Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

123-31 - Provisions Regulating Location of Uses in Mixed Use Buildings

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LAST AMENDED
12/5/2024

In #Special Mixed Use Districts#, in any #building# or portion of a #building# occupied by #residential uses#, #commercial# or #manufacturing# #uses# may be located only on a #story# below the lowest #story# occupied by #dwelling units#, except that this limitation shall not preclude the:

(a) extension of a permitted business #sign#, #accessory# to such non-#residential use#, to a maximum height of two feet above the level of a finished floor of the second #story#, but in no event higher than six inches below the lowest window sill on the second #story#;

(b) location of #commercial# or #manufacturing# #uses# on the same #story#, or on a #story# higher than that occupied by #dwelling units#, in #buildings# in existence on or prior to December 10, 1997, that are partially #converted# to #residential use# pursuant to Article I, Chapter 5 (Residential Conversion Within Existing Buildings), as modified in Section 123-67 (Residential Conversion); or

(c) location of #commercial# or #manufacturing# #uses# on the same #story#, or on a #story# higher than that occupied by #dwelling units#, provided that:

(1) no access exists between such #uses# at any level containing #dwelling units#; and

(2) the environmental requirements set forth in Section 32-423 shall be met where #commercial# or #manufacturing# #uses# are located above any #story# containing #dwelling units#.