



## Ozone Park Rezoning - **Approved!**

### Overview

#### Update December 10, 2013:

On December 10, 2013, the City Council adopted Ozone Park Rezoning. The zoning changes are now in effect.

The Department of City Planning is proposing to change the Zoning Map for all or portions of approximately 530 blocks in the Ozone Park neighborhood that encompasses portions of Queens Community District 9 and 10.

The Ozone Park rezoning area is generally bounded by Rockaway Boulevard, Atlantic Avenue, and 101st Avenue to the north; the Van Wyck Expressway and Lefferts Boulevard to the east; the Belt Parkway to the south; and the Brooklyn borough line to the west.

The Ozone Park rezoning was undertaken in response to concerns raised by Community Boards 9 and 10, local civic organizations, and local elected officials that existing zoning does not closely reflect established building patterns or guide new development to appropriate locations. The proposed actions seek to reinforce the area's predominant one- and two-family residential character, while directing moderately-scaled new residential and mixed-use development to locations along the area's main commercial corridors and near mass transit resources.

The Ozone Park rezoning area primarily consists of three existing residential zones: R3-2, R4, and R5. R3-2 districts are found in two eastern sections of the rezoning area – one is generally located east of 123rd Street near Liberty Avenue, and the other one is generally located south of Linden Boulevard and east of 114th Street. An expansive R4 district extends eastward from the Brooklyn borough line to 123rd Street and southward Liberty Avenue to the Belt Parkway. An R5 district is generally located north of Liberty Avenue to Atlantic Avenue and along the 101st Avenue corridor. These zoning districts have remained unchanged since 1961 when the current Zoning Resolution was adopted, and they do not closely reflect the prevailing contexts of built scale, density and housing types found within Ozone Park.

The rezoning area includes lengthy portions of three commercial corridors – Rockaway Boulevard, 101st Avenue, and Liberty Avenue – most of which are well-served by transit, including numerous bus lines and the elevated "A" train that runs along Liberty Avenue. Current zoning along these thoroughfares primarily consists of residential districts similar to adjacent side streets along with C1 or C2 commercial zoning overlay districts whose mapped depths can extend onto adjacent residential properties facing the side streets.

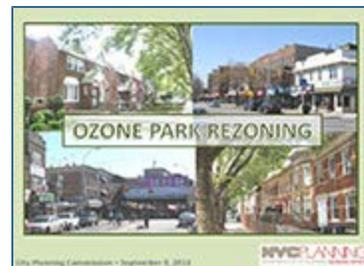
The Department of City Planning prepared this proposed rezoning through close consultation with Community Boards 9 and 10, local civic organizations, and local elected officials. The proposed rezoning seeks to achieve the following objectives:

- Reinforce neighborhood character and established building patterns by replacing existing zoning with new lower density and contextual zones
- Direct a modest amount of new residential and mixed-use development opportunities to major corridors and locations near mass transit resources
- Prevent commercial encroachment into residential areas by reducing the depth of commercial overlays and match land use patterns with commercial overlays.



Location of Proposed Rezoning

[View a larger image](#)



[View the slideshow presentation](#)

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### Existing Zoning and Context

The Ozone Park rezoning area consists of seven existing zoning districts: R3-1, R3-2, R4, R5, C8-1, C4-2, M1-1, and M1-2. C1-2 and C2-2 commercial overlay districts are mapped along certain primary street frontages throughout the rezoning area. These zoning districts have remained unchanged since 1961 when the current Zoning Resolution was adopted.



Land Use and Existing Zoning

[View a larger image.](#)

The existing zoning does not adequately reinforce the one- and two-family character typically found on residential blocks. Recent building trends have resulted in the demolition of detached one- and two-family houses and have been replaced with semi-detached, attached, and multi-family buildings. Existing zoning also does not distinguish major commercial corridors from residential side streets. As a result, recent development has not been located along main commercial corridors where it could reinforce and strengthen established mixed-use areas. The Ozone Park rezoning provides a framework for orderly growth while protecting residential character.

[View the zoning comparison chart.](#)



Detached one-family house on 114th Street within an existing R4 district



Detached two-family house on 116th Street within an existing R3-2 district



Semi-detached one- and two-family houses on 133rd Street within an existing R4 district



Attached one- and two-family houses on 97th Street within an existing R5 district



Out-of-character mixed-use buildings on 101st Avenue within an existing R5 district



Out-of-character attached buildings on 88th Street within an existing R5 district



Out-of-character attached buildings on 77th Street within an existing R4 district



Out-of-character semi-detached buildings on 150th Street within an existing R3-2 district

### R3-1

An existing R3-1 district extends northward from Atlantic Avenue and Rockaway Boulevard between the Brooklyn border and 96th Street.

R3-1 zoning allows one- and two-family detached or semi-detached residences. The maximum residential *floor area ratio* (FAR) is 0.6, which includes a 0.1 *attic allowance*. The minimum lot width and lot area depend upon the housing configuration: detached residences require a minimum 40-foot lot width and 3,800 square feet of lot area; semi-detached residences require at least 18 feet of width and 1,700 square feet of lot area. The maximum *building height* is 35 feet, with a maximum *perimeter wall* height of 21 feet. Front yards must be at least 15 feet deep. Community facilities are permitted at a maximum FAR of 1.0. One parking space is required for each *dwelling unit*.

### R3-2

R3-2 districts extend through the eastern and southeastern most sections of the rezoning area.

The R3-2 district is the lowest-density general residence district in which multi-family structures are permitted. A variety of housing types are allowed including garden apartments, row houses, 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 lot area. The maximum building height is 35 feet, with a maximum perimeter wall height of 21 feet. Front yards must be at least 15 feet deep. Community facilities are permitted at an FAR of 1.0. One parking space is required for each dwelling unit.

### R4

An R4 district is generally located to the west of 123rd Street and to the south of Liberty Avenue.

R4 districts allow a variety of housing types, including garden apartments, row houses, semi-detached and detached houses. The maximum FAR is 0.9, which includes a 0.15 attic allowance. On certain blocks, a maximum FAR of 1.35 is permitted through the R4 infill provision. Infill zoning permits multifamily housing on blocks entirely within R4 or R5 districts in *predominantly built-up areas*. Detached residences are limited to lots with a minimum of 3,800 square feet in area and a minimum lot width of 40 feet. Semi-detached and attached residences require lots with a minimum of 1,700 square feet in area and a minimum lot width of 18 feet. The required minimum front yard depth is 10 feet, which is increased to 18 feet if front yard parking is provided. The maximum building height is 35 feet, with a maximum perimeter wall height of 25 feet. Community facilities are permitted at an FAR of 2.0. One parking space is required for each dwelling unit.

### R5

An R5 district is generally located to the north of Liberty Avenue and along 101st Avenue.

R5 zoning permits all housing types, including multi-family residences. The maximum residential FAR is 1.25. On blocks that are predominately built up, a maximum FAR of 1.65 is permitted through R5 infill provisions. For detached houses, the minimum lot area is 3,800 square feet and the minimum lot width is 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 required minimum front yard depth is 10 feet, which is increased to 18 feet if front yard parking is provided. The maximum street wall height is 30 feet and the maximum building height is 40 feet. Off-street parking in a grouped facility is required for 85% of the dwelling units. Community facilities are permitted an FAR of 2.0.

#### **C4-2**

A C4-2 district is located at the intersection of Liberty Avenue and Lefferts Boulevard.

The district covers northern and southern block fronts of Liberty Avenue between 118th Street and 123rd Street.

C4 districts are intended for regional commercial centers where uses serve an area larger than a neighborhood shopping area. C4-2 districts permit residential uses with a maximum FAR of 2.43 (R6 equivalent), commercial uses with a maximum FAR of 3.4, and community facility uses with a maximum FAR of 4.8. C4-2 districts have no fixed height limits and building envelopes are regulated by a [sky exposure plane](#). Residential development under the optional [Quality Housing Program](#) has a maximum FAR of 2.2 on [narrow streets](#) (defined as less than 75 feet wide) with a 55-foot building height limit, and for developments along [wide streets](#) (defined as 75 feet wide or more) the maximum FAR is 3.0 and the building height limit is 70 feet. Off-street parking is required for 70 percent of the dwelling units. This requirement is lowered to 50 percent of the units if the lot area is less than 10,000 square feet or if Quality Housing provisions are used.

#### **C8-1**

Four C8-1 districts are located within the rezoning area. The first is located on Rockaway Boulevard between Atlantic Avenue and 84th Street. The second covers the northern block fronts of Liberty Avenue between 86th and 93rd Streets. The third is generally bounded by Redding Street, Cross Bay Boulevard, and Albert Road. The fourth is located on the western side 114th Street roughly between Rockaway Boulevard and 135th Avenue. C8-1 zoning permits commercial and community facility uses in Use Groups 4 through 14 and 16. Residential uses are not permitted. C8 districts typically include automotive-related uses, such as auto repair, showrooms, warehouses, gas stations, and car washes. The maximum FAR for commercial uses is 1.0. Maximum building height is determined by a sky exposure plane beginning at a height of 30 feet above the street line. Off-street parking requirements vary with the use. Community facility uses are permitted a maximum FAR of 2.4.

#### **M1-1 and M1-2**

An M1-1 district covers the southern block front of Liberty Avenue between 98th Street and the LIRR right-of-way. An M1-2 District covers the southern block front of 101st Avenue between 100th Street and 101st Street. M1 zoning districts permit Use Groups 4 through 14, 16 and 17. M1 districts typically include light industrial uses that meet high performance standards and may include manufacturing establishments for a variety of food, metal and wood products. Residential uses are not permitted. The maximum commercial FAR in an M1-1 district is 1.0 and the maximum commercial FAR is 2.0 in M1-2 districts. Maximum building height is determined by a sky exposure plane beginning at a height of 30 feet above the street line. Off-street parking requirements vary with the use. Community facility uses are permitted at a maximum FAR of 2.4.

#### **Commercial Overlays**

[Commercial overlay districts](#) are located along portions of primary corridors within the rezoning area, including Rockaway Boulevard, 101st Avenue, and Liberty Avenue. C1 overlay districts permit commercial Use Groups 5 and 6, which allow the kinds of daily retail and service establishments frequently used by neighborhood residents. C2 districts permit a wider range of commercial uses including those in Use Groups 5 through 9 and 14. When C1 and C2 overlay districts are mapped within R1 through R5 districts the maximum commercial FAR is 1.0, with commercial uses limited to the first floor in mixed-use buildings. Off-street parking requirements vary with the use. In C1-2 and C2-2 districts, most retail uses require one accessory parking space per 300 square feet of commercial floor space, although the requirements can range between one space per 200 square feet and one space per 800 square feet.

## Ozone Park Rezoning - **Approved!**

### Proposed Zoning

The proposed actions would encompass approximately 530 blocks. The proposed rezoning replaces all or portions of existing R3-1, R3-2, R4, R5, C4-2, C8-1, M1-1, and M1-2 districts with R3A, R3X, R4A, R4-1, R4B, R5B, R5D, R6B and R6A districts. The proposed rezoning also replaces existing C1-2 and C2-2 overlays with C1-3 and C2-3, overlays, eliminates portions of existing C1-2 and C2-2 overlays, and establishes new C1-3 and C2-3 overlays.



Land Use and Proposed Zoning

[View a larger image.](#)

The proposed [contextual zoning](#) strategy is intended to reinforce the character of Ozone Park's residential blocks and ensure future development will be more consistent with the surrounding neighborhood's building patterns. The proposed rezoning also provides opportunities for strengthening the mixed-use character of the neighborhood's shopping streets. In addition, modifications to commercial overlay districts will prevent commercial uses from encroaching onto residential side streets. New commercial overlay districts will be mapped to recognize existing commercial uses and provide new business location opportunities.

[View the zoning comparison chart.](#)

#### **Proposed R3A (from R3-2, R4, C8-1)**

R3A districts are proposed for three areas covering all or portions of 50 blocks in the rezoning area. These R3A districts will reinforce one- and two-family detached residential buildings on narrow lots typically found on these blocks.

The R3A district allows one- or two-family detached residences with a maximum FAR of 0.6, which includes a 0.1 attic allowance. The minimum required lot area is 2,375 square feet, and the minimum lot width is 25 feet. The maximum perimeter wall height is 21 feet, and the maximum building height is 35 feet. The front yard of a new residence must be at least as deep as an adjacent front yard, with a minimum depth of 10 feet and a maximum depth of 20 feet. One off-street parking space is required for each dwelling unit. [Community facilities](#) are permitted an FAR of 1.0.



One- and two-family detached residence on 114th Street within the proposed R3A district.

#### **Proposed R3X (from R3-2)**

R3X districts are proposed for two sections covering all or portions of 46 blocks in the rezoning area. These R3X districts will reinforce one- and two-family detached residences typically found on these blocks.

The R3X district allows one- or two-family detached residences with a maximum FAR of 0.6, which includes a 0.1 attic allowance. The maximum perimeter wall height is 21 feet and the maximum building height is 35 feet. The minimum required lot area is 3,325 square feet, and the minimum lot width is 35 feet. The front yard of a new residence must be at least as deep as an adjacent front yard, with a minimum depth of 10 feet and a maximum depth of 20 feet. One off-street parking space is required for each dwelling unit. Community facilities are permitted an FAR of 1.0.



One- and two-family detached houses on 115th Street within the proposed R3X district.

#### **Proposed R4-1 (from R3-2, R4, R5, C4-2, C8-1, M1-1 and M1-2)**

R4-1 districts are proposed for sixteen areas covering all or portions of 223 blocks. These R4-1 districts will reinforce the one- and two-family detached and

semi-detached residential buildings predominantly found on these blocks.

R4-1 zoning allows one- and two-family detached and semi-detached residences with a maximum FAR of 0.9, which includes a 0.15 attic allowance. The maximum perimeter wall height is 25 feet and the maximum building height is 35 feet. For detached houses, the minimum required lot area is 2,375 square feet, and the minimum lot width is 25 feet. For semi-detached houses, the minimum required lot area is 1,700 square feet, and the minimum lot width is 18 feet. The front yard of a new residence must be at least as deep as an adjacent front yard, with a minimum depth of 10 feet and a maximum depth of 20 feet. One parking space is required for each dwelling unit. Community facilities are permitted an FAR of 2.0.



One- and two- family semi-detached houses on 133rd Street within the proposed R4-1 district

#### ***Proposed R4A (from R3-2, R4, C4-2, and C8-1)***

R4A districts are proposed for five sections covering all or portions of 130 blocks. These R4A districts will reinforce the one- and two-family detached residential buildings that predominate on these blocks.

R4A zoning allows one- and two-family detached residences with a maximum FAR of 0.9, which includes a 0.15 attic allowance. The maximum perimeter wall height is 21 feet and the maximum building height is 35 feet. The minimum required lot area is 2,850 square feet, and the minimum lot width is 30 feet. The front yard of a new residence must be at least as deep as an adjacent front yard, with a minimum depth of 10 feet and a maximum depth of 20 feet. One off-street parking space is required for each dwelling unit. Community facilities are permitted an FAR on 2.0.



One and two-family detached houses on 117th Street within the proposed R4A district

#### ***Proposed R4B (from R4 & R5)***

R4B districts are proposed for five areas covering all or portions of 31 blocks. These R4B districts will reinforce one- and two-family rowhouses typically found on these blocks.

The R4B district allows one- and two-family detached, semi-detached and attached residences, but it is primarily characterized by low-rise rowhouses with required parking located in rear common driveways. The maximum FAR is 0.9 and the maximum building height is 24 feet. 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. The front yard can be a minimum 5 feet deep, but it must be as deep as one adjacent front yard up to 20 feet. One parking space is required for each dwelling unit, and front yard parking is prohibited. Community facilities are permitted an FAR of 2.0.



Low-rise rowhouses on 77th Street within the proposed R4B district

#### ***Proposed R5B (from R5)***

R5B districts are proposed for three areas covering all or portions of 11 blocks in the rezoning area. The areas proposed to be rezoned to R5B are predominantly developed with two- and three-story attached and semi-detached buildings.

The R5B district allows all housing types. The maximum residential FAR would be 1.35, and new buildings would be limited to 33 feet in height, with a 30 foot maximum perimeter wall. 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. The front yard can be a minimum 5 feet deep, but it must be as deep as one adjacent front yard up to 20 feet. Off-street group parking is required for 66 percent of the dwelling units, and front yard parking is prohibited in R5B districts. Community facilities are allowed at an FAR of 2.0.



One- and two- family attached houses on 76th Street within the proposed R5B district

### **Proposed R5D (from R4 & C8-1)**

An R5D district is proposed for on all or portions of eight blocks along or near Cross Bay Boulevard. The proposed R5D district typically fosters development of two- to four-story buildings. Such buildings would reinforce an appropriate scale of development along the boulevard, which is a very wide street that is well-served by City bus service.

R5D districts allow all housing types at a maximum FAR of 2.0. The maximum allowed building height is 40 feet. 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. The front yard can be a minimum 5 feet deep, but it must be as deep as one adjacent front yard up to 20 feet. Off-street group parking is required for 66 percent of the dwelling units. Accessory residential parking can be waived if no more than one space is required. Community facilities are allowed at an FAR of 2.0.



One-story commercial structure on Cross Bay Boulevard within the proposed R5B district

### **Proposed R6B (from R3-1, R3-2, R4, R5, C8-1, M1-1 & M1-2)**

R6B districts are proposed for three areas covering all or portions of 215 block fronts located primarily along the neighborhood's major thoroughfares: Rockaway Boulevard, 101st Avenue, and Liberty Avenue. R6B districts are typically developed with three- to five-story buildings and such buildings would reinforce the typical scale of development along these main streets.

The R6B district allows all housing types. The maximum FAR for all development is 2.0. New buildings would have a minimum base height of 30 feet and a maximum base height of 40 feet. Above this height any portion would be required to set back at least 10 feet from a wide street and 15 feet from a narrow street, and maximum building height is limited to 50 feet. Off-street parking would be required for 50 percent of dwelling units, but this requirement may be waived if five or fewer spaces are required.



Apartment building on 101st Avenue within the proposed R6B district

### **Proposed R6A (from C4-2 & C8-1)**

An R6A district is proposed along the northern and southern block fronts of Liberty Avenue between 118th and 123rd Streets. R6A districts are typically developed with four- to seven-story buildings and such buildings would reinforce the typical scale of development along this portion of Liberty Avenue at the end of the A-train elevated transit line.

R6A districts permit all housing types. The maximum FAR is 3.0 for residential or community facility developments. The minimum base height is 40 feet, and the maximum base height is 60 feet, above which the building must be set back to a depth of at least 10 feet on a wide street and 15 feet on a narrow street. The maximum building height is 70 feet. Off-street parking is required for 50 percent of dwelling units, but this requirement may be waived if five or fewer spaces are required.



Commercial corridor on Liberty Avenue within the proposed R6A district

### **Proposed Commercial Overlays – C1-4, C2-3, & C2-4**

Existing C1 and C2 commercial overlays are mapped along 101st Avenue, Liberty Avenue, and Rockaway Boulevard and serve the local shopping needs of the community. C1 districts permit commercial Use Groups 5 and 6 while C2 districts permit Use Groups 5 through 9 and 14.

The proposed updates to the commercial zoning districts would replace existing C1-2 and C2-2 districts with C2-3, districts and reduce the depth of commercial overlays from 150 to 100 feet to prevent commercial uses from encroaching onto residential streets. New C1-3 and C2-3 commercial overlays are also proposed in certain locations in order to recognize existing commercial uses and provide new business location opportunities. Changing the existing C1-2 and C2-2 commercial overlays to C1-3 and C2-3 commercial overlays would reduce the parking from generally one parking space per 300 square feet of commercial floor area to one space per 400 square feet of commercial floor area.

 [View the commercial overlay comparison chart](#)

## Ozone Park Rezoning - **Approved!**

### Public Review

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On September 9, 2013 the Department of City Planning *certified* the [Uniform Land Use Review Procedure \(ULURP\)](#) application (C 140079 ZMQ) for the Ozone Park rezoning to begin the formal public review process.

Milestone	Date
Department of City Planning Certification	September 9, 2013 –  <a href="#">View Presentation</a>
Community Board 10 Approval	October 3, 2013
Community Board 9 Approval	October 8, 2013
Queens Borough President Approval	October 30, 2013
City Planning Commission Approval (  <a href="#">Read the CPC Report.</a> )	December 2, 2013
City Council Approval	December 10, 2013

For more information about this proposal please contact the Queens Office of the Department of City Planning at (718) 286-3170.

## Related Notes

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-  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.