



Zoning Resolution

THE CITY OF NEW YORK

Bill de Blasio, Mayor

CITY PLANNING COMMISSION

Marisa Lago, Chair

32-42 - Location Within Buildings

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32-42 - Location Within Buildings

LAST AMENDED
12/15/1961

32-421 - Limitation on floors occupied by commercial uses

LAST AMENDED
2/26/2014

C1 C2 C3

In the districts indicated, in any #building#, or portion of a #building# occupied on one or more of its upper #stories# by #residential uses# or by #community facility uses#, no #commercial uses# listed in Use Group 6, 7, 8, 9 or 14 shall be located above the level of the first #story# ceiling, provided, however, that permitted #signs#, other than #advertising signs#, #accessory# to such #commercial uses# may extend to a maximum height of two feet above the level of the finished floor of the second #story#, but in no event higher than six inches below the lowest window sill of the second #story#. In any other #building#, or portion thereof, not more than two #stories# may be occupied by #commercial uses# listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9 or 14.

However, in C1 or C2 Districts mapped within R9 or R10 Districts or in C1-8, C1-9, C2-7 or C2-8 Districts, non-#residential uses# listed in Use Group 6, 7, 8, 9 or 14, where permitted by the applicable district regulations, may occupy the lowest two #stories# in any #building# constructed after September 17, 1970. For #buildings# constructed in such districts prior to September 17, 1970, located in Community District 6 in the Borough of Manhattan, such non-#residential uses# may occupy the lowest two #stories# in such #building#, provided that:

- (a) the Chairperson of the City Planning Commission certifies to the Commissioner of Buildings that the second #story# has not been occupied by a #community facility use#, a #dwelling unit# or a #rooming unit#, notwithstanding the certificate of occupancy, if any, for a continuous period from May 1, 2013, until a certification has been issued pursuant to this Section; and
- (b) the second #story# of at least one other #building# on the same #block# frontage is occupied by a #use# listed in Use Groups 6, 7, 8, 9 or 14.

32-422 - Location of floors occupied by commercial uses

LAST AMENDED
2/2/2011

C4 C5 C6

In the districts indicated, in any #building#, or portion of a #building# occupied by #residential uses#, #commercial uses# listed in Use Group 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 or 16 may be located only on a #story# below the lowest #story# occupied in whole or in part by such #dwelling units# or #rooming units#, except that this limitation shall not preclude the location of any such #commercial use# below the level of the first #story# ceiling, or the extension of a permitted #sign#, other than an #advertising sign#, #accessory# to such #commercial use#, to a maximum height of two feet above the level of the finished floor of the second #story#, but in no event higher than six inches below the lowest window sill on the second #story#.

32-423 - Limitation on ground floor location

C4 C5

In the districts indicated, #uses# in the Use Groups listed in the following table and marked with asterisks in the Use Group listing shall be located only as follows and as set forth in the following table:

- (a) on a floor above or below the ground floor; or
- (b) on the ground floor, but not within 50 feet of any #street wall# of the #building# and with no #show window# facing on the #street#.

District	Use Group in Which Limitation Applies
C4	8, 9 or 12
C5	6, 9 or 11