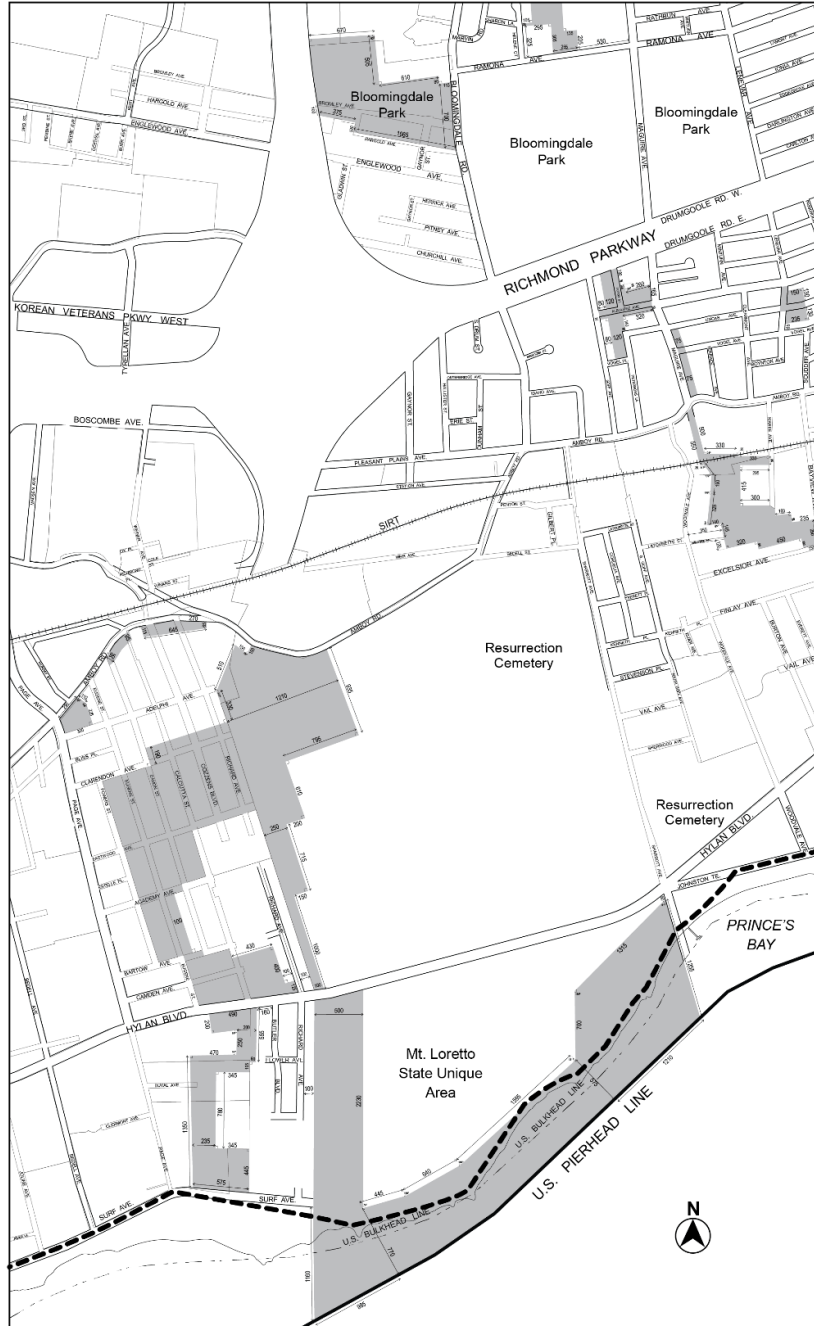
[EXISTING MAP]



[PROPOSED MAP]

Map 3.1 (date of adoption)

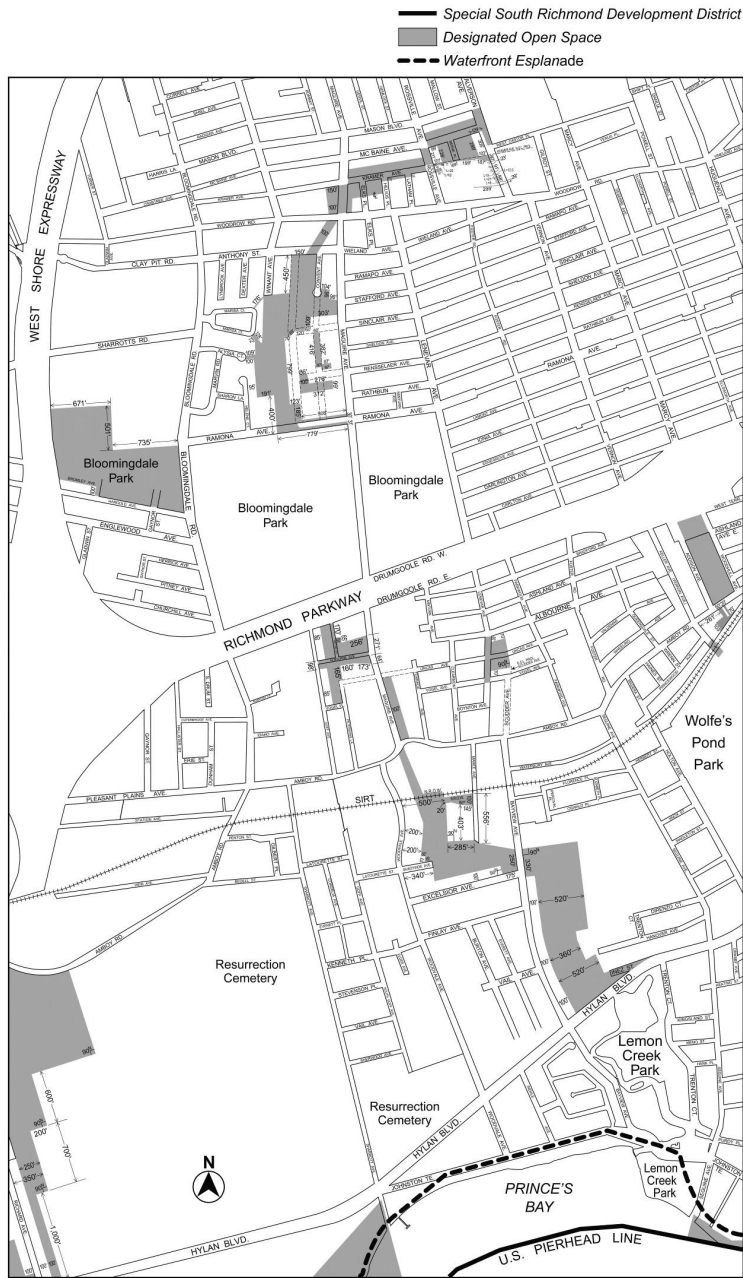
-  Special South Richmond Development District
-  Designated Open Space
-  Waterfront Esplanade
-  Mapped Street
-  Tax Block



*All dimensions are in feet

Map 3.2 — Open Space Network (6/29/11)

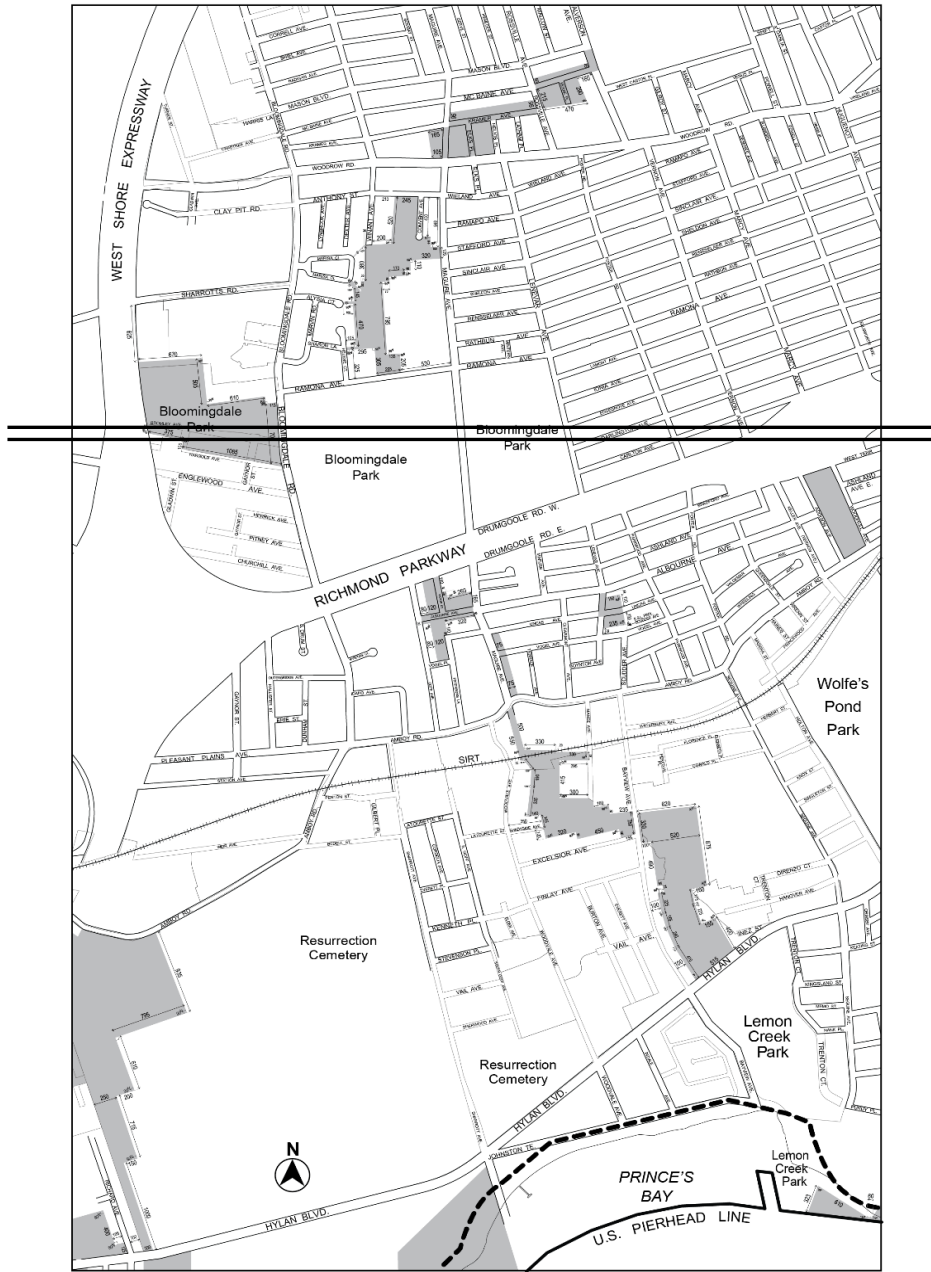
[EXISTING MAP]



[PROPOSED MAP]

Map 3.2 (date of adoption)

- Special South Richmond Development District
- Designated Open Space
- - - Waterfront Esplanade
- Mapped Street
- Tax Block



*All dimensions are in feet

Map 3.2 (date of adoption)

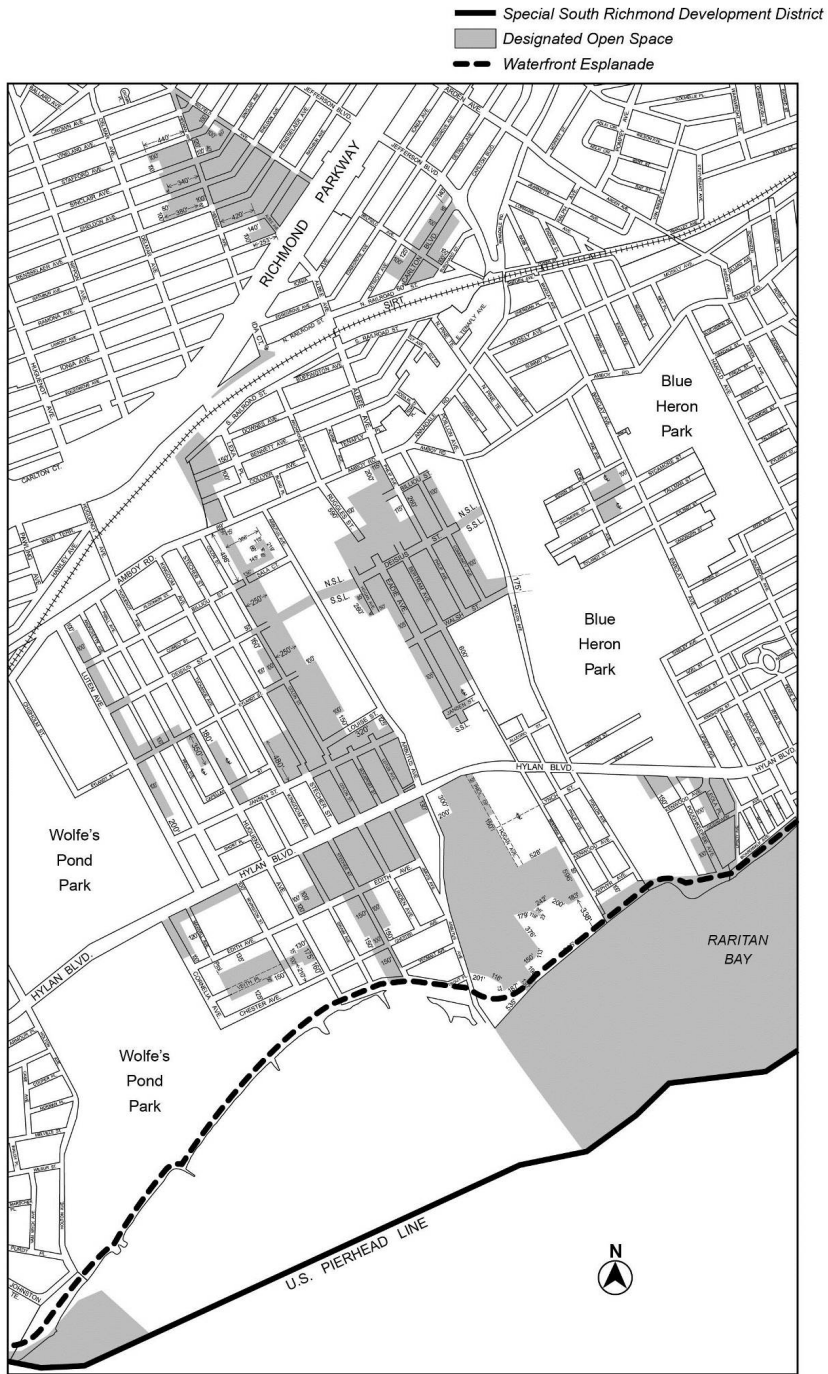
- Special South Richmond Development District
- Designated Open Space
- Waterfront Esplanade
- Mapped Street
- Tax Block



*All dimensions are in feet

Map 3.3 — Open Space Network

[EXISTING MAP]



[PROPOSED MAP]

Map 3.3 (date of adoption)

- Special South Richmond Development District
- Designated Open Space
- - - Waterfront Esplanade
- Mapped Street
- Tax Block



*All dimensions are in feet

Map 3.4 — Open Space Network (7/29/92)

[EXISTING MAP]

- Special South Richmond Development District
- Designated Open Space
- - - Waterfront Esplanade



[PROPOSED MAP]

Map 3.4 (date of adoption)

- Special South Richmond Development District
- Designated Open Space
- - - Waterfront Esplanade
- Mapped Street
- Tax Block



*All dimensions are in feet

3.5 — Open Space Network (10/22/81)

[EXISTING MAP]



[PROPOSED MAP]

Map 3.5 (date of adoption)

- Special South Richmond Development District
- Designated Open Space
- Mapped Street
- Tax Block

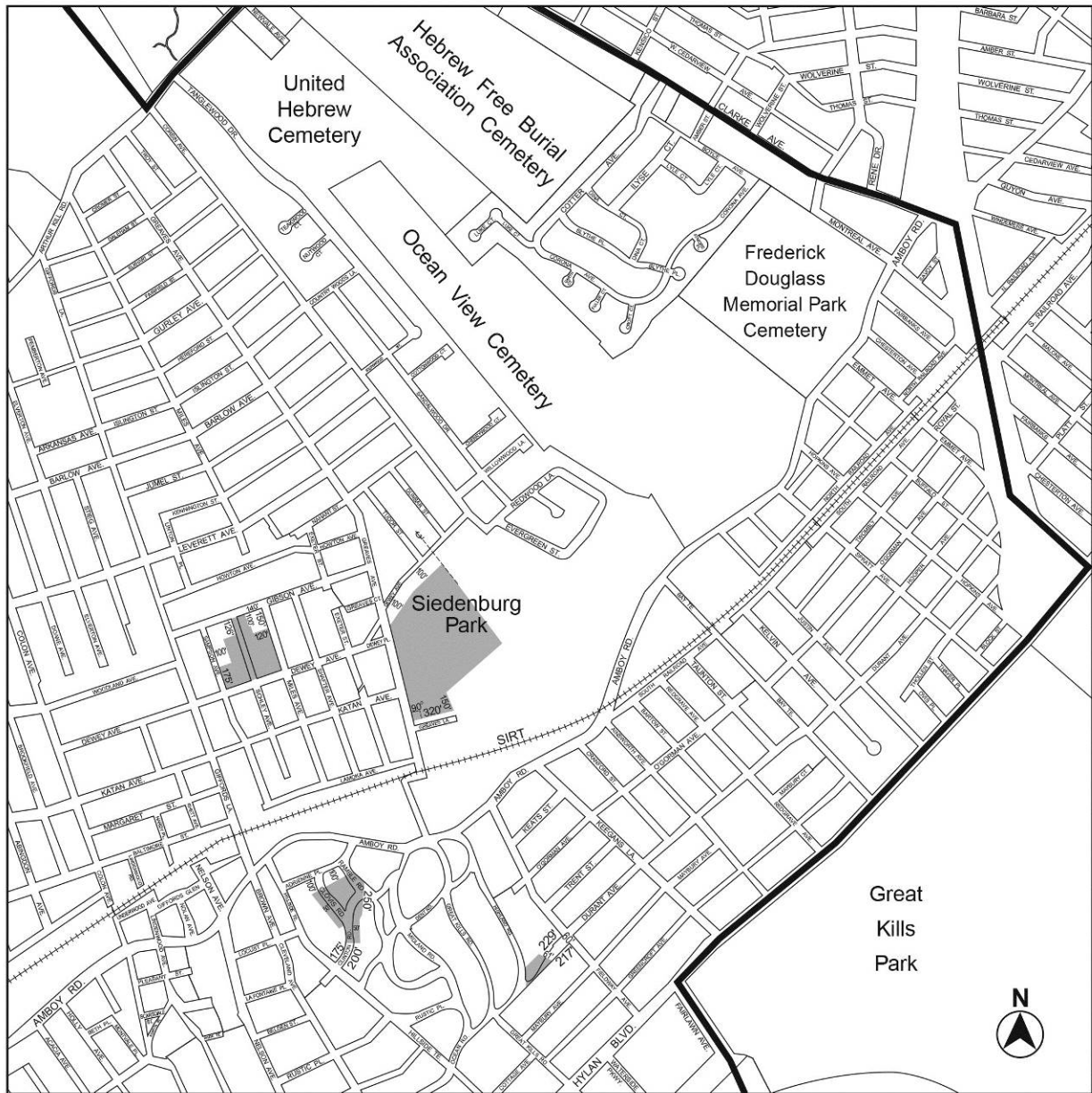


*All dimensions are in feet

Map 3.6 — Open Space Network

[EXISTING MAP]

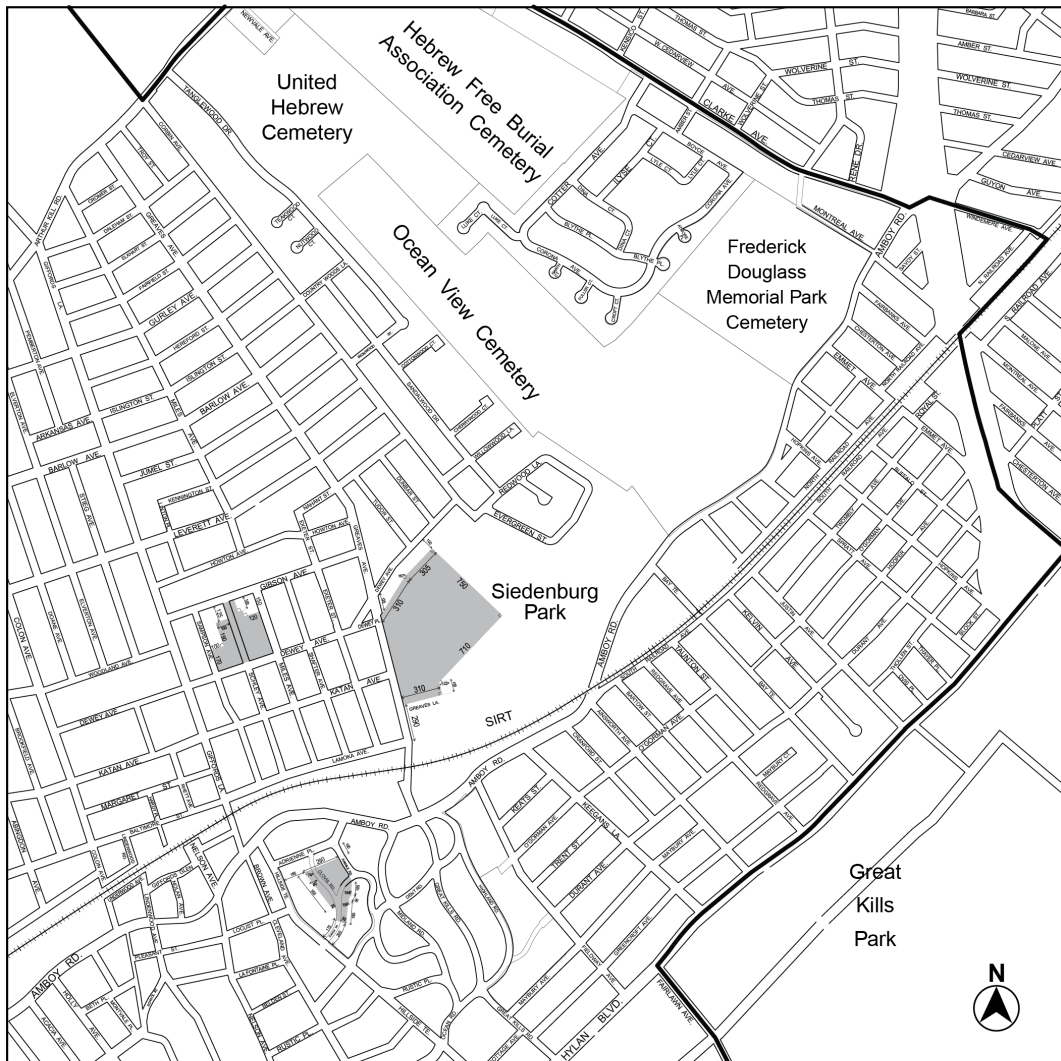
- Special South Richmond Development District
- Designated Open Space



[PROPOSED MAP]

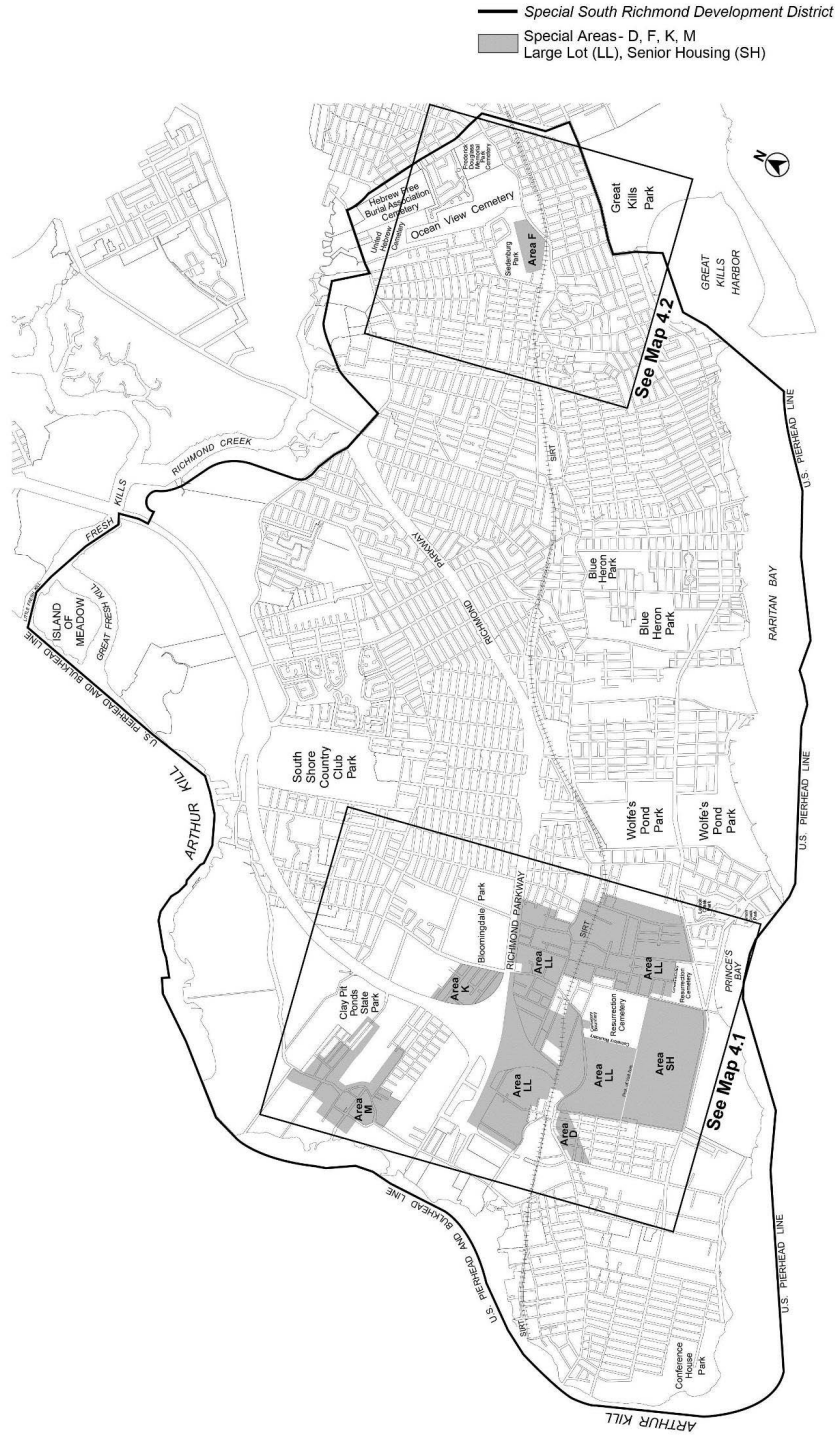
Map 3.6 (date of adoption)

-  Special South Richmond Development District
-  Designated Open Space
-  Mapped Street
-  Tax Block

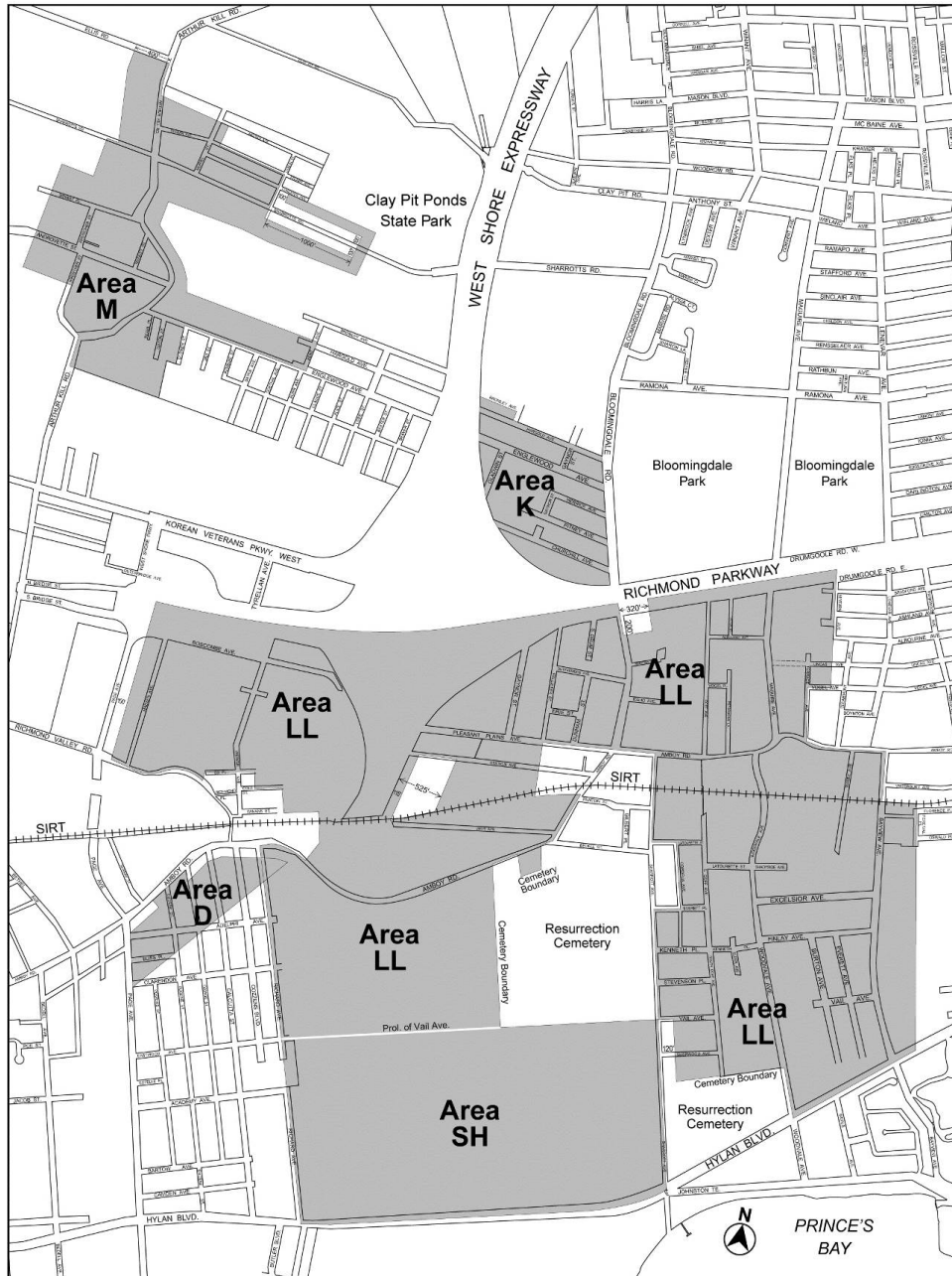


*All dimensions are in feet

Map 4 — Special Areas

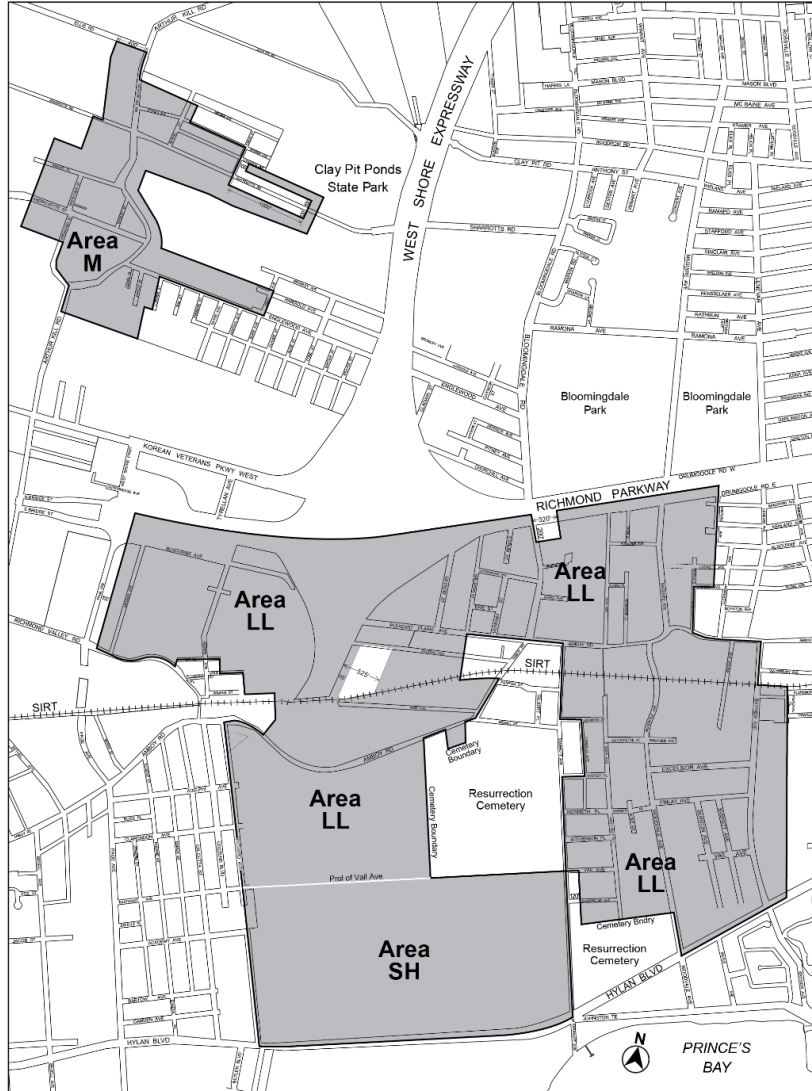


Map 4-4 — Special Areas D, K, LL, M and SH
[EXISTING MAP]

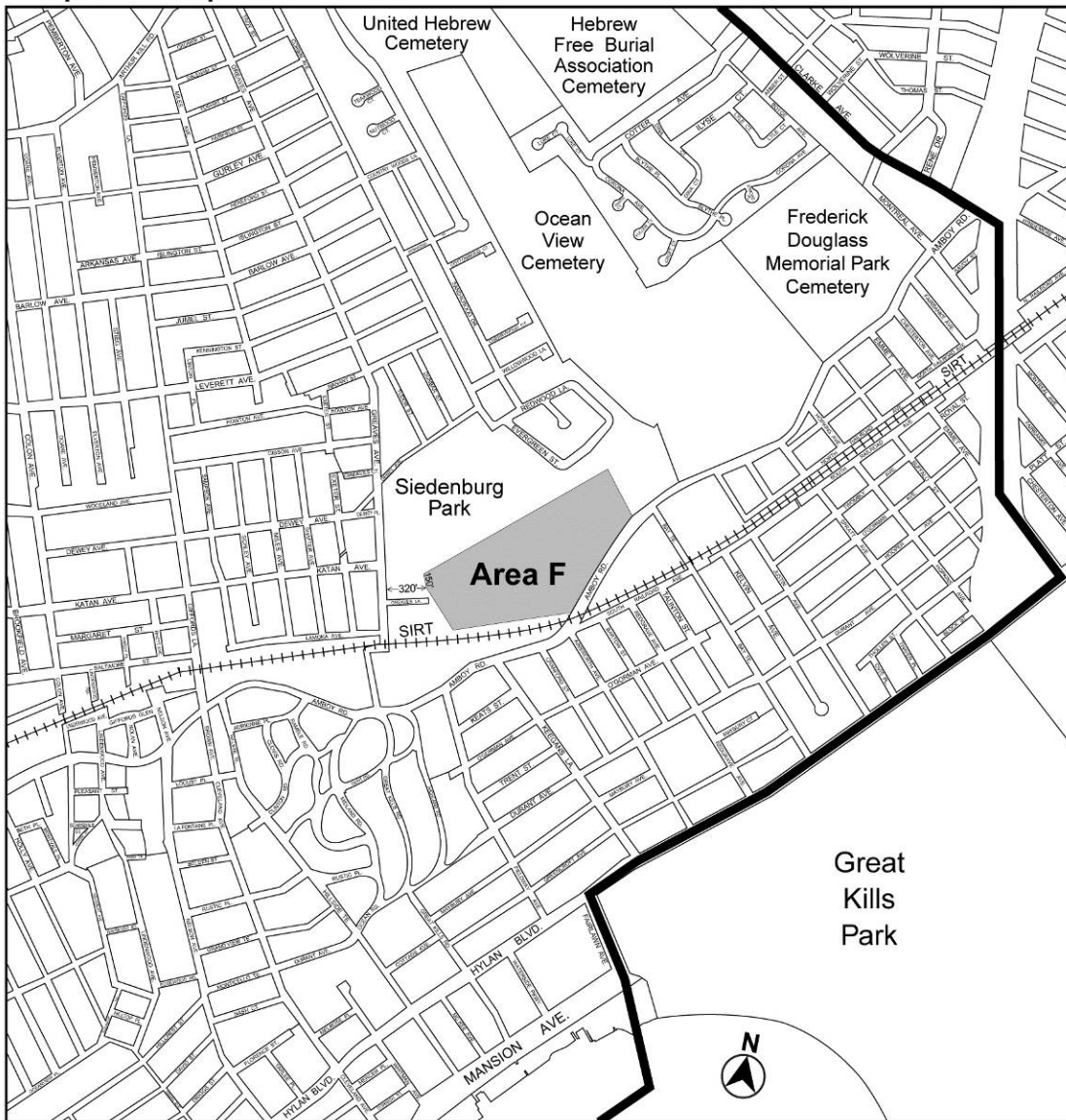


[PROPOSED MAP]

Appendix A (date of adoption)
Map 4. Special Areas LL, M and SH



Map 4.2 — Special Area F



Appendix B
Tree Selection Tables

Small Trees, 12–35 feet at mature height: Uses

Species	Use						
	Sidewalk	On Lot	Common open space	Screening	Setback	Park Street	Replacement
Crabapple (Malus)		*	*				*
Carolina Silver Bell (Halesia carolina)		*	*				
Flowering Cherry (Prunus)	*	*	*		*	*	*
Flowering Dogwood (Cornus florida)		*	*		*	*	*
Golden Rain Tree (Koelreuteria paniculata)	*	*	*			*	*
Hawthorne (Crataegus)		*	*		*		
Hedge Maple (Acer campestre)		*	*	*	*	*	*
Japanese Maple (Acer palmatum)		*	*		*		
Russian Mulberry (Morus alba ‘Tatarica’)		*	*			*	
Russian Olive (Elaeagnus angustifolia)	*	*	*				
Saucer Magnolia (Magnolia soulangeana)		*	*	*	*	*	*

Small Trees, 12–35 feet at mature height: Shape, Foliage, Advantages, Disadvantages and Characteristics.

Species	Shape	Foliage	Advantages	Disadvantages	Other Characteristics
Crabapple (Malus)	round	dense	moderate growth rate, easily transplanted, no maintenance	litters, needs full sun	flowering fruit, fall color: yellow-orange
Carolina Silver Bell (Halesia carolina)	round	light	withstands insects	requires well drained soil, requires moist soil	flowers, fall color
Flowering Cherry (Prunus)	round	light	tolerant of shade	short-lived	flowering
Flowering Dogwood (Cornus florida)	spreading	light	moderate growth rate, easily transplanted, no maintenance	needs wind protection, requires well drained soil	flowers, red fall color
Golden Rain Tree (Koelreuteria paniculata)	round	dense	all soils, rapid growth rate, tolerates city, easily transplanted	requires sun	flowers
Hawthorne (Crataegus)	round	dense	easily transplanted	needs pruning, thorns, intolerant of pests, slow growth	fall color: bronze, red
Hedge Maple (Acer campestre)	round	dense	all soils, tolerates city	requires well drained soil	fall color
Japanese Maple (Acer palmatum)	round	dense	no maintenance	slow growth rate, difficult to transplant	red fall color
Mulberry (Morus alba 'Tatarica')	round	dense	all soils, rapid growth rate	litters, needs wind protection, needs pruning	fruit
Russian Olive (Elaeagnus augustifolia)	spreading	light	withstands insects, grows in dry soil	requires sun	flowers
Saucer Magnolia					

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(Magnolia soulangeana)	round	dense	moderate growth rate, easily transplanted, tolerates city	requires well drained soil, requires rich moist soil, needs sun	flowers, bronze fall color
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Medium Trees, 35 – 75 feet at mature height: Uses

Species	Use						
	Sidewalk	On Lot	Common open space	Screening	Setback	Park Street	Replacement
American Yellowwood (Cladrastis lutea)		*	*				
Ash, Green (Fraxinus pennsylvatica lanceolata)	*	*	*	*	*	*	*
Bradford Pear (Pyrus calleryana)	*	*	*			*	*
Chinese Chestnut (Castanea mollissima)		*	*		*	*	*
Cork Tree, Amur (Phellodendron amurense)	*	*	*				
Elm, Smooth Leaf (Ulmus carpinifolia)	*	*	*	*	*	*	
Elm, Chinese (Ulmus parvifolia)		*	*			*	
Elm, Siberian (Ulmus pumila)		*	*			*	
European Beech (Fagus sylvatica)				*			*
European Hornbeam (Carpinus betulus)		*	*			*	
Honey Locust (Gleditsia triacanthos)							

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Katsura (<i>Cercidiphyllum japonicum</i>)	*	*	*		*	*	
Little Leaf Linden (<i>Tilia cordata</i>)	*	*	*		*	*	*
Maple, Norway (<i>Acer platanoides</i>)		*	*			*	*
Maple, Red (<i>Acer rubrum</i>)	*	*	*	*	*	*	*
Oak, Willow (<i>Quercus phellos</i>)	*		*				*
Poplar, Lombardi (<i>Populus nigra</i> 'Italica')		*	*	*	*	*	*
Zelkova, Japanese (<i>Zelkova serrata</i>)	*						*

Medium Trees, 35 – 75 feet at mature height: Shape, Foliage, Advantages, Disadvantages and Characteristics.

Species	Shape	Foliage	Advantages	Disadvantages	Other Characteristics
American Yellowwood (<i>Cladrastis lutea</i>)	round	dense	withstands insects	spreading shallow roots, difficult to transplant	flowers, yellow fall color
Ash, Green (<i>Fraxinus pennsylvatica lanceolata</i>)	round	dense	all soils, rapid growth rate, wind resistant	low insect resistance	fall color
Bradford Pear (<i>Pyrus calleryana</i>)	pyramidal	dense	tolerates city, withstands fire blight	needs pruning	flowers, fall color: bronze/red
Chinese Chestnut (<i>Castanea mollissima</i>)	spreading round	dense	rapid growth rate, withstands insects	requires well drained soil	fruit, fall colors
Cork Tree, Amur (<i>Phellodendron amurense</i>)	round	light	rapid growth rate, tolerates city, easily transplanted	litters	fruit, fall color: yellow
Elm, Smooth Leaf (<i>Ulmus carpinifolia</i>)	round	dense	rapid growth rate, withstands insects	blight	
Elm, Chinese (<i>Ulmus parvifolia</i>)	round-oval	dense	rapid growth rate, withstands insects	blight	
Elm, Siberian					

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(<i>Ulmus pumila</i>)	round	light	all soils, rapid growth rate, withstands insects	blight	
European Beech (<i>Fagus sylvatica</i>)	pyramidal	dense	easily transplanted, use as hedge if pruned	slow growth rate, requires well drained soil	fall color: bronze
European Hornbeam (<i>Carpinus betulus</i>)	round	dense	all soils, withstands insects	slow growth rate, requires sun	fruit, fall color
Honey Locust (<i>Gleditsia triacanthos</i>)	open-headed	light	moderate growth rate, tolerates city, all soils	litters, needs sun	fall color: pale yellow
Katsura (<i>Cercidiphyllum japonicum</i>)	round	dense	no maintenance rapid growth rate, disease free	prefers open sunny site	fall color: yellow some scarlet or purple
Little Leaf Linden (<i>Tilia cordata</i>)	oval-pyramidal	dense	withstands insects, tolerates city, easily transplanted	needs maintenance, slow growth rate	fall color: pale yellow
Maple, Norway (<i>Acer platanoides</i>)	columnar	dense	tolerates city, rapid growth rate, easily transplanted no maintenance	surface roots	fall color: yellow
Maple, Red (<i>Acer rubrum</i>)	round	dense	rapid growth rate, easily transplanted resists disease	litters	fall color: scarlet/ orange yellow
Oak, Willow (<i>Quercus phellos</i>)	pyramidal-spreading	dense	rapid growth rate, easily transplanted	prefers moist soil, can't withstand cold winter	fall color: yellow
Poplar, Lombardi (<i>Populus nigra 'Italica'</i>)	fastigiata	light-dense	easily transplanted rapid growth rate	short-lived, needs maintenance, roots pry open sewers	fall color: yellow
Zelkova, Japanese (<i>Zelkova serrata</i>)		dense	all soils, rapid growth rate		

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Large Trees, 75 feet or more at mature height: Uses

Species	Use						
	Sidewalk	On Lot	Common-open space	Screening	Setback	Park Street	Replacement
American Beech (<i>Fagus grandifolia</i>)		*	*			*	*
Black Gum (Sour Gum) (<i>Nyssa sylvatica</i>)		*	*				
Cucumber Tree (<i>Magnolia acuminata</i>)		*	*				
European White Birch (<i>Betula pendula</i>)		*	*			*	*
Ginkgo (<i>Ginkgo biloba</i>)	*	*	*	*	*	*	*
Japanese Pagoda (<i>Sophora japonica</i>)	*	*	*				*
Kentucky Coffee Tree (<i>Gymnocladus dioica</i>)		*	*	*	*	*	*
Linden, Silver (<i>Tilia petiolaris</i>)	*	*	*		*		*
Locust, Black (<i>Robinia pseudoacacia</i>)		*	*		*	*	
Maple, Silver (<i>Acer saccharinum</i>)		*	*			*	*
Maple, Sugar (<i>Acer saccharum</i>)		*	*			*	*
Oak - Pin (<i>Quercus palustris</i>)		*	*		*	*	*
Oak, Red (<i>Quercus borealis</i>)	*	*	*		*	*	*
Oak, White (<i>Quercus alba</i>)		*	*				
Sweetgum (<i>Liquidambar styraciflua</i>)	*	*	*	*		*	

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Sycamore, London Plane (<i>Platanus acerifolia</i>)	*	*	*	*	*	*	*
Tulip Tree (<i>Liriodendron tulipifera</i>)		*	*			*	*
Blue Atlas Cedar (<i>Cedrus atlantica</i> 'Glaucua')		*	*	*	*		*
Douglas Fir (<i>Pseudotsuga menziesii</i>)		*	*	*	*		*
Eastern White Pine (<i>Pinus strobus</i>)			*	*	*		*

Large Trees, 75 feet or taller at mature height: Shape, Foliage, Advantages, Disadvantages and Characteristics.

Species	Shape	Foliage	Advantages	Disadvantages	Other Characteristics
American Beech (<i>Fagus grandifolia</i>)	round	dense	hedge use if pruned, wind resistant, easily transplanted	slow growth rate, shallow roots	fall color: bronze
Black Gum (Sour Gum) (<i>Nyssa sylvatica</i>)	pyramidal	dense	withstands insects, moderate growth rate no maintenance	difficult to transplant	fall color: scarlet/ orange
Cucumber Tree (<i>Magnolia acuminata</i>)	pyramidal (varies)	dense	withstands insects, rapid growth rate, grows in partial shade/sun		flowers
European White Birch (<i>Betula pendula</i>)	pyramidal	light	easily transplanted rapid growth rate withstands insects	needs protection, prefers cold climate	fall color: yellow
Ginkgo (<i>Ginkgo biloba</i>)	columnar pyramidal spreading	light	all soils, withstands insects, tolerates city, easily transplanted	slow growth rate, avoid female	fall color: pale yellow
Japanese Pagoda (<i>Sophora japonica</i>)	round weeping	light	all soils, withstands insects, tolerates city,	needs maintenance, requires sun	flowers, fall color: yellow

			easily transplanted rapid growth rate		
Kentucky Coffee Tree (Gymnocladus dioica)	fastigate	light	all soils, long life, withstands insects, long life	needs protection, requires sun, slow growth rate	
Linden, Silver (Filia petiolaris)	fastigate	dense	rapid growth rate, withstands heat & drought		fall color: pale yellow
Locust, Black (Robinia pseudoacacia)	columnar	light	all soils, tolerates city, rapid growth rate	susceptible to insects	flowers
Maple, Silver (Acer saccharinum)	fastigate	dense	rapid growth rate, easily transplanted	brittlewood, needs maintenance	fall color: red/ yellow-orange
Maple, Sugar (Acer saccharum)	fastigate	dense	easily transplanted long life	slow growth rate, little tolerance for city	fall color: scarlet/ yellow- orange
Oak, Pin (Quercus palustris)	pyramidal	dense	all soils, withstands insects, rapid growth rate, easily transplanted	needs maintenance	fall color: scarlet
Oak, Red (Quercus borealis)	oval	dense	tolerates city, grows faster than other oaks, easily transplanted		fall color: red
Oak, White (Quercus alba)	round	dense	holds leaves in winter	slow growth rate, prefers dry soil	
Sweetgum (Liquidambar styraciflua)	pyramidal	dense	moderate growth rate, withstands insects	difficult to transplant	flowers, fall color
Sycamore, London Plane (Platanus Acerifolia)	round- spreading	light-dense	all soils, tolerates city, easily transplanted rapid growth rate	overplanted in NYC, susceptible to fungus	
Tulip Tree (Liriodendron tulipifera)	pyramidal		withstands insects	requires well drained soil	flowers, fall color
Blue Atlas Cedar (Cedrus atlantica 'Glauca')	pyramidal	evergreen	moderate growth rate, easily transplanted no maintenance		
Douglas Fir (Pseudotsuga menziesii)	pyramidal	evergreen	easily transplanted rapid growth rate	needs protection	

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Eastern White Pine (Pinus strobus)	pyramidal	evergreen	easily transplanted rapid growth rate	requires well drained soil	
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Please feel free to contact me at WVidal@council.nyc.gov if you or your staff have any questions in this regard.

Sincerely,



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William Vidal,
Deputy General Counsel

WV:SFN

- C: Members, City Planning Commission
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- Brian Paul, Deputy Director
- Chelsea Kelley, Deputy Director
- Arthur Huh, Deputy General Counsel
- Timothy Anderson, Project Manager
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