Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
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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
6/6/2024

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 44-562 (Location of access to the street), 44-563 (Restrictions on location of berths near Residence Districts), 44-564 (Surfacing) and 44-565 (Screening).

44-52 - Required Accessory Off-street Loading Berths

LAST AMENDED
12/5/2024

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# or #enlargements# after December 15, 1961, for the #community facility#, #commercial# or #manufacturing# #uses# listed in the table, as a condition precedent to the #use# of such #development# or #enlargements#.

For the purposes of applying the requirements set forth in the table to #enlargements#, such provisions shall apply to the #floor area# of the #enlarged# portion of such #building# or, for open #uses#, to the #lot area# allocated to such #enlarged# #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#.

For the purposes of applying the loading requirements of this Chapter, #uses# are grouped into the following Loading Requirement Categories (LRC).

Loading Requirement Category	**#Use# or Use Group**
LRC – A	All #uses# listed under Use Groups IX(A), IX(B) and X
LRC – B	All #uses# listed under Use Group VI, except automotive equipment rental and leasing, automotive repair and maintenance, or gasoline stations; all #uses# listed under Use Group VIII

LRC – C	All #uses# listed under Use Groups V and VII; court houses listed under Use Group IV(A)
LRC – D	Hospitals and related facilities listed under Use Group III(B); prisons listed under Use Group IV(A)
LRC – E	Funeral establishments listed under Use Group VI

REQUIRED OFF-STREET LOADING BERTHS FOR DEVELOPMENTS OR ENLARGEMENTS

Loading Requirement Category	**Districts**	
	M1-1 M1-2 M1-4 M2-1 M2-3 M3-1 M3-2 Districts without an A suffix **M1, M2 M3 Districts with an A suffix outside the #Greater Transit Zone#**	**M1-3 M1-5 M1-6 M2-2 M2-4 Districts without an A suffix** **M1, M2 M3 Districts with an A suffix within the #Greater Transit Zone#**
LRC-A	First 8,000 sq. ft. : None Next 17,000 sq. ft. : 1 Next 15,000 sq. ft. : 1 Next 20,000 sq. ft. : 1 Each additional 80,000 sq. ft. : 1	First 15,000 sq. ft. : None Next 25,000 sq. ft. : 1 Next 40,000 sq. ft. : 1 Each additional 80,000 sq. ft. : 1
LRC-B	First 8,000 sq. ft. : None Next 17,000 sq. ft. : 1 Next 15,000 sq. ft. : 1 Next 20,000 sq. ft. : 1 Next 40,000 sq. ft. : 1 Each additional 150,000 sq. ft. : 1	First 25,000 sq. ft. : None Next 15,000 sq. ft. : 1 Next 60,000 sq. ft. : 1 Each additional 150,000 sq. ft. : 1
LRC-C	First 25,000 sq. ft. : None Next 75,000 sq. ft. : 1 Next 200,000 sq. ft. : 1 Each additional 300,000 sq. ft. : 1	First 100,000 sq. ft. : None Next 200,000 sq. ft. : 1 Each additional 300,000 sq. ft. : 1

LRC-D1	First 10,000 sq. ft. : None Next 290,000 sq. ft. : 1 Each additional 300,000 sq. ft. : 1
LRC E	First 10,000 sq. ft. : None Next 20,000 sq. ft. : 1 Any additional amount : 1

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

44-53 - Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden

LAST AMENDED
6/6/2024

M1 M2 M3

In all districts, as indicated, the requirements set forth in Section 44-52 (Required Accessory Off-street Loading Berths) 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 44-562 (Location of access to the street). The Commissioner of Buildings may refer such matter to the Department of Transportation for a report and may base a determination on such report.

44-54 - Special Provisions for Zoning Lots Divided by District Boundaries

LAST AMENDED
6/6/2024

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.

44-55 - Joint Loading Berths Serving Two or More Buildings

LAST AMENDED
6/6/2024

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 Section 44-52 (Required Accessory Off-street Loading Berths);

(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.

44-56 - Additional Regulations for Permitted or Required Berths

LAST AMENDED

6/6/2024

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, inclusive.

44-561 - Size of required loading berths

LAST AMENDED
6/6/2024

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. Loading requirement categories (LRC) shall be as set forth in Section 44-52 (Required Accessory Off-street Loading Berths).

		Length	Width	Vertical Clearance
LRC-A	with less than 10,000 sq. ft. of #floor area#	37	12	14
LRC-A	with 10,000 sq. ft. or more of #floor area#	50	12	14
LRC-B		37	12	14
LRC-C		37	12	12

LRC-D		37	12	12
LRC-E		25	10	8

44-562 - Location of access to the street

LAST AMENDED
6/6/2024

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-~~53 (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.

44-563 - Restrictions on location of berths near Residence Districts

LAST AMENDED
6/6/2024

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.

44-564 - Surfacing

LAST AMENDED
6/6/2024

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.

44-565 - Screening

LAST AMENDED
6/6/2024

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 42-62 (Permitted Signs).

44-566 - Regulations for permitted or required loading berths for zoning lots containing self-service storage facilities in designated areas

LAST AMENDED
6/6/2024

M1-1 M1-2 M1-4 M2-1 M2-2 M3-1 M3-2

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 (d)(1) or (d)(2)(i) of Section 42-193 (Use Group IX – use subject to additional conditions), 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