



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

15-215 - Modification for existing dwelling units

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LAST AMENDED

2/11/1992

The requirements of Section [15-211](#) or [15-212](#) regarding the amount or configuration of #floor area# to be preserved for permitted #commercial# or permitted #manufacturing# #uses# may be modified by the Chairperson of the City Planning Commission provided that:

- (a) such #floor area# has a #residential# certificate of occupancy, or consists of registered Interim Multiple Dwellings, or is found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law, or was occupied as #dwelling units# as of September 1, 1980, and a complete application for determination of occupancy has been filed with the Department of City Planning by the owner of the #building# or the occupant of a #dwelling unit# in the #building# 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 #floor area#; and
- (b) as a result of such #residential# occupancy, the remaining amount of #floor area# in the #building# is less than the amount required to be preserved for permitted #commercial# or #manufacturing# #uses# pursuant to Section [15-211](#) or [15-212](#), or consists of portions of floors.

Such modification of the preservation requirement shall be the minimum necessary in order to permit the legalization of existing #dwelling units# for which a determination of occupancy has been made.

Notwithstanding the above, the Chairperson of the City Planning Commission shall not issue a certification pursuant to Section [15-21](#) until an application for such certification and modification is submitted by the owner of the #building#.