



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

138-11 - Location of Residential Use Within Buildings

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LAST AMENDED

11/30/2017

In C4 or C6 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#, 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#.