

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

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

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

## **Article VIII - Special Purpose Districts**

### **Chapter 6**

#### **Special Forest Hills District**

##### **86-00**

##### **GENERAL PURPOSES**

The “Special Forest Hills District” established in this Resolution is designed to promote and protect the public health, safety, general welfare and amenity of Forest Hills. The general goals include, among others, the following specific purposes:

- (a) ensure that the form of new buildings is compatible with and relates to the built character of the Forest Hills neighborhood;
- (b) preserve, protect and promote the special character of Austin Street as a regional shopping destination;
- (c) create a graduated transition from the lower-scale character of Austin Street to the higher-scale character of Queens Boulevard;
- (d) support a broad and vibrant mix of commercial and residential uses throughout the Special District;
- (e) enhance the pedestrian setting of Austin Street through appropriate ground floor uses and structural requirements;
- (f) promote the most desirable use of land and thus conserve and enhance the value of land and buildings, and thereby protect the City’s revenue.

\* \* \*

##### **86-10**

##### **SPECIAL USE REGULATIONS**

##### **86-11**

##### **Ground Floor Uses Along Designated Streets**

Along the portions of Austin Street and 71st Avenue specified on the map in the Appendix to this Chapter as

Retail Continuity Streets, ~~uses~~ within ~~stories~~ that have a floor level within five feet of ~~curb level~~, and ~~within 30 feet of the street wall~~, shall be limited to ~~commercial~~ or ~~community facility uses~~ permitted by the underlying district and the provisions of Section 86-12 (Modification of Uses on Austin Street) and shall extend to a minimum depth in accordance with the provisions set forth in Section 37-32 (Ground Floor Depth Requirements for Certain Uses).

~~The~~ Such ground floor ~~street~~ frontage of a ~~development~~ or ~~enlargement~~ constructed after March 24, 2009, shall be allocated exclusively to such ~~uses~~, except for Type 2 lobby space, entryways or entrances to subway stations and ~~accessory~~ parking spaces provided in accordance with applicable provisions of Section 37-33 (Maximum Width of Certain Uses). ~~In no event shall the length of street frontage occupied by lobby space exceed, in total, 40 feet or 25 percent of the building's total street frontage, whichever is less.~~

\* \* \*

### 86-13

#### Location of Uses in Mixed Buildings

The provisions of Section 32-422 (Location of floors occupied by commercial uses) are modified to permit ~~dwelling units~~ or ~~rooming units~~ on the same ~~story~~ as a commercial use ~~non-residential use~~ provided no access exists between such ~~uses~~ at any level containing ~~dwelling units~~ or ~~rooming units~~ and provided any commercial uses ~~non-residential uses~~ are not located directly over any ~~dwelling units~~ or ~~rooming units~~.

Such commercial uses ~~non-residential uses~~, however, may be located over ~~dwelling units~~ or ~~rooming units~~ by authorization of the City Planning Commission upon a finding that there is sufficient separation of ~~residential uses~~ from commercial uses ~~non-residential uses~~ within the ~~building~~.

### 86-14

#### Transparency Requirements

For ~~developments~~ or ~~enlargements~~ constructed after March 24, 2009, the ground floor ~~street wall~~ bounding any ~~commercial~~ or ~~community facility use~~, other than a ~~school~~, shall be glazed in accordance with the transparency requirements set forth in Section 37-34 (Minimum Transparency Requirements). ~~glazed with transparent materials which may include show windows, glazed transoms or glazed portions of doors.~~

For such ~~community facility uses~~, the glazed area shall occupy at least 50 percent of the area of each such ground floor ~~street wall~~ measured to a height of 10 feet above the level of the adjoining sidewalk or public access area.

For ~~commercial uses~~, such glazed area shall occupy at least 70 percent of the area of each such ground floor ~~street wall~~ measured to a height of 10 feet above the level of the adjoining sidewalk or public access area. Not less than 50 percent of such area shall be glazed with transparent materials and up to 20 percent of such area may be glazed with translucent materials.

**86-15**

**Security Gates**

For all ~~#commercial# or #community facility uses#~~ located on the ground floor, any security gates installed after March 24, 2009, that are swung, drawn or lowered to secure ~~#commercial# or #community facility#~~ premises shall, when closed, permit visibility of at least 75 percent of the area covered by such gate when viewed from the ~~#street# or any publicly accessible area,~~ except that this provision shall not apply to entrances or exits to parking garages.

\* \* \*

**86-20**

**SPECIAL BULK REGULATIONS**

\* \* \*

**86-23**

**Height and Setback Regulations**

~~#Buildings or other structures#~~ within the Special District shall comply with the height and setback regulations of Section ~~35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts)~~ 35-65 (Height and Setback Requirements for Quality Housing Buildings), except as modified by this Section.

\* \* \*

**86-40**

**SPECIAL OFF-STREET PARKING AND LOADING REGULATIONS**

\* \* \*

**86-43**

**Modification of Parking Requirement Waivers**

The waiver provisions of Article III, Chapter 6 (Accessory Off-Street Parking and Loading Regulations), inclusive, shall be modified within the ~~#Special Forest Hills District#~~, as follows:

- (a) For any ~~#development# or #enlargement#~~ containing ~~#residences#~~, the waiver modification provisions set forth in Section 36-362 (~~For developments or enlargements in~~ In other C1 or C2 Districts or in C4, C5 or C6 Districts), inclusive, shall not apply.

\* \* \*

END

