



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

139-141 - Location of commercial uses in mixed buildings

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LAST AMENDED

11/23/2021

(a) Commercial Districts

In #Commercial Districts#, the underlying provisions of Section [32-422](#) (Location of floors occupied by commercial uses) shall be modified, for #mixed buildings# that are #developed# or #enlarged# after November 23, 2021, to permit #dwelling units# on the same #story# as a #commercial use#, provided no access exists between such #uses# at any level containing #dwelling units# and provided no #commercial uses# are located directly over any #dwelling units#. However, such #commercial uses# may be located over #dwelling units# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from #commercial uses# exists within the #building#.

(b) Mixed Use Districts

In #Mixed Use Districts#, the provisions of paragraph (c)(2) of Section [123-31](#) (Provisions Regulating Location of Uses in Mixed Use Buildings) shall be modified to allow #commercial# and #manufacturing uses# to be located over #dwelling units# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from such #uses# exists within the #building#.