Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

43-17 - Special Provisions for Joint Living-Work Quarters for Artists in M1-5B Districts

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43-17 - Special Provisions for Joint Living-Work Quarters for Artists in M1-5B Districts

LAST AMENDED
12/5/2024

M1-5B

In the district indicated, no #building# containing #joint living-work quarters for artists# shall be #enlarged#.

Mezzanines are allowed within individual quarters, in #buildings# with an existing #floor area ratio# of 12.0 or less, and only between floors, or between a floor and a roof, existing on January 22, 1998, that are to remain, provided that such mezzanines do not exceed 33 and 1/3 percent of the gross #floor area# of such individual quarters. Such mezzanines shall not be included as #floor area# for the purpose of calculating minimum required size of a #joint living-work quarters for artists#.

In the district indicated no #building# containing #joint living-work quarters for artists# shall be subdivided into quarters of less than 1,200 square feet except where no #story# contains more than one #joint living-work quarters for artists# unless modified pursuant to Section 43-171 (Minor modifications).

However, the minimum size requirement may be replaced by the requirements of Section 15-024 (Special bulk regulations for certain pre-existing dwelling units and joint living-work quarters for artists) for #joint living-work quarters for artists#:

(a) for which a determination of #residential# or #joint living-work quarters for artists# occupancy on September 1, 1980, has been made pursuant to paragraphs (a)(6) or (c) of Section 42-315 (Use regulations in M1-5B Districts); or

(b) that are registered Interim Multiple Dwellings or are found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law; or

(c) that the Loft Board determines were occupied for #residential use# or as #joint living-work quarters for artists# on September 1, 1980.

#Joint living-work quarters for artists# existing on September 1, 1980, may not be divided subsequently into quarters of less than 1,200 square feet, unless required by the Loft Board for the legalization of Interim Multiple Dwelling Units in the implementation of Article 7C of the New York State Multiple Dwelling Law.

In the districts indicated, two or more #buildings# which are separated by individual load-bearing walls and contain #joint living-work quarters for artists#, each of which #building# conforms to the regulations set forth in Section 42-315 may be combined to produce a #lot area# covered by #buildings# in excess of 3,600 square feet.

43-171 - Minor modifications

LAST AMENDED
2/2/2011

On application, the Chairperson of the City Planning Commission may grant minor modifications to the requirements of Section 43-17 relating to #joint living-work quarters for artists# size, provided that the Chairperson of the City Planning Commission had administratively certified to the Department of Buildings that the division of one or more #stories# into #joint living-work quarters for artists# with an area of at least 1,200 square feet cannot be accomplished without practical difficulties because the #floor area# of such #story#, exclusive of exterior walls and common areas, is within five percent of a multiple of 1,200 square feet.

The applicant must send a copy of any request for a modification pursuant to this Section to the applicable Community Board at least 20 days prior to the next regularly scheduled Community Board meeting.