



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **42-13 - Use Groups 6C, 9A and 12B**

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## 42-13 - Use Groups 6C, 9A and 12B

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LAST AMENDED

10/25/1993

### M2 M3

Use Groups 6C, 9A and 12B as set forth in Sections [32-15](#), [32-18](#), and [32-21](#). Use Group 6C shall be limited to antique stores; art galleries, commercial; artists' supply stores; automobile supply stores; banks; bicycle sales; candy or ice cream stores; cigar or tobacco stores; custom furrier shops; docks for ferries or water taxis; eating or drinking establishments with entertainment but not dancing, with a capacity of 200 persons or less; eating or drinking establishments with musical entertainment but not dancing, with a capacity of 200 persons or less; frozen food lockers; fishing tackle or equipment, rental or sales; #health and fitness establishments#; jewelry or art metal craft shops; locksmith shops; meeting halls; millinery shops; music stores; newsstands, open or closed; paint stores; picture framing shops; and watch or clock repair shops.

Use Group 9A shall be limited to blueprinting or photostatting establishments; business schools or colleges; #health and fitness establishments#; medical or dental laboratories; musical instrument repairs; printing establishments; public auction rooms; studios - art, music, dancing, or theatrical; trade or other schools for adults; typewriter or other small business machine sales, rental or repairs; and umbrella repairs.

Use Group 12B shall be limited to antique stores; art galleries, commercial; candy or ice cream stores; cigar or tobacco stores; delicatessen stores; jewelry or art metal craft shops; music stores; and newsstands.

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## 42-131 - M1-5B Districts

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LAST AMENDED

8/20/1981

### M1-5B

The regulations governing M1 Districts shall apply in M1-5B Districts except where the special #use# regulations set forth in Section [42-14](#), paragraph D. (Special Uses in M1-5B Districts) provide otherwise.

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## 42-132 - M1-5M and M1-6M Districts

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LAST AMENDED

2/8/1990

In M1-5M and M1-6M Districts in Manhattan Community Districts 1, 2, 3, 4, 5 and 6, the #conversion# to #dwelling units# of #non-residential buildings#, or portions thereof, erected prior to December 15, 1961, shall be subject to the provisions of Article I, Chapter 5 (Residential Conversion Within Existing Buildings).

In M1-5M and M1-6M Districts, eating or drinking establishments with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing are permitted only by special permit of the Board of Standards and Appeals in accordance with Section 73-244.

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## 42-133 - Provisions for dwelling units in certain M1-5 or M1-6 Districts

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LAST AMENDED

9/21/2011

- (a) In M1-5 and M1-6 Districts, except for M1-6D Districts, located within the rectangle formed by West 23rd Street, Fifth Avenue, West 31st Street, and Eighth Avenue, no new #dwelling units# shall be permitted. However, #dwelling units# which the Chairperson of the City Planning Commission determines were occupied on September 1, 1980, shall be a permitted #use# provided that a complete application to permit such #use# is filed by the owner of the #building# or the occupant of a #dwelling unit# in such #building# not later than June 21, 1983.

Such #dwelling units# shall comply with the requirements of Sections [15-024](#) or [15-22](#), where applicable and with Section [15-23](#). For the purposes of Article 7C of the New York State Multiple Dwelling Law, such a determination of #residential# occupancy on September 1, 1980, shall be deemed to permit #residential use# as-of-right for such #dwelling units#.

- (b) In M1-6 Districts located within the rectangle formed by West 35th Street, Fifth Avenue, West 40th Street and Sixth Avenue, no #dwelling units# shall be permitted, except that:
- (1) #dwelling units# which the Chairperson of the City Planning Commission determines were occupied on May 18, 1981, shall be a permitted #use# provided that a complete application to permit such #use# is filed by the owner of the #building# or the occupant of the #dwelling unit# not later than June 21, 1983. For the purposes of Article 7C of the New York State Multiple Dwelling Law, such a determination of #residential# occupancy shall be deemed to permit #residential use# as-of-right for such #dwelling unit#;
  - (2) in any #building# for which an alteration application for #conversion# of #floor area# used for non-#residential use# to #dwelling units# or for an #extension# or minor #enlargement# of existing #residential use#, was filed prior to May 18, 1981, #dwelling units# shall be permitted, provided that such alterations shall comply with the regulations in effect on the date of such filing. The right to #convert# to #dwelling units# or #extend# or #enlarge# existing #residential use# pursuant to the provisions of this Section shall expire one year from July 23, 1981, unless a temporary or permanent certificate of occupancy has been issued; and
  - (3) in M1-6D Districts, #residential use# shall be permitted as-of-right subject to the supplemental #use# regulations set forth in Section [42-48](#) (Supplemental Use Regulations in M1-6D Districts).