



North Flushing Rezoning - **Approved!**

Overview

Update April 22, 2009:

On April 22, 2009, the City Council adopted North Flushing Rezoning. The zoning changes are now in effect.

The Department of City Planning proposes zoning changes for all or portions of 257 blocks in the northeastern Queens neighborhood of North Flushing, Community Districts 7 and 11. The rezoning area is generally bounded by Union Street to the west; the Clearview Expressway and Francis Lewis Boulevard to the east; 25th Avenue to the north, and Northern Boulevard and Depot Road to the south.

The North Flushing Rezoning was undertaken by the Department of City Planning in response to requests from local council members, Community Boards 7 and 11 and local civic associations. The rezoning builds upon previous lower-density and contextual rezonings in the adjacent neighborhoods of East Flushing, Whitestone and Bayside adopted by City Council in 2005. Additionally, thirty-four blocks in Auburndale, generally bounded by the Clearview Expressway, 26th Avenue, Francis Lewis Boulevard and 34th Avenue were rezoned with changes adopted by the City Council in 1995.

Over the last several years, the neighborhoods that make up the North Flushing Rezoning area: North Flushing, Broadway-Flushing, Auburndale and Bayside have been experiencing development pressure largely due to outdated zoning which generally has remained unchanged since 1961 when the current Zoning Resolution was adopted. The area's R3-2, R4, R5 and R6 zoning districts allow a variety of housing types and densities that are inconsistent with the prevailing scale and built character of the North Flushing Rezoning area. In areas zoned for single-family detached residences, large new homes have been constructed that are out-of-scale with the surrounding context.

The proposed zoning would change existing zoning designations using newer lower density and [contextual zoning](#) districts to more closely reflect the predominate low scale, one- and two- family residential character of the neighborhood and ensure that future development is more consistent with the existing built form.

The proposal consists of three principal components:

Lower Density / Contextual Zoning Changes: Protect neighborhood character and reinforce established building scale by replacing existing zoning on 257 blocks (R1-2, R2, R3-2, R4, R4-1, R5 and R6) with lower density or contextual zoning districts where appropriate (R2A, R2, R3X, R3-1, R3-2, R4, R4A, R4-1, R4B, R5B and R5D).

Citywide Text Change: Modify ZR Section 11-12 to establish a citywide R1-2A district which can be mapped in appropriate residentially developed areas. The proposed R1-2A district will provide firmer regulations to curb over-scaled single-family homes within 24 blocks of the Broadway-Flushing section of the rezoning area.

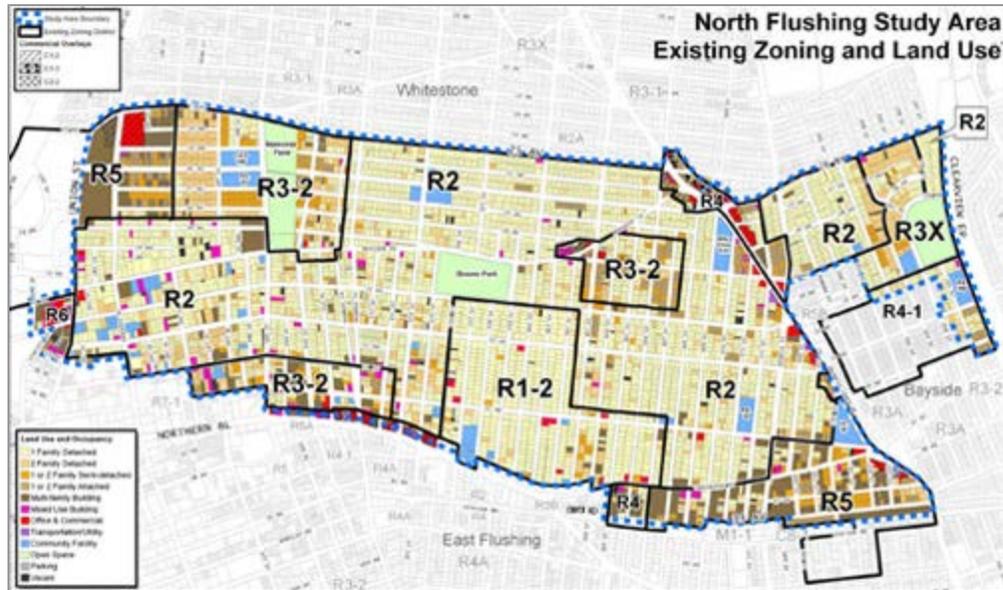
Commercial Overlay Changes: Replace existing C1-2 commercial overlay zones with C1-3 zones and remove or reduce the depths of commercial overlay zones from 150 feet to 100 feet to prevent commercial intrusion onto residential blocks and better reflect the location of existing commercial uses.



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Existing Zoning

There are currently eight residential zoning districts (R1-2, R2, R3X, R3-2, R4-1, R4, R5 and R6) within the North Flushing Rezoning area. The existing residential zoning districts allow a variety of building envelopes and housing types that are inconsistent with the prevailing scale, density and built character of North Flushing. Commercial overlay districts within the rezoning area (C1-2 and C1-3) are mapped along portions of Bayside Lane, Francis Lewis Boulevard, and Parsons Boulevard.



Existing Zoning Map - [View a larger image](#)

R1-2

The R1-2 district permits one-family, detached residences on lots that have a minimum area of 5,700 square-feet and a minimum width of 60 feet. The maximum floor area ratio (FAR) is 0.5. There is no maximum building height; instead, the building's maximum height is determined by the sky exposure plane, which has a varying height depending on where the building is located on its zoning lot beyond the minimum required front yard. Community facilities are permitted at a maximum FAR of 0.5. One parking space per dwelling unit is required.

R2

The R2 district permits one-family, detached residences on lots that have a minimum area of 3,800 square-feet and a minimum width of 40 feet. The maximum FAR is 0.5. There is no maximum building height; instead, the building's maximum height is determined by the sky exposure plane, which has a varying height depending on where the building is located on its zoning lot beyond the minimum required front yard. Community facilities are permitted at a maximum FAR of 0.5. One parking space per dwelling unit is required.

R3X

The R3X district permits one- or two- family detached residences and requires a minimum lot width of 35 feet, and a minimum lot area of 3,325 square feet. The maximum FAR is 0.6 which includes a 0.1 attic allowance. The maximum building height is 35 feet with a maximum perimeter wall height of 21 feet. Community facilities are permitted at a maximum FAR of 1.0. One parking space per dwelling unit is required.

R3-2

The R3-2 district is the lowest-density general residence district in which multi-family structures are permitted. A variety of housing types are permitted, including garden apartments, row houses and semi-detached and detached houses. The maximum FAR is 0.6 which includes a 0.1 attic allowance. Minimum lot width and lot area depend upon the housing configuration: detached residences require a 40-foot lot width and 3,800 square feet of lot area; other housing types require lots that have at least 18 feet of width and 1,700 square feet of area. The maximum building height is 35 feet, with a maximum perimeter wall height of 21 feet. Community facilities are permitted a maximum FAR of 1.0. One parking space is required for each dwelling unit.

R4-1

The R4-1 district permits one- and two-family detached and semi-detached residential development. The maximum FAR is 0.9, which includes a 0.15 attic allowance. For detached development the minimum lot area is 2,375 square feet and the minimum lot width is 25 feet. For semi-detached development the minimum lot area is 1,700 square feet and the minimum lot width is 18 feet. The maximum building height is 35 feet, with a maximum perimeter wall height of 25 feet. Community facilities are permitted an FAR of 2.0. One parking space is required for each dwelling unit.

R4

The R4 district allows the same variety of housing types as the R3-2 district but at a slightly higher density. The maximum FAR is 0.9, which includes a 0.15 attic allowance. Detached residences require a minimum area of 3,800 square feet, and which also have a minimum lot width of 40 feet. Semi-detached and attached residences require lots with a minimum area of 1,700 square feet and a minimum lot width of 18 feet. The maximum building height is 35 feet with a maximum perimeter wall height of 25 feet. In a [predominantly built up area](#), a maximum FAR of 1.35 is permitted with the R4 [infill](#) provision. Community facilities are permitted at an FAR of 2.0. One parking space is required for each dwelling unit.

R5

R5 zoning districts allow all housing types including detached, semi-detached, attached and multi-family residences. The maximum FAR for all housing types is 1.25. Detached residences require lots with a minimum area of 3,800 square feet, and a minimum lot width of 40 feet. All other housing types require lots with a minimum area of 1,700 square feet and a minimum lot width of 18 feet. The maximum building height is 40 feet, with a maximum perimeter wall height of 35 feet. In a predominantly built up area, a maximum FAR of 1.65 is permitted with the R5 infill provisions. Community facilities are permitted an FAR of 2.0. Off street parking in a grouped facility is required for 85% of the dwelling units.

R6

R6 zoning districts allow all housing types. R6 is a [height factor](#) district wherein residential and community facility uses are permitted with no height limits and a maximum FAR of up to 2.43 for residential uses and up to 4.8 FAR for buildings containing community facility uses. Development utilizing the optional [Quality Housing Program](#) has a maximum FAR of 2.2 on narrow streets with a 55-foot building height limit and a maximum of 3.0 FAR on wide streets with a height limit of 70 feet. Off-street parking is required for 70% of the dwelling units. For development using the Quality Housing Program or if the lot area is less than 10,000 square feet off-street parking is required is for 50% of the dwelling units. In R6 districts, if fewer than five spaces are required, then off-street parking is waived.

C1 Commercial Overlays

C1 districts are mapped within residential districts and permit the Use Groups 1 through 6, which allow the kinds of daily retail and service establishments commonly found near residential neighborhoods. When mapped in residential districts R1 through R5 the maximum commercial FAR is 1.0; when mapped in an R6 district the maximum FAR is 2.0. Off-street parking requirements vary with the use. Most retail uses require one accessory parking space per 300 square feet of commercial floor space, although the requirements may range between one space per 200 square feet and one space per 800 square feet.



Out of character multi-family building on 29th Avenue in an existing R3-2 district



Two-family detached homes on 203rd Street in an existing R2 district



Out of scale detached building on 160th Street in an existing R2 district



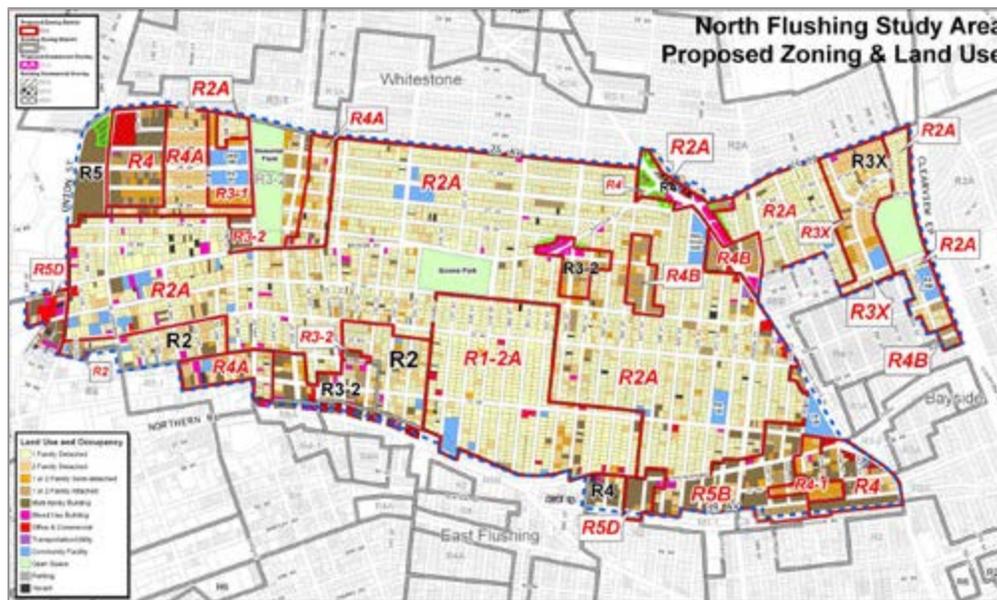
Single-family detached homes on 205th Street in an existing R4-1 district

North Flushing Rezoning - **Approved!** Proposed Zoning

The North Flushing Rezoning proposal includes zoning map and zoning text amendments that would reinforce the established neighborhood character and prevent out-of-context development, establish a framework for future residential development that more closely reflects the surrounding built context and prevent commercial uses from encroaching onto residential side streets. [View the zoning comparison chart.](#)

Zoning Map Amendments

The principal objectives of the North Flushing rezoning proposal are to reinforce the established neighborhood character and prevent out-of-context development, establish a framework for future residential development that more closely reflects the surrounding built context and prevent commercial uses from encroaching onto residential side streets.



Proposed Zoning and Land Use Map - [View a larger image](#)

R1-2A (from R1-2)

R1-2A zoning is proposed on all or portions of 24 blocks generally bounded by 32nd Avenue to the north, Crocheron Avenue to the south, 163rd and 167th Street to the east and 156th Street to the west. The R1-2A district is a proposed new zoning district (described below) that permits only single-family, detached homes at a maximum FAR of 0.5 and requires a minimum lot width of 60 feet and a minimum lot area of 5,700 square feet. R1-2A has a maximum building height of 35 feet and a maximum perimeter wall height of 25 feet. The maximum lot coverage under R1-2A is 30% excluding any exterior garage in the calculation. The floor area exemptions are more limited in the proposed R1-2A district and are limited to no more than 300 square feet for a one car garage and 500 square feet for a two car garage when located in the lowest floor of a residence. One parking space per dwelling unit is required.



Single-family detached homes 158th Street in a proposed R1-2A district

R2A (from R2, R3X, R3-2, R4-1, R4 and R5)

R2A zoning is proposed on all or portions of 165 blocks in the North Flushing, Bowne Park, Auburndale and Bayside sections of the study area.

The proposed R2A districts permit only single-family, detached homes at a maximum FAR of 0.5. Unlike R2 districts, in the R2A there is no attic allowance and floor area exemptions are more limited and include no more than 300 square feet for enclosed accessory parking. The maximum building height in R2A districts is 35 feet and the maximum perimeter wall height is 21 feet. In addition to the 15-foot minimum front yard requirement, a deeper front yard would be required (up to 20 feet) if needed to line up with the yard depth of an adjacent building. The maximum lot coverage under R2A is 30%, including any exterior garage in the calculation. One parking space per dwelling unit is required.



Single-family detached homes on 200th Street in a proposed R2A district

R2 (from R1-2 and R6)

R2 zoning is proposed on portions of one block in North Flushing on both sides of 143rd Street between 33rd and 34th Avenues and one block in Beechhurst between Powell's Cove Boulevard and Riverside Drive on the east side of 159th Street. The R2 district permits single-family, detached residences on lots that have a minimum area of 3,800 square-feet and a minimum width of 40 feet. The maximum FAR is 0.5. Community facilities are permitted at a maximum FAR of 0.5. One parking space per dwelling unit is required.

The proposed extensions of the existing R2 districts would better reflect the scale and lot configuration of existing development. The proposed R2 zoning on the one block portion in Beechhurst would allow all of to comply with the district's minimum required lot width.

R3X (R2 and R4-1)

R3X zoning is being proposed for portions of 4 blocks in Bayside generally located north of 29th Avenue and south of 26th Avenue between 202nd and 203rd Street and south side of 32nd Avenue between 201st and 205th Streets. The R3X district permits one- or two- family detached houses with a maximum FAR of 0.6 which includes a 0.1 attic allowance. R3X districts require a minimum lot width of 35 feet and a minimum lot area of 3,325 square feet. In addition to the 10-foot minimum front yard requirement, a deeper front yard would be required to match the yard depth of an adjacent building up to 20 feet. The maximum building height is 35 feet with a maximum perimeter wall height of 21 feet.



Two-family detached homes on 203rd Street in proposed R3X district

The proposed R3X district would more closely reflect the existing one- or two- family detached character in these areas.

R3-1 (from R3-2)

R3-1 zoning is proposed on all or portions of 5 blocks generally north of 25th Drive and south of 25th Avenue between 147th and 149th Streets. The R3-1 district permits one- or two-family detached or semi-detached homes with an FAR of 0.6 which includes a 0.1 attic allowance. The minimum lot width for detached structures is 40 feet and the minimum lot area is 3,800 square feet. Semi-detached homes require lots that are at least 18 feet wide with a minimum 1,700 square feet. A front yard of at least 15 feet is required. The maximum building height is 35 feet with a maximum perimeter wall height of 21 feet. One parking space is required for each dwelling unit.



Semi-detached homes on 27th Ave in a proposed R3-1 district

The R3-1 zoning would more closely reflect the existing one- or two-family semi-detached character in the area.

R3-2 (from R2)

R3-2 zoning is proposed for all or portions of 3 blocks in North Flushing generally located north of Bayside Avenue and south of 28th Avenue between 148th and 149th Street and north of 34th Avenue and south of 33rd Avenue between Murray Lane and 153rd Street. The R3-2 district is the lowest-density general residence district in which multi-family structures

are permitted. A variety of housing types are permitted, including garden apartments, row houses and semi-detached and detached houses. The maximum FAR is 0.5, plus a 0.1 attic allowance. Minimum lot width and lot area depend upon the housing configuration: detached structures require a 40-foot lot width and lot area of 3,800 square feet; other housing types require a lot width of 18 feet and a lot area of 1,700 square feet. A front yard of at least 15 feet is required. The maximum perimeter wall height is 21 feet and the maximum building height is 35 feet. Community facilities are permitted an FAR of 1.0. One parking space is required for each dwelling unit.



Garden apartments on Bayside Ave in a proposed R3-2 district

The proposed R3-2 zoning would more closely reflect the existing garden apartment and multi-family housing currently in these areas.

R4A (from R3-2 and R5)

R4A zoning is proposed on all or portions of 18 blocks generally located north of 29th Avenue and south of 25th Avenue between Parsons Boulevard and 149th Street; north of Bayside Avenue and South of 25th Avenue between 150th Street and Murray Lane; and north of 35th Avenue and south of 34th Avenue between 146th Street and 149th Place. The proposed R4A district would limit future development to one- and two-family detached residences and allow a maximum FAR of 0.9, including a 0.15 attic allowance. The minimum lot area is 2,850 square-feet and the minimum lot width in R4A districts is 30 feet. A front yard of at least 10 feet is required and must be as deep as an adjacent front yard. The maximum building height is 35 feet with a maximum perimeter wall height of 21 feet. One off-street parking space is required for each dwelling unity.



Two-family detached home on 26th Ave in a proposed R4A district

The proposed R4A district more closely reflects the larger one and two-family homes in these areas and ensures more predictable building patterns in the future.

R4-1 (from R5)

R4-1 zoning is proposed in one area of Auburndale on all or portions of 6 blocks generally located north of 39th Avenue and south of 35th Avenue between 190th and 194th Streets. The R4-1 district allows one- and two-family detached and semi-detached residential development. The maximum FAR is 0.9, which includes a 0.15 attic allowance. For detached development the minimum lot area is 2,375 square feet and the minimum lot width is 25 feet. For semi-detached development the minimum lot area is 1,700 square feet and the minimum lot width is 18 feet. A front yard of at least 10 feet is required and must be as deep as an adjacent front yard. The maximum building height is 35 feet, with a maximum perimeter wall height of 25 feet. Community facilities are permitted an FAR of 2.0. One parking space is required for each dwelling unit.



Semi-detached homes on 192nd Street in a proposed R4-1 district

The proposed R4-1 zoning would more closely reflect the one-and two-family detached and semi-detached character of the area and ensure that future development better matches the scale of existing development.

R4B (R2, R3-2, R4-1 and R4)

R4B zoning is proposed on all or portions of 11 blocks located generally located north of 32nd Avenue and south of 27th Avenue between 166th and 168th Street; on the east and west sides of Francis Lewis Boulevard between 28th and 30th Avenues; and on the north and south sides of 34th Avenues between 205th Street and the Clearview Expressway. The R4B district permits one and two family residences and is primarily characterized by low-rise row houses. The R4B district allows a maximum FAR of 0.9. Detached residences require a minimum lot area of 2,375 square feet and a

minimum lot width of 25 feet. All other housing types require a minimum area of 1,700 square feet and a minimum lot width of 18 feet. A front yard of at least 5 feet is required and must be as deep as an adjacent front yard. The maximum building height is 24 feet. Community facilities are permitted an FAR of 2.0. One parking space is required for each dwelling unit and is not permitted in the front yard.



Two-story rowhouses on 167th Street in a proposed R4B district

The proposed R4B zoning would more closely reflect areas that are predominantly developed with one- and two-family rowhouses with parking located in rear alleys.

R4 (from R2 and R5)

R4 zoning is proposed on all or portions of 12 blocks in North Flushing and Auburndale located generally north of 29th Avenue and south of 25th Avenue between Parsons Boulevard and 146th Street; north of 39th Avenue and south of Crocheron Avenue between 192nd Street and Francis Lewis Boulevard; and north of Bayside Land and south of 25th Drive between Francis Lewis Boulevard and 166th Street. The R4 district permits a variety of housing types including detached, semi-detached and attached. The maximum FAR is 0.9, which includes a 0.15 attic allowance. Detached residences require a minimum lot area of 3,800 square feet and a minimum lot width of 40 feet. Semi-detached and attached residences require a minimum of 1,700 square feet in area and a minimum lot width of 18 feet. A front yard of at least 10 feet is required and if the front yard exceeds 10 feet then a front yard depth of 18 feet is required. The maximum building height is 35 feet with a maximum perimeter wall height of 25 feet. In a predominantly built up area, a maximum FAR of 1.35 is permitted with the R4 infill provision. Community facilities are permitted at an FAR of 2.0. One parking space is required for each dwelling unit.

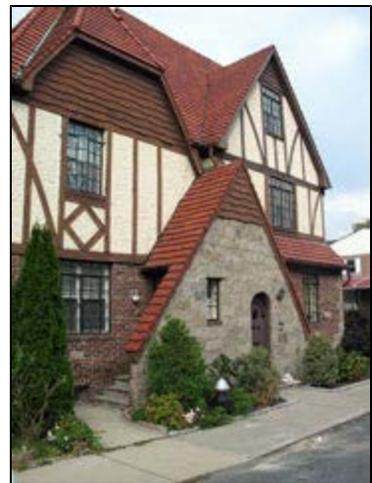


Two-story apartment building on 37th Ave in a proposed R4

R5B (from R2 and R5)

R5B zoning is proposed on all or portions of 19 blocks in Auburndale. The proposed R5B district will permit all housing types at maximum FAR of 1.35. Detached residences require a minimum lot area of 2,375 square feet and a minimum lot width of 25 feet. Semi-detached and attached residences require a minimum of 1,700 square feet in area and a minimum lot width of 18 feet. A front yard of at least 5 feet is required and must be as deep as an adjacent front yard. The maximum street wall height is 30 feet and the maximum building height is 33 feet. Parking is required for 66% of the total dwelling units.

The proposed R5B will reinforce existing built scale and context in this area which is predominately two- and three-story garden apartments and rowhouses with access to rear parking.



Three-story apartment building at 37th Ave and 190th Street in a proposed R5B district

R5D (from R2, R5 and R6)

R5D zoning is proposed on all or portions of 5 blocks in North Flushing and Auburndale. The proposed R5D district would permit all types of residential buildings and permit a maximum FAR of 2.0. Detached residences require a minimum lot area of 2,375 square feet and a minimum lot width of 25 feet.

Semi-detached and attached residences require a minimum of 1,700 square feet in area and a minimum lot width of 18 feet. A front yard of at least 5 feet is required and must be as deep as an adjacent front yard. R5D districts allow a maximum building height of 40 feet. In R5D districts, off-street group parking is required for 66% of the dwelling units. Accessory residential parking can be waived if no more than one space is required.

The proposed R5D will provide for a more predictable building envelope for future development in the North Flushing area currently zoned R6. Typical buildings in R6 districts can range from three- to twelve-stories and the proposed R5D would limit new development to a maximum building height of 40 feet. In areas currently zoned R2 and R5 in Auburndale the proposed R5D would bring better reflect the building type of existing development.



Apartment building at 37th Ave and 168th Street in a proposed R5D district

Commercial Overlay District Modifications

The Department proposes to remove commercial overlay districts on Parsons Boulevard and Francis Lewis Boulevard which are predominately residential in character. Selected C1-2 overlays on Francis Lewis Boulevard and Bayside Lane would be changed to C1-3 overlays and their depths districts would be reduced from 150 feet to 100 feet to preclude commercial development in the residential mid-blocks. Additionally, one new C1-3 commercial overlay is proposed on one block east of Francis Lewis Boulevard and south of 29th Avenue. These actions would better reflect the locations of existing commercial development.

The proposed overlay changes would result in a change in parking regulations. Most retail uses in the existing C1-2 overlays require one accessory parking space per 300 square feet of commercial floor area, although the requirements may range between one space per 200 square feet and one space per 600 square feet.

Parking regulations would be reduced slightly in the proposed C1-3 overlays in order to accommodate the reduced depth of the overlays. Most retail uses in the proposed C1-3 require one accessory parking space per 400 square feet of commercial floor area, although the requirements would range between one space per 300 square feet and one space per 800 square feet.

Text Amendments

The proposed zoning text amendments would establish a new residential zoning district, R1-2A. The current R1-2 regulations have resulted in, in certain areas, development that is out of character with the existing context. The proposed R1-2A district would permit the same single-family detached housing types as an R1-2 district but with different floor area allowances, height regulations, and lot coverage requirements. [View the proposed text amendment.](#)

The proposed R1-2A would change certain bulk regulations which have, in recent years, permitted residential development in affected areas that are out-of-scale with the existing, typical built context.



Single-family detached homes on 158th Street in the proposed R1-2A district



Single-family detached homes on 159th Street in the proposed R1-2A district

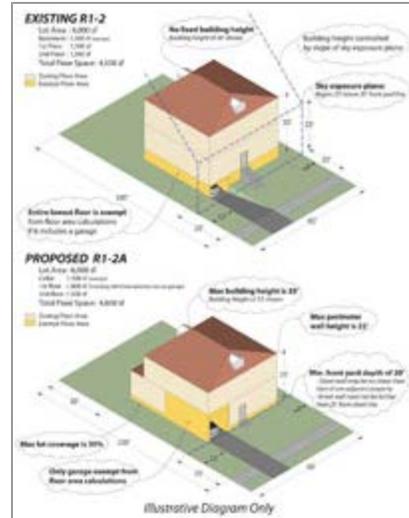
The principal components of this change are as follows:

Floor Area Regulations Regarding the Exemption of Lowest-Floor Space that Includes a Garage:

Under the current R1-2 the lowest story of a residence does not count as floor area if such floor contains a garage. This can result in buildings substantially taller and bulkier than surrounding buildings. The proposed R1-2A would allow a floor area exemption of only the floor space used for the garage, up to a maximum exemption of 300 square feet for a one-car garage, or 500 square feet for a two-car garage. Additionally, the new R1-2A district would allow an increase in the maximum floor area if a detached garage is constructed in a rear yard, with a maximum increase of 300 square feet for a one-car garage or 500 square feet for a two-car garage. The maximum lot coverage would be 30 percent and detached garages would not count in the calculation for lot coverage.

Maximum Building Height and Perimeter Wall Height Regulations:

The R1-2 has no building height limits and the building envelope is determined by the sky exposure plane. The proposed R1-2A district would have a maximum perimeter height of 25 feet and a maximum building height of 35 feet.



R1-2 vs. R1-2A Chart - [View a larger image.](#)

North Flushing Rezoning - **Approved!**

Public Review

On January 20, 2009 the Department of City Planning certified the Uniform Land Use Review Procedure ([ULURP](#)) application (C 090281 ZMQ) and referred the related text change application (N 090282 ZRY) for the North Flushing Rezoning to begin the formal review process.

Milestone	Date
Department of City Planning Certification	January 20, 2009
Community Board 7 and 11 Hearing	January 29, 2009
Community Board 11 Approval	February 2, 2009
Community Board 7 Approval	February 9, 2009
Queens Borough President Hearing	February 19, 2009
Queens Borough President Approval	March 9, 2009
Queens Borough Board Approval	March 9, 2009
City Planning Commission Hearing	March 18, 2009
City Planning Commission Approval (Read the CPC reports)	April 1, 2009
City Council Approval	April 22, 2009

For more information about this proposal please contact the Queens Office of the Department of City Planning at (718) 520-2100

Related Notes

-  Items accompanied by this symbol require the [free Adobe Acrobat Reader](#).
- Brief explanations of terms in *green italics* can be viewed by [visiting glossary page](#). Words and phrases followed by an asterisk (*) are defined terms in the Zoning Resolution, primarily in Section 12-10. Consult the Zoning Resolution for the official and legally binding definitions of these words and phrases.