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BUILDINGS BULLETIN 2013-001

Technical

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First Deputy Commissioner

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Purpose: This bulletin clarifies the enclosure requirements for kitchenettes and minimum dimension for

living room and habitable space in a multiple dwelling.

Related 27-2004(2)(21) BC 1208.1 HMC Code/Zoning **HMC** 27-2070 BC 1211.2 1202.1 (definition of "habitable space") Section(s): BC MDL 4.18 BC 1202.1 (definition of "kitchenette") MDL 31.2.d

DO 1202.1 (dollindoll of Michorlotto)

Subject(s): Kitchenette; Kitchenette soffit; Kitchenette drop arch; Kitchenette partitions; Living room,

minimum room dimension; Kitchen

I. Background

The New York City Housing Maintenance Code (HMC) and the New York State Multiple Dwelling Law (MDL) both require most "living rooms", as defined in such codes, to have a least minimum dimension of 8 feet in such a room. Similarly, the 2008 New York City Building Code (BC) requires most "habitable spaces", as defined in such code, to have a minimum of 8 feet in any plan dimension.

In addition, the definition of "living room" in both HMC and MDL, and the definition of "habitable space" in BC, all exclude any spaces used as a "kitchenette", which is defined generally as a cooking space less than 80 square feet. Therefore, kitchenette that adjoins a "living room" or "habitable space" must be excluded from the required minimum 8 feet interior dimension for "living room" or "habitable space".

II. Interpretation

In a multiple dwelling, where a kitchenette is permitted to be surrounded by a drop soffit (or commonly referred as "drop arch") in lieu of floor-to-ceiling partitions per Section BC 1211.2, the drop soffit on the kitchenette side shall, at a minimum, align vertically with the outermost projection of the kitchenette (e.g. the counter top or lower cabinets). (See Figure 1 below)

Where a kitchenette that adjoins a "living room" or "habitable space" is provided within a dwelling unit, for the purposes of measuring the minimum 8 feet interior room dimension for a "living room" or "habitable space", such minimum room dimension shall be measured to the vertical surface of the drop soffit facing the living room or habitable space (See dimension "Y" in Figure 1 below). The area of the kitchenette shall be measured to the vertical surface of such drop soffit on the kitchenette side (See dimension "X" in Figure 1 below).

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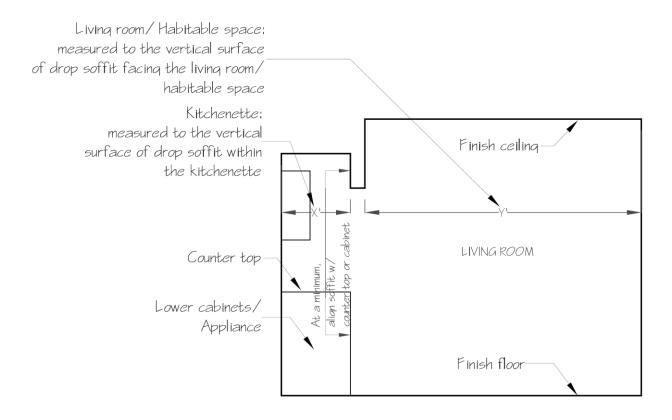


FIGURE I

FOR ILLUSTRATIVE PURPOSES ONLY
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FOR REQUIREMENTS

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