



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

44-50 - OFF-STREET LOADING REGULATIONS

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44-50 - OFF-STREET LOADING REGULATIONS

LAST AMENDED
12/15/1961

The following regulations on permitted and required accessory off-street loading berths are adopted in order to provide needed space off public streets for loading and unloading activities, to restrict the use of the streets for such activities, to help relieve traffic congestion in manufacturing and industrial areas within the City, and thus to promote and protect public health, safety, and general welfare.

44-51 - Permitted Accessory Off-street Loading Berths

LAST AMENDED
12/15/1961

M1 M2 M3

In all districts, as indicated, #accessory# off-street loading berths, open or enclosed, may be provided for all permitted #uses#, under rules and regulations promulgated by the Commissioner of Buildings, and subject to the provisions of Sections [44-582](#) (Location of access to the street), [44-583](#) (Restrictions on location of berths near Residence Districts), [44-584](#) (Surfacing) and [44-585](#) (Screening).

44-52 - Required Accessory Off-street Loading Berths

LAST AMENDED
2/2/2011

M1 M2 M3

In all districts, as indicated, #accessory# off-street loading berths, open or enclosed, shall be provided in conformity with the requirements set forth in the table in this Section and under rules and regulations promulgated by the Commissioner of Buildings, for all #development# after December 15, 1961, for the #community facility#, #commercial# or #manufacturing# #uses# listed in the table, except as otherwise provided in Sections [44-53](#) (Special Provisions for a Single Zoning Lot With Uses Subject to Different Loading Requirements) or [44-54](#) (Wholesale, Manufacturing or Storage Uses Combined With Other Uses), as a condition precedent to the #use# of such #development#.

After December 15, 1961, if the #use# of any #building or other structure# or #zoning lot# is changed or #enlarged#, the requirements set forth in the table shall apply to the #floor area# of the changed or #enlarged# portion of such #building# or of the #lot area# used for such #use#.

For the purposes of this Section, a tract of land on which a group of such #uses# is #developed# under single ownership or control shall be considered a single #zoning lot#.

Whenever any #use# specified in the table is located on an open lot, the requirements set forth in the table for #floor area# shall apply to the #lot area# used for such #use#.

REQUIRED OFF-STREET LOADING BERTHS FOR DEVELOPMENTS, ENLARGEMENTS OR CHANGES OF USE

Type of Use	For #Floor Area# (in square feet)	Required Berths
M1 M2 M3 Hospitals and related facilities* or prisons	First 10,000 Next 290,000 Each additional 300,000 or fraction thereof	1 None 1
M1 M2 M3 Funeral establishments	First 10,000 Next 20,000 Any additional amount	1 1 1
M1-1 M1-2 M1-4 M2-1 M2-3 M3-1 M3-2 Hotels, offices, or court houses	First 25,000 Next 75,000 Next 200,000 Each additional 300,000 or fraction thereof	None 1 1 1
M1-3 M1-5 M1-6 M2-2 M2-4 Hotels, offices, or court houses	First 100,000 Next 200,000 Each additional 300,000 or fraction thereof	None 1 1
M1-1 M1-2 M1-4 M2-1 M2-3 M3-1 M3-2 #Commercial# #uses#. All retail or service #uses# listed in Use Group 6A, 6C, 7B, 8B, 9A, 9B, 10A, 14A or 16A. All amusement #uses# listed in Use Group 8A or 12A. All automotive service #uses# listed in Use Group 7D.	First 8,000 Next 17,000 Next 15,000 Next 20,000 Next 40,000 Each additional 150,000 or fraction thereof	None 1 1 1 1 1

<p>M1-3 M1-5 M1-6 M2-2 M2-4</p> <p>#Commercial# #uses#.</p> <p>All retail or service #uses# listed in Use Group 6A, 6C, 7B, 8B, 9A, 9B, 10A, 14A or 16A.</p> <p>All amusement #uses# listed in Use Group 8A or 12A.</p> <p>All automotive service #uses# listed in Use Group 7D.</p>	<p>First 25,000</p> <p>Next 15,000</p> <p>Next 60,000</p> <p>Each additional 150,000 or fraction thereof</p>	<p>None</p> <p>1</p> <p>1</p> <p>1</p>
<p>M1-1 M1-2 M1-4 M2-1 M2-3 M3-1 M3-2</p> <p>Services, wholesale, #manufacturing# or storage #uses#.</p> <p>All service, wholesale or storage #uses# listed in Use Group 7C, 10B, 11B, 16D, 17A or 18B.</p> <p>All #manufacturing# #uses# listed in Use Group 11A, 17B or 18A.</p>	<p>First 8,000</p> <p>Next 17,000</p> <p>Next 15,000</p> <p>Next 20,000</p> <p>Each additional 80,000 or fraction thereof</p>	<p>None</p> <p>1</p> <p>1</p> <p>1</p> <p>1</p>
<p>M1-3 M1-5 M1-6 M2-2 M2-4</p> <p>Services, wholesale, #manufacturing# or storage #uses#.</p> <p>All service, wholesale or storage #uses# listed in Use Group 7C, 10B, 11B, 16D, 17A or 18B.</p> <p>All #manufacturing# #uses# listed in Use Group 11A, 17B or 18A.</p>	<p>First 15,000</p> <p>Next 25,000</p> <p>Next 40,000</p> <p>Each additional 80,000 or fraction thereof</p>	<p>None</p> <p>1</p> <p>1</p> <p>1</p>

* Requirements in this table are in addition to area utilized for ambulance parking.

44-53 - Special Provisions for a Single Zoning Lot With Uses Subject to Different Loading Requirements

LAST AMENDED

12/15/1961

M1 M2 M3

In all districts, as indicated, if any #building# or #zoning lot# contains two or more #uses# having different requirements for loading berths as set forth in Section [44-52](#) (Required Accessory Off-street Loading Berths), and if:

- (a) the #floor area# of each separate #use# is less than the minimum #floor area# for which berths are required; and
- (b) the total #floor area# of all the #uses# for which berths are required is greater than the smallest amount of #floor area# for which berths are required for any of the #uses# individually; then

off-street loading berths shall be provided as if the total #floor area# of the #uses# for which berths are required were used for that #use# for which the most berths are required.

44-54 - Wholesale, Manufacturing or Storage Uses Combined With Other Uses

LAST AMENDED

12/15/1961

M1 M2 M3

In all districts, as indicated, except as provided in Section [44-53](#) (Special Provisions for a Single Zoning Lot With Uses Subject to Different Loading Requirements), if any #building# or #zoning lot# is used partly for wholesale, #manufacturing# or storage #uses# or any combination of such #uses#, and partly for any other #uses# set forth in the table in Section [44-52](#) (Required Accessory Off-street Loading Berths), at least 50 percent of the #floor area# in the #building# shall be subject to the requirements set forth for wholesale, #manufacturing# or storage #uses#, and the remainder shall be subject to the other applicable requirements.

44-55 - Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden

LAST AMENDED

12/15/1961

M1 M2 M3

In all districts, as indicated, the requirements set forth in the following Sections shall not apply to any #building# or #zoning lot# as to which the Commissioner of Buildings has certified that there is no way to arrange the required berths with access to the #street# to conform to the provisions of Section [44-582](#) (Location of access to the street):

Section [44-52](#) (Required Accessory Off-street Loading Berths)

Section [44-53](#) (Special Provisions for a Single Zoning Lot With Uses Subject to Different Loading Requirements)

Section [44-54](#) (Wholesale, Manufacturing or Storage Uses Combined With Other Uses).

The Commissioner of Buildings may refer such matter to the Department of Transportation for a report and may base a determination on such report.

44-56 - Special Provisions for Zoning Lots Divided by District Boundaries

LAST AMENDED

12/15/1961

M1 M2 M3

In all districts, as indicated, whenever a #zoning lot# is divided by a boundary between districts having different requirements for #accessory# off-street loading berths, the provisions set forth in Article VII, Chapter 7, shall apply.

44-57 - Joint Loading Berths Serving Two or More Buildings

LAST AMENDED

12/15/1961

M1 M2 M3

In all districts, as indicated, required loading berths may be provided in facilities designed to serve jointly two or more adjoining #buildings# or #zoning lots# within a single #block#, provided that:

- (a) the number of berths in such joint facilities shall be not less than that required for the total combined #floor area# of such #buildings# or #zoning lots# as set forth in Sections [44-52](#) (Required Accessory Off-street Loading Berths), [44-53](#) (Special Provisions for a Single Zoning Lot With Uses Subject to Different Loading Requirements) and [44-54](#) (Wholesale, Manufacturing or Storage Uses Combined With Other Uses);
- (b) direct access is provided from such joint facilities to all such #buildings# or #zoning lots#; and
- (c) the design and layout of such joint facilities meet standards of adequacy set forth in regulations promulgated by the Commissioner of Buildings.

44-58 - Additional Regulations for Permitted or Required Berths

LAST AMENDED

12/15/1961

M1 M2 M3

In all districts, as indicated, all permitted or required #accessory# off-street loading berths shall conform to the provisions set forth in this Section.

44-581 - Size of required loading berths

LAST AMENDED

12/15/1961

M1 M2 M3

In all districts, as indicated, all required off-street loading berths, open or enclosed, shall conform to the regulations on

minimum dimensions set forth in the following table. The dimensions of off-street berths shall not include driveways, or entrances to or exits from such off-street berths.

MINIMUM DIMENSIONS FOR REQUIRED ACCESSORY OFF-STREET LOADING BERTHS (in feet)

		Length	Width	Vertical Clearance
Hospitals and related facilities or prisons		33	12	12
Funeral establishments		25	10	8
Hotels, offices or court houses		33	12	12
#Commercial# #uses#*		33	12	14
Wholesale, #manu-facturing# or storage #uses# :	with less than 10,000 square feet of #floor area#	33	12	14
	with 10,000 square feet of #floor area# or more	50	12	14

* As set forth in the table in Section [44-52](#) (Required Accessory Off-street Loading Berths)

44-582 - Location of access to the street

LAST AMENDED
12/15/1961

M1 M2 M3

In all districts, as indicated, no permitted or required #accessory# off-street loading berth, and no entrance or exit thereto, shall be located less than 50 feet from the intersection of any two #street lines#. However, a location closer to such intersection may be permitted if the Commissioner of Buildings certifies that such a location is not hazardous to traffic safety and not likely to create traffic congestion. The Commissioner of Buildings may refer such matter to the Department of Transportation for report and may base a determination on such report.

The waiver provisions of Section [44-55](#) (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden) shall apply when the Commissioner of Buildings has certified that there is no way to arrange the berths with access to the #street# to conform to the provisions of this Section.

44-583 - Restrictions on location of berths near Residence Districts

LAST AMENDED

12/15/1961

M1 M2 M3

In all districts, as indicated, where #accessory# off-street loading berths are located within 60 feet of a #Residence District# boundary, such berths shall be enclosed within a #building#, and no entrance to or exit from the berths on to the #street# shall be less than 30 feet from the district boundary.

44-584 - Surfacing

LAST AMENDED

12/15/1961

M1 M2 M3

In all districts, as indicated, all permitted or required open off-street loading berths shall be surfaced with asphaltic or Portland cement concrete, or other hard-surfaced dustless material, at least six inches thick.

44-585 - Screening

LAST AMENDED

4/8/1998

M1 M2 M3

In all districts, as indicated, all permitted or required open off-street loading berths which are located on #zoning lots# adjacent to the boundary of a #Residence District# shall be screened from all adjoining #zoning lots# in #Residence Districts#, including #zoning lots# situated across a #street#, by either:

- (a) a strip at least four feet wide, densely planted with shrubs or trees which are at least four feet high at the time of planting and which are of a type which may be expected to form a year-round dense screen at least six feet high within three years; or
- (b) a wall or barrier or uniformly painted fence of fire-resistant material, at least six feet but not more than eight feet above finished grade. Such wall, barrier, or fence may be opaque or perforated, provided that not more than 50 percent of the face is open.

In addition, such screening:

- (1) shall be maintained in good condition at all times;
- (2) may be interrupted by normal entrances or exits; and
- (3) shall have no #signs# hung or attached thereto other than those permitted in Section [42-52](#) (Permitted Signs).

44-586 - Regulations for permitted or required loading berths for zoning lots containing self-service storage facilities in designated areas

LAST AMENDED

12/19/2017

M1-1 M1-2 M1-3 M2-1 M2-2 M3-1

In the Districts indicated, in designated areas within #Manufacturing Districts# in Subarea 1, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, the provisions of Sections [44-52](#) (Required Accessory Off-street Loading Berths) and [44-581](#) (Size of required loading berths) are modified as set forth in this Section.

For any #zoning lot# containing a #self-service storage facility# that meets the requirements of paragraphs (a) or (b)(1) of Section [42-121](#) (Use Group 16D self-service storage facilities), all required #accessory# off-street loading berths for a #self-service storage facility# shall have a minimum length of 37 feet. The dimensions of off-street loading berths shall not include driveways, or entrances to or exits from such off-street loading berths.

The number of #accessory# off-street loading berths required for #uses# occupying #industrial floor space# shall be as set forth in the following table:

#Floor Area# (in square feet)	Required Loading Berths
First 15,000	None
Next 25,000	1
Next 40,000	1
Each additional 80,000 or fraction thereof	1

Additional loading berths shall not be required for a change of #use# within an existing #building# from Use Group 16D to a #self-service storage facility#.