

Ordinance amending the Pittsburgh Code, Title Nine, Zoning Code, Articles I-IX, to establish a new Riverfront Zoning District, and the provisions thereof, and to remove the Downtown Riverfront District, Riverfront Overlay District, and certain Specially Planned Districts from the Zoning Code as follows:

The Council of the City of Pittsburgh hereby enacts as follows:

Section 1. The Pittsburgh Code, Title Nine, Zoning, Article I, Section 901.02 Official Zoning Code and District Map is hereby amended as follows:

901.02 – Official Zoning Code and District Map

An up-to-date, official copy of this Zoning Code and the Official Zoning District and Height Maps shall be on file in the office of the Zoning Administrator. Interested persons may view the official Code and Maps during regular business hours. In the case of any dispute regarding the text of this Zoning Code or the Zoning District and Height Maps, the official Zoning Code and Zoning District and Height Maps as established in Sec 902.03 and maintained by the Zoning Administrator shall prevail.

Section 2. The Pittsburgh Code, Title Nine, Zoning, Article I, Sections 902.01 Establishment of Zoning Districts is hereby amended as follows:

902.01. - Establishment of Zoning Districts

902.01.A Base Zoning Districts

The following Base Zoning Districts are hereby established:

902.01.A.1 Residential Zoning Districts

Residential Zoning Districts are formed by combining a Use Subdistrict with a Development Subdistrict. The following Use and Development Subdistricts are established:

(a) Use Subdistricts

- (1) R1D, Single-Unit Detached Residential
- (2) R1A, Single-Unit Attached Residential
- (3) R2, Two-Unit Residential
- (4) R3, Three-Unit Residential
- (5) RM, Multi-Unit Residential

(b) Development Subdistricts

- (1) VL - Very Low-Density
- (2) L - Low-Density
- (3) M - Moderate-Density
- (4) H - High-Density
- (5) VH - Very High-Density

902.01.A.2 Mixed-Use Zoning Districts

The following Use Districts are established:

- (a) NDO, Neighborhood Office
- (b) LNC, Local Neighborhood Commercial
- (c) NDI, Neighborhood Industrial
- (d) UNC, Urban Neighborhood Commercial
- (e) HC, Highway Commercial
- (f) GI, General Industrial
- (g) GT, Golden Triangle
 - (1) GT-A, Golden Triangle District A
 - (2) GT-B, Golden Triangle District B
 - (3) GT-C, Golden Triangle District C
 - (4) GT-D, Golden Triangle District D
- ~~(h) DR, Downtown Riverfront
 - ~~(1) DR-A, Downtown Riverfront District A~~
 - ~~(2) DR-B, Downtown Riverfront District B~~
 - ~~(3) DR-C, Downtown Riverfront District C~~~~

902.01.A.3 ~~Residential~~ Special Purpose Districts

The following Special Purpose Districts are established:

- (a) EMI, Educational/Medical Institutional
- (b) P, Park

(c) H, Hillside

(d) RIV, Riverfront

(1) RIV-GI, Riverfront General Industrial

(2) RIV-IMU, Riverfront Industrial Mixed Use

(3) RIV-MU, Riverfront Mixed Use

(4) RIV-NS, Riverfront North Shore

(5) RIV-RM, Riverfront Mixed Residential

902.01.B Overlay Zoning Districts

The following Overlay Zoning Districts are hereby established:

(1) FP-O, Flood Plain Overlay

~~(2) RF-O, Riverfront Overlay [Reserved]~~

~~(a) Preservation Subdistrict~~

~~(b) Conservation Subdistrict~~

~~(c) Development Subdistrict~~

(3) LS-O, Landslide-Prone Overlay

(4) UM-O, Undermined Area Overlay

(5) VP-O, View Protection Overlay

(6) SM-O, Stormwater Management Overlay

(7) IB-O, Institutional Boundary Overlay

(8) AS-O, Advertising Sign Overlay

(9) IPOD, Interim Planning Overlay District

902.01.C Public Realm Districts

The following Public Realm Districts are established:

(1) Grandview Avenue

(2) Oakland

902.01.D Planned Development Districts

The following Planned Development Districts are hereby established:

902.01.D.1 SP, Specially Planned

The following Specially Planned Districts are hereby established:

- (a) SP-1, Pittsburgh Technology Center
- ~~(b) SP-2, Washington's Landing [Reserved]~~
- ~~(c) SP-3, Public Safety Complex [Reserved]~~
- (d) SP-4, Station Square
- (e) SP-5, South Side Works
- (f) SP-6, Palisades Park
- (g) SP-7, Oakland Planned Unit Development District
- (h) SP-8, Riverfront Landing
- (i) SP-9, Bakery Square
- (j) SP-10, Almono
- (k) SP-11, Lower Hill Planned Development District

902.01.D.2 PUD, Planned Unit Development

The following Planned Unit Development Districts are hereby established:

- (a) RP, Residential Planned Unit Development
- (b) CP, Commercial Planned Unit Development
- (c) AP, Residential/Commercial Planned Unit Development

902.01.D.3 Neighborhood Business Sign District

The following Neighborhood Business Sign Districts are hereby established:

- (a) East Carson Street

902.02. - Zoning District Hierarchy.

References in this Code to less restrictive or more restrictive zoning districts refer to the base zoning districts established by Section 902.01 and represent a progression from the most restrictive to least restrictive as follows:

- A. H, Hillside

- B. P, Park
- C. R1D, Residential Single-Unit Detached
- D. R1A, Residential Single-Unit Attached
- E. R2, Residential Two-Unit
- F. R3, Residential Three-Unit
- G. RM, Residential Multi-Unit
- H. NDO, Neighborhood Office
- I. LNC, Limited Neighborhood Commercial
- J. OPD, Oakland Public Realm
- K. NDI, Neighborhood Industrial
- L. UNC, Urban Neighborhood Commercial
- M. HC, Highway Commercial
- N. EMI, Educational/Medical Institution
- O. UI, Urban Industrial District
- P. GI, General Industrial

Public Realm districts, Downtown Districts, Riverfront Districts, Overlay Zoning Districts, and Planned Development Districts are not included in the zoning district hierarchy.

Section 3. Amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map by changing certain parcels from AP, CP, DR-A, DR-B, DR-C, GI, H, LNC, NDI, P, R1A-VH, R1D-H, R2-H, RM-M, RP, SP-2, SP-3, UI, and UNC to RIV-GI, RIV-IMU, RIV-MU, RIV-NS, and RIV-RM in the Marshall-Shadeland, Chateau, North Shore, Troy Hill, Esplen, Elliott, South Shore, South Side Flats, Hays, Glen Hazel, Hazelwood, South Oakland, Bluff, Central Business District, Strip District, Lawrenceville (Lower, Central, and Upper), Morningside, Highland Park, and Lincoln-Lemington-Belmar neighborhoods as prescribed within the attached maps for district and subdistrict boundaries and for maximum height limits.

Section 4. The Pittsburgh Code, Title Nine, Zoning Code, Article II, Chapter 905, Special Purpose Districts is hereby amended by establishing the Riverfront Zoning District as follows:

905.04 RIV, Riverfront

905.04.A.1. Purpose

The Allegheny, Monongahela, and Ohio Rivers and their riverfronts are valuable cultural and ecological resources of city-wide and regional significance that contribute to the public's

economic, environmental, recreational, and aesthetic well-being. The City intends to improve the ecological health of its rivers and riverfronts for the benefit of the public through regulation of development along its riverfronts. Regulation through the Riverfront (RIV) Zoning District will limit potentially detrimental impacts near the riverfronts while allowing for high-quality, sustainable development and preservation of the diverse character of the City's riverfronts. The RIV Riverfront Zoning District is intended to promote development of the City's riverfronts in a manner that:

- a. Acknowledges the historic diversity of uses, the varied character, and the economic value of the riverfronts;
- b. Facilitates mixed-use development that physically and functionally integrates with the riverfront and strengthens pedestrian connections to the riverfronts;
- c. Maintains and creates connections between the riverfronts and neighborhoods within the City;
- d. Protects areas of industrial use from encroachment of incompatible uses;
- e. Creates an environment that supports multiple modes of transportation;
- f. Promotes sustainable development;
- g. Improves of the ecological health of the rivers;
- h. Conserves and enhances riverbanks and riverfronts;
- i. Conserves, restores, and enhances native riverbank and aquatic plant life, improves river ecosystem health, and supports biodiversity; and
- j. Improves the scenic qualities and the public's enjoyment of riverfronts by preserving, creating, and enhancing public views and access to the riverfronts.

905.04.A.2. RIV Subdistricts

To respond to the variety of development forms along Pittsburgh's riverfronts, the RIV District is divided into five (5) subdistricts that relate to the function, scale, character and use of different areas along the rivers. The subdistricts are as follows and are indicated in the RIV District Subdistricts map:

a. RIV-RM Mixed Residential Subdistrict

The RIV-RM Mixed Residential Subdistrict is intended for areas of higher density residential development.

b. RIV-MU Mixed-Use Subdistrict

The RIV-MU Mixed-Use Subdistrict is intended to foster a vibrant, connected mixed-use environment that may be designed either vertically within a single development or horizontally within a larger area.

c. RIV-NS North Shore Subdistrict

The RIV-NS North Shore Subdistrict is intended specifically to address the North Shore and its unique mix of large-scale sports, entertainment, and cultural uses. As a mixed-use district, high density residential development is also allowed.

d. RIV-GI General Industrial Subdistrict

The RIV-GI General Industrial Subdistrict is intended to address a variety of industrial uses. The district accommodates both general industrial uses, as well as heavier industrial uses that may produce external impacts such as smoke, noise, glare, or vibration. Outdoor storage and related outdoor activities may also be included in the operation of such uses. The subdistrict is structured to prevent encroachment of non-industrial uses, accommodate site design elements related to public safety, and maintain compatibility with surrounding uses.

e. RIV-IMU Industrial Mixed-Use Subdistrict

The RIV-IMU Industrial Mixed-Use Subdistrict is intended to address areas of the riverfront that are diversifying from their original, strictly industrial nature. It accommodates a variety of higher intensity uses, including light industrial, commercial, and high density residential development. The RIV-IMU Subdistrict is also intended for industrial areas that are focused on research and development and technology-oriented industries.

905.04.B. Definitions

The following definitions apply in the RIV District. Where this Code contains a defined term that conflicts with the definition of the term below, the definitions of this section control in the RIV District.

1. **Build-To Zone** - The area between the lot line and a specified depth, measured perpendicular from the lot line, where the frontage or façade of a structure must be located. If a percentage is specified, it indicates the percentage of the building frontage or façade that must be located with the build-to zone.
2. **Cool Roof** - A roof that has been designed to reflect more sunlight and absorb less heat than a standard roof. Typical designs are roofs made of a highly reflective type of paint, a sheet covering, or highly reflective tiles or shingles. A green roof may also be considered a cool roof.
3. **Green Roof** - A building roof partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems.

4. **Project Pool Elevation** – The hydraulically based reference plane that indicates water surface elevation in an area regulated by water control structures such as dams. For the purpose of 905.04, Pittsburgh’s Project Pool Elevation is measured as 710 feet on all three rivers.
5. **Tower** – A portion of a building above 85 feet that extends vertically above the broader base.
6. **Water-Dependent Facility or Use** - A facility or use that by its nature is required to be on or adjacent to a river; without such adjacency the use could not exist. This includes facilities or uses in legal existence prior to the RIV District that were originally designed to utilize the rivers (such as concrete factories), but do not currently use river transport and generally maintain legacy infrastructure related to river use.
7. **Water Enhanced Facility or Use** - Recreation, entertainment, or restaurant facilities or similar uses that achieve greater value or beauty as a result of a location on or near a river.
8. **Visual Access Corridor** - The line of sight, identified as to width and distance of an observer looking toward an object of significance to the community from a public space. In the RIV District, the focus of the visual access is the riverfront.

905.04.C. Required Zoning Review

905.04.C.1. The following development actions are subject to Site Plan Review and approval per Section 922.04, unless such actions meet the thresholds of Section 905.04.C.2, in which case they are subject to Project Development Plan review and approval:

- a. Any new construction or expansion of accessory structures within 200 feet of the Project Pool Elevation.
- b. All new construction of primary structures.
- c. Any expansion or any exterior renovation to an existing primary structure.
- d. All new construction of surface parking lots or parking structures.
- e. The expansion of any existing surface parking lot.

905.04.C.2. Any existing single-family detached dwellings located within the RIV District are exempt from Site Plan Review, unless otherwise specifically required by the Zoning Code.

905.04.C.3. The following development actions are subject to Project Development Plan review and approval by Planning Commission per Section 922.10.

- a. All new construction of a primary structure located fully or partially within 200 feet of the Project Pool Elevation of the river, excluding necessary equipment for Manufacturing and Assembly or Basic Industry use.
- b. All new construction of 15,000 square feet or more in gross floor area.
- c. Any addition or expansion of 15,000 square feet or more in gross floor area or building footprint.
- d. Commercial structured parking of 50 or more spaces.

905.04.C.4. A transportation study is required for any development project subject to Site Plan Review or requiring a Project Development Plan when it is anticipated that such project may have substantial impacts on the City's comprehensive transportation network.

- a. To determine whether a transportation study is required for such projects, a transportation scoping form must be prepared by a qualified transportation engineer. If required by the Zoning Administrator, the transportation study scope must be tailored to the site-specific elements of the proposed land development project and must conform to City guidelines.
- b. The project applicant must submit a transportation management plan as a part of the transportation study. The transportation management plan must conform to City guidelines and will be reviewed and approved as part of the transportation study.
- c. The transportation study shall meet the applicable Project Development Plan criteria of 922.10.E.2.

905.04.D. Uses

- 1. Primary uses shall be allowed in the RIV-RM, RIV-MU, RIV-NS, RIV-GI, and RIV-IMU Subdistricts in accordance with the Use Table of Sec. 911.02.
- 2. Lawful uses and structures existing in the RIV zoning district prior to the adoption of the RIV zoning district and zoning text may continue to lawfully exist pursuant to Chapter 921: Nonconformities.
- 3. Legal nonconforming Single-Unit Detached Residential uses and accessory structures located on the same Zoning Lot in the RIV zoning district may make improvements, alterations or expansion subject to all Zoning Code provisions applicable to Single-Unit Detached Residential uses in RID-H zoning districts.
- 4. Where a site has an Act 2 designation as part of the Pennsylvania Department of Environmental Protection's Land Recycling Program, any use permissions or restrictions that are part of such designation control over the related provisions and standards of the RIV District.

905.04.E. Dimensional Regulations

1. The following dimensional regulations apply in the RIV District. The regulations apply throughout the RIV District unless a regulation is specifically identified as applying only to a particular subdistrict.
2. Where a site has an Act 2 designation as part of the Pennsylvania Department of Environmental Protection's Land Recycling Program, any regulations or requirements that are part of such designation control over the related provisions and standards of the RIV District.

905.04.E.3. Height

- a. Base height in the RIV is 55 feet except where, in accordance with the adopted height map for the RIV, maximum height is indicated to be 45 feet.
- b. A minimum height of 24 feet is required for Primary Structures.
- c. The maximum height of a Primary Structure may exceed 55 feet, up to the maximum height illustrated in the Height Map, provided the following conditions are met:

(1) Height Bonus

To exceed the height of 55 feet, a development must qualify for a height bonus as described in Section 905.04.K and 915.07.

(2) Height Design Standards

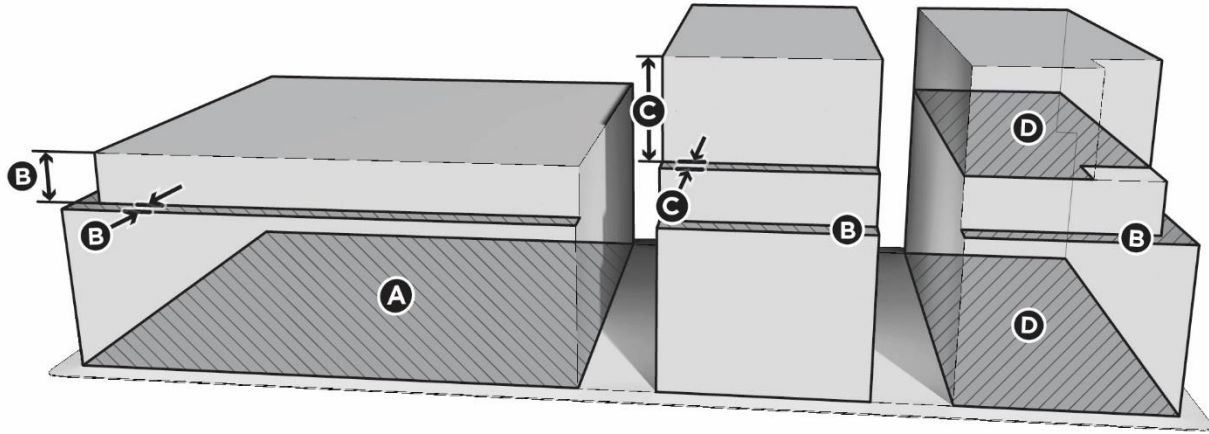
To exceed the height of 55 feet, as permitted in the Height Map, buildings must meet the following design standards:

- (a) Buildings over 65 feet in height are limited to a maximum building footprint of 40,000 square feet
- (b) Buildings over 85 feet in height are limited to a maximum building footprint of 65,000 square feet when including one or more towers.
 - (i) Cumulative tower footprints may be no more than 50% of the square footage of the footprint of the base.
 - (ii) Towers must maintain upper-story step backs of 905.04.E.3.c.(2)(c)(ii)(A)-(D).

- (c) Where a building exceeds 65 feet in height, step-backs are required as follows (see Figure 2):

- (i) A minimum front and street-side step-back of ten (10) feet is required for structures of 65 feet in height or greater.
 - (ii) Structures in excess of 85 feet in height shall meet one of the following standards beginning no higher than 85 feet:
 - (A) Additional front and street-side step-backs of ten (10) feet are required, in addition to the ten (10) foot step-back required at 65 feet.
 - (B) The portion of the structure that exceeds 85 feet in height must be no more than 80% of the building footprint. The required ten (10) foot step-back at 65 feet shall be maintained.
 - (C) A minimum step-back of ten (10) feet along the façade parallel to the river, beginning no higher than 65 feet, is required for all buildings located within 125 feet of the Project Pool Elevation.
 - (D) Any required building step-back may begin at a lower height but at a minimum must occur at the portion of a building exceeding 65 feet or six stories, whichever occurs first.
- (d) For structures that exceed 65 feet in height, applicants must submit a shadow study demonstrating the effects of the proposed structure to the Zoning Administrator. Pre- and post-development shadows must be included in the shadow study. The study must depict, at a minimum, mid-morning and mid-afternoon shadows cast on the following dates: March 21, June 21, September 22, and December 21, corresponding to the first day of each season.
- d. If federal or state regulations that preempt this Code require a height that exceeds 55 feet for any structure, such height is permitted to the extent the preempting law requires even if it exceeds the maximum height limitations of Figure 2. In such case, compliance with the bonus provisions of Section 905.04.K is not required for the additional required height. Structures accessory to Basic Industry and Manufacturing and Assembly uses that exceed 55 feet in height and require additional height to function as an essential part of the use are also exempt from this section.

FIGURE 2: BUILDING HEIGHT AND UPPER-STORY STEPBACKS WHEN NOT USING TOWER DESIGN OPTIONS



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| <p>A Buildings over 65 feet in height are limited to a maximum building footprint of 40,000 square feet.</p> <p>B Structures measuring taller than 65 feet in height are required to provide a minimum front and street-side step back of ten feet at the portion of the building exceeding 65 feet or six stories, whichever occurs first.</p> | <p>Structures measuring taller than 85 feet in height are required to provide either of the following:</p> <p>C An additional minimum front and street-side step back of ten feet at the portion of the building exceeding 85 feet; or</p> <p>D The footprint of the portion of the structure exceeding 85 feet in height may be no greater than 80% of the total building footprint.</p> |
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905.04.E.4. Structure Placement

a. Riparian Buffer Zone. Riparian Buffer Zones are vital elements of riverfronts, and they create and provide protection of surface and ground water quality, water resources, and complex ecosystems that provide food and habitat for unique plant and animal species. Riparian Buffer Zones are essential to the mitigation and control of nonpoint source pollution.

(1) No development is permitted within 125 feet of the Project Pool Elevation of the river, except as provided herein.

(a) The following are fully exempt from the riparian buffer zone requirement:

- (i) Water-Dependent Facilities or Uses.
- (ii) Water-Enhanced Facilities or Uses
- (iii) Accessory uses that are open space amenities such as unstaffed bike rental stations, unstaffed bike repair stands, kayak launches, and fishing areas.

(b) The riparian buffer zone may be reduced to no less than 95 feet from the Project Pool Elevation if it complies with the bonus provisions in Section 905.04.K. (See Figure 3.)

(c) If an abutting parcel contains a primary structure encroaching into the Riparian Buffer closer than 95 feet to the Project Pool Elevation, structures on the Subject Property may encroach into the Riparian Buffer Zone to either (1) the extent of encroachment on the abutting parcel or (2) 50 feet from the Project Pool Elevation, whichever distance is further from the river, when the following conditions are met:

(i) The development obtains bonus points in accordance with subsection (b), sufficient to encroach to 95 feet from the Project Pool Elevation, plus two (2) additional points earned from Section 915.07.D.7, Riparian Public Access Easements, Trails & Amenities;

(ii) Building footprint occupies no more than 30% of the area between 50 and 95 feet of the Project Pool Elevation.

(2) Within the required riparian buffer zone, landscaping must consist primarily of species that are native or naturalized to the region. Landscape should incorporate species from the Pennsylvania Department of Conservation and Natural Resources' (DCNR's) Native Wild Plant Species Accounts. Grading, filling, excavation, clear cutting, and removal of vegetative cover are prohibited within the riparian buffer zone, except in the following instances, and only to the extent the Zoning Administrator determines to be necessary:

(a) To remove noxious or invasive vegetation.

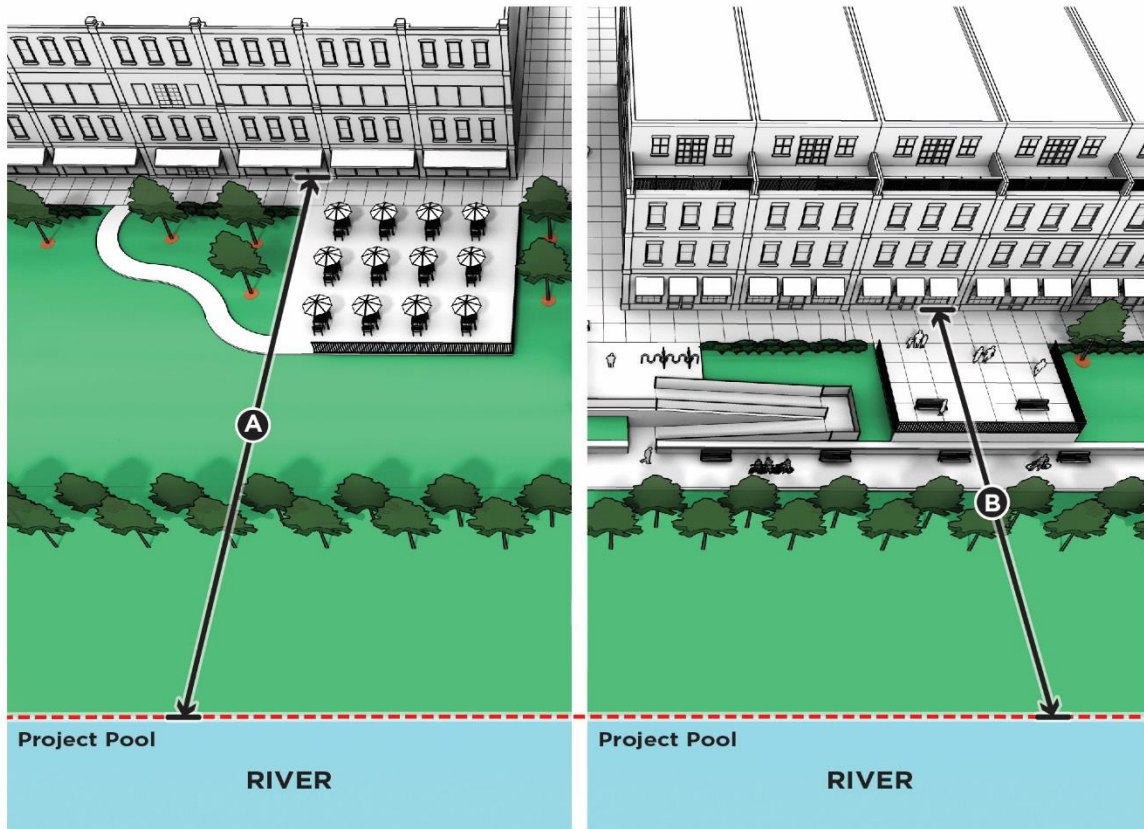
(b) To implement green infrastructure or stormwater best management practices (BMPs).

(c) To facilitate a Water-Dependent or Water-Enhanced Facilities or Uses, including riverfront trails.

(d) To implement erosion and flood control measures.

(e) To undertake activities related to riverbank restoration and stabilization.

FIGURE 3: RIPARIAN BUFFER ZONE



A Non-exempt structures must be set back 125 feet from the project pool of the river.

B The riparian buffer zone may be reduced to no less than 95 feet for a structure if it provides one or more bonus actions.

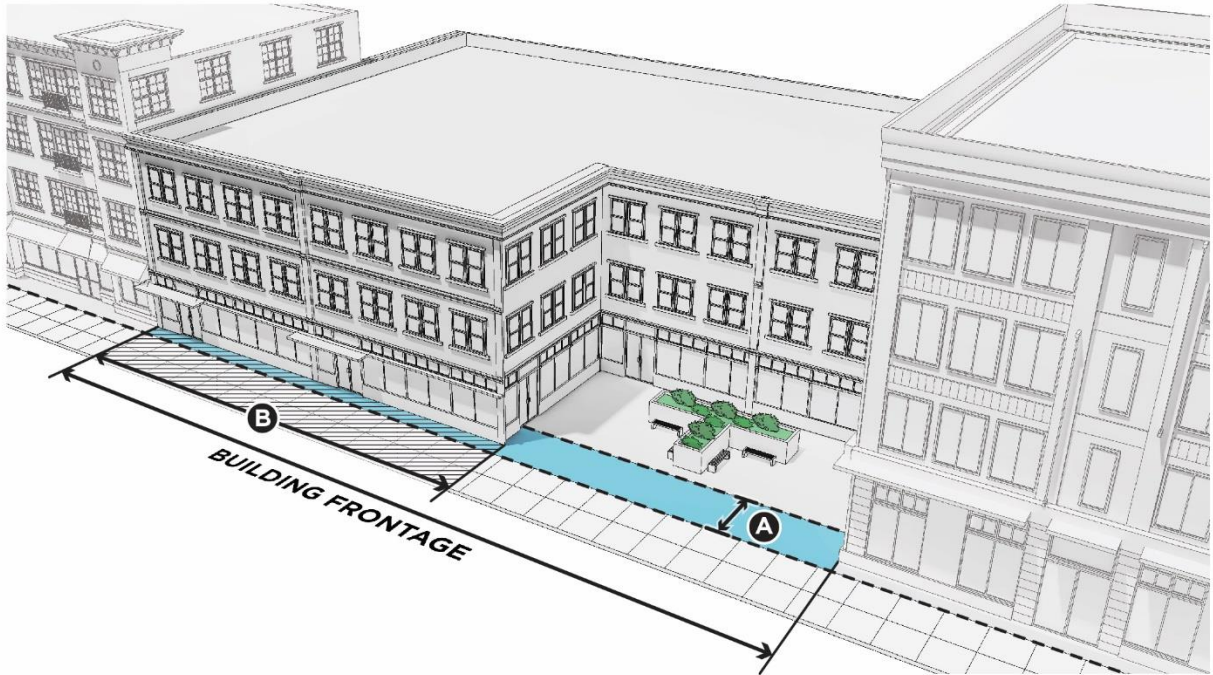
b. Street Build-To Zone and Pedestrian Sidewalks

- (1) When abutting a Street, a build-to zone is imposed between zero (0) and ten (10) feet inward from the property line (See Figure 4).
- (2) When abutting a Street, a minimum of 60% of the building frontage or façade must be located in the Build-To Zone.
- (3) Continuous pedestrian sidewalks at least ten (10) feet wide shall be provided along the facades or frontages of the side of a building abutting a Street, inclusive of obstructions including street furniture, tree pits, and Green Infrastructure. A clear path exclusive of obstructions of at least five (5) feet shall be provided. If the sidewalk does not have ten (10) feet of width available in the public right of way as determined by

the City, the additional width must be provided on the development parcel.

- (4) The Build-To Zone requirements of Section 905.04.E.b.i-ii and the pedestrian sidewalk requirements of Section 905.04.E.3.b.iii shall be applied concurrently. If a sidewalk ten (10) feet wide is placed entirely on a development parcel, the Build-To Zone shall begin at ten (10) feet from the lot line.
- (5) An alternative location for the Build-To Zone in the RIV-NS Subdistrict, in order to provide additional open space along the Street, shall be allowed in accordance with the Administrator Exception procedures of Sec. 922.08:
 - (a) The development parcel with the additional open space shall be within 200 feet of a stadium;
 - (b) The building(s) shall maintain a minimum of 80% of the building frontage located within the alternative Build-To Zone;
 - (c) The street level along the open space shall include restaurant, retail, or other publicly accessible uses not to extend onto the public right of way; and
 - (d) The open space shall be designed to promote pedestrian activity and may include outdoor seating and other furniture.

FIGURE 4: STREET BUILD-TO ZONE



A Structures must meet a build-to zone of zero to 10 feet from any public street, with a minimum build-to percentage of 60%.

B A minimum of 60% of the building façade must be located within the build-to-zone of zero to 10 feet.

c. Rear Setback

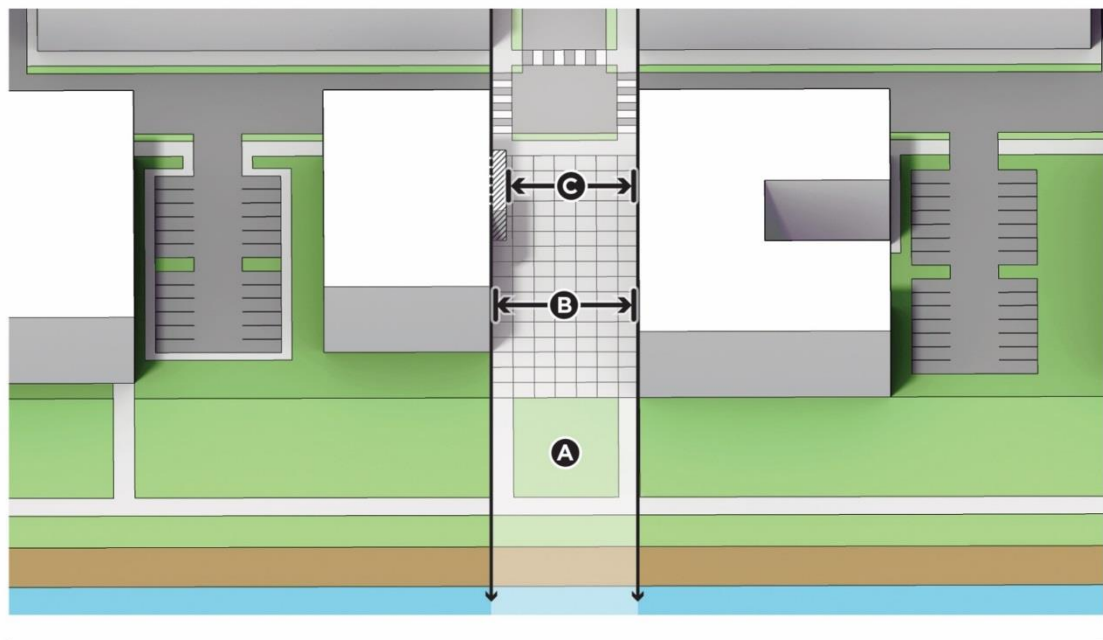
- (1) The rear setback for Single-Unit Attached Residential, two-unit residential, and three-unit residential structures is five (5) feet. This may be reduced to two (2) feet when the rear yard abuts a way.
- (2) No rear setback required for other uses.

d. Visual Access along Street Corridors (See Figure 5)

- (1) No structure may block the Visual Access Corridor between the riverfront and any Street perpendicular to the riverfront where the Visual Access Corridor:
 - (a) Extends to the riverfront.
 - (b) Terminates before reaching the riverfront but is within the RIV District.

- (2) Corridors must be at least the same width as the public right-of-way and must continue to the riverfront as a straight-line extension of the Street.
- (3) Primary Structures may set back farther from the Visual Access Corridor.
- (4) The encroachment of a structure into any Visual Access Corridor is limited to no more than 10% of the width of the Corridor.
- (5) Requirements for visual access along Street Corridors shall apply to all new structures and uses regardless of existing structures and uses located within the Corridors. No Accessory Structures may be located in the Corridor.
- (6) Building passages cannot be used to meet the requirement of this Section.

FIGURE 5: VISUAL ACCESS CORRIDORS



A Structures may not block the view of the riverfront from any public street that extends to the riverfront or terminates prior to reaching the riverfront.

B Corridors must be the same width as the public right-of-way and continue to the riverfront.

C A building may project into the view corridor no more than 10% of the corridor's width.

905.04.E.5. Building Length

Building length is limited to a maximum of 500 feet except where the structure is a stadium use. Where a zoning lot has a building at a length of 500 feet, any new buildings or building addition on the same zoning lot shall be separated by at least 30 feet.

905.04.F. Stormwater Management

Stormwater standards (Chapter 1003) shall apply to all Project Development Plans and Site Plan Review with Regulated Activities equal to or greater than 5,000 square feet in area. Small Project Stormwater Standards of Section 915.03 shall apply to all new construction and building additions that include a land disturbance greater than 500 square feet but less than 5,000 square feet in area.

905.04.G. Design Standards

905.04.G.1. Alternative Design Standard Compliance

The Zoning Administrator may approve alternative design standard compliance as an Administrator Exception, in accordance with Section 922.08, where the alternative design is determined to achieve the purpose of the RIV District equally or more so than through strict adherence to the standards.

905.04.G.2. Design Standards for Residential Uses in the RIV District

Single-Unit Attached Residential, Two-Unit Residential, Three-Unit Residential and Multi-Unit Residential uses must meet the following requirements:

- a. Façades must be designed with consistent building materials and treatments that wrap around all façades. There must be a unifying architectural theme for the entire development, using a common vocabulary of architectural forms, elements, materials, and/or colors.
- b. Façades of structures containing Multi-Unit Residential uses abutting a street or abutting the riverfront must be articulated through the use of architectural elements to break up blank walls, add visual interest, and present a residential character. Two (2) or more of the following forms of building articulation must be incorporated into the design of structures containing Multi-Unit Residential uses (see Figure 6):
 - (1) For facades over 50 feet in length, modulation of the façade through the use of features such as projections or indentations. Such building modulations must either be projected or be set back a minimum of two (2) feet in depth, and must be a minimum of four (4) feet in width. There may be no more than 50 feet between such modulations.
 - (2) Architectural elements such as balconies, bay windows, patios, porches, or terraces. There may be no more than 50 feet between such elements.

- (3) Changes in color, texture, or material. Changes should occur at inside corners to convey solidity and permanence, and should not occur on a flat wall plane or an outside edge. There may be no more than 50 feet between such changes.
- (4) Lighting fixtures or other building ornamentation such as artwork, trellises, or green walls. There may be no more than 50 feet between such fixtures or elements of ornamentation.
- c. Public entrances on any façade must be designed as visually distinct elements of the facade.
- d. Where private open space for residents is maintained along the riverfront façade, only 40% of the total of such area may consist of impervious surface. Any fencing that delineates the private open space from public space must be open fencing of at least 60% open design with a maximum height of six and one half (6.5) feet. Shadowbox fencing is prohibited.
- e. Single-Unit Attached Residential uses are subject to the following curb cut standards:

 - (1) Garages and parking spaces must be accessed from the rear yard if rear yard access is available. Corner lots, with or without rear access, may alternatively access garages and parking spaces from the exterior side yard.
 - (2) In cases where front-loaded garage design is the remaining option, shared driveways with one curb cut are encouraged.

FIGURE 6: DESIGN STANDARDS FOR MULTI-UNIT RESIDENTIAL



A Façades must be designed with consistent building materials and a unifying architectural theme.

B Building façades must be articulated using architectural elements occurring at intervals no greater than 50 linear feet.

905.04.G.3. Design Standards for Nonresidential Uses

The RIV District Design Standards Table sets forth the required designs standards in RIV Subdistricts RIV-MU, RIV-NS, RIV-GI, and RIV-IMU. The Design Standards table does not apply to Residential uses in any subdistrict, or necessary equipment and industrial structures that function as an essential part of Manufacturing and Assembly or Basic Industry uses. For non-residential uses within the RIV-RM Subdistrict, RIV-MU Standards apply. An X indicates that a standard is required in the corresponding subdistrict. (See Figure 7.)

<u>RIV District Design Standards</u>					
		<u>RIV-MU</u>	<u>RIV-NS</u>	<u>RIV-GI</u>	<u>RIV-IMU</u>
<u>Facade Design</u>					
<u>a.</u>	<u>The ground floor of a multi-story building must be a minimum of 15 feet in height measured floor to floor, to promote mixed-use and accommodate a variety of ground-floor uses.</u>	<u>X</u>	<u>X</u>		<u>X</u>
<u>b.</u>	<u>No facade adjacent to a street or a riverfront can contain a non-articulated condition greater than 50 linear feet in length. Building wall articulation must be achieved through changes in the façade depth of no less than six inches.</u>	<u>X</u>	<u>X</u>		<u>X</u>

<u>RIV District Design Standards</u>					
		<u>RIV- MU</u>	<u>RIV- NS</u>	<u>RIV- GI</u>	<u>RIV- IMU</u>
<u>c.</u>	<u>Façades must be designed with consistent building materials and treatments that wrap around all façades. A unifying architectural theme must be used for the entire development, using a common vocabulary of architectural forms, elements, materials, and/or colors.</u>	<u>X</u>	<u>X</u>		<u>X</u>
<u>Building Entry</u>					
<u>d.</u>	<u>All buildings must maintain a public entrance from the sidewalk along the primary street frontage.</u>	<u>X</u>	<u>X</u>		<u>X</u>
<u>e.</u>	<u>Public entrances on any façade must be designed as visually distinct elements of the facade.</u>	<u>X</u>	<u>X</u>		<u>X</u>
<u>Fenestration Design</u>					
<u>f.</u>	<u>The ground floor of a street facing façade must maintain a transparency of 50%, measured as a percentage of the ground floor façade floor to floor height.</u>	<u>X</u>	<u>X</u>		<u>X</u>
<u>g.</u>	<u>The ground floor of a riverfront façade, must maintain a minimum transparency of 50%, measured as a percentage of the ground floor façade floor to floor height.</u>	<u>X</u>	<u>X</u>		<u>X</u>
<u>h.</u>	<u>Upper floors of a riverfront façade must maintain a transparency of 25% of the wall area of each story.</u>	<u>X</u>	<u>X</u>		
<u>Roof Design</u>					
<u>i.</u>	<u>Any roof that is visible from a public right-of-way must be 30-year architectural shingle or colored standing seam metal roofing.</u>	<u>X</u>	<u>X</u>		<u>X</u>
<u>j.</u>	<u>Cool Roofs are required for new construction and for roof replacement on existing buildings. Solar Reflective Index values of cool roofs must be consistent with Energy Star Roof Products Key Product Criteria.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>k.</u>	<u>Reflective roof surfaces that produce glare are prohibited, except for solar panels or cool roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Site Design</u>					
<u>l.</u>	<u>Curb cuts, including access to surface parking lots and structures, should be minimized along perpendicular connections to the riverfront.</u>	<u>X</u>			<u>X</u>
<u>m.</u>	<u>Impervious surfaces of plazas or open spaces along riverfronts shall not exceed 40%.</u>	<u>X</u>	<u>X</u>		<u>X</u>

<u>RIV District Design Standards</u>					
		<u>RIV- MU</u>	<u>RIV- NS</u>	<u>RIV- GI</u>	<u>RIV- IMU</u>
<u>n.</u>	<u>Security elements, such as bollards, and site amenities, like bike racks, should be coordinated with the architectural theme of the building and/or the surrounding landscape and hardscape design.</u>	<u>X</u>	<u>X</u>		<u>X</u>
<u>o.</u>	<u>No curb cuts should be permitted along primary streets when access to a lot is otherwise available via a secondary street or a way.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>

905.04.G.4. Building Material

Durable, high quality building materials are required.

a. The following building materials are prohibited on any façade:

- (1) Plain concrete block, restriction does not apply in the RIV-GI Subdistrict or to Basic Industry and Assembly and Manufacturing where not visible from the public realm including rivers.
- (2) Exposed aggregate (rough finish) concrete wall panels
- (3) Exterior insulating finish systems (EIFS)
- (4) T-111 composite plywood siding
- (5) Vinyl, excluding cellular vinyl trim
- (6) Fiber cement and composite panels on the ground floor; this does not apply to single-family attached dwellings
- (7) Reflective (mirror finish) glass.

b. The following building materials are may be used only as decorative or detail elements for up to 25% of the façade, measured as the total of the whole facade.

- (1) Corrugated metal
- (2) Cellular vinyl trim when used for single-family attached and multi-family.

FIGURE 7: DESIGN STANDARDS FOR DEVELOPMENTS IN THE RIV DISTRICT



- A** The ground floor of a multi-story building must be at least 15 feet in height.
- B** Façades abutting a street or the riverfront cannot have blank wall areas that exceed 50 linear feet.

- C** Buildings must feature a public entrance from the sidewalk along the primary street frontage. All public entrances must be visually distinctive.
- D** Total impervious surface area for plazas or open spaces along riverfronts is limited to 60%.



- A** Developments must have a unifying architectural theme and use consistent building materials throughout.
- B** Multi-building complexes must be designed using unifying visual links between buildings.

- C** Developments should provide pedestrian links to adjacent commercial uses.
- D** Security elements and site amenities like bollards and bike racks should be coordinated with the architectural theme of the building and/or the surrounding landscape design.

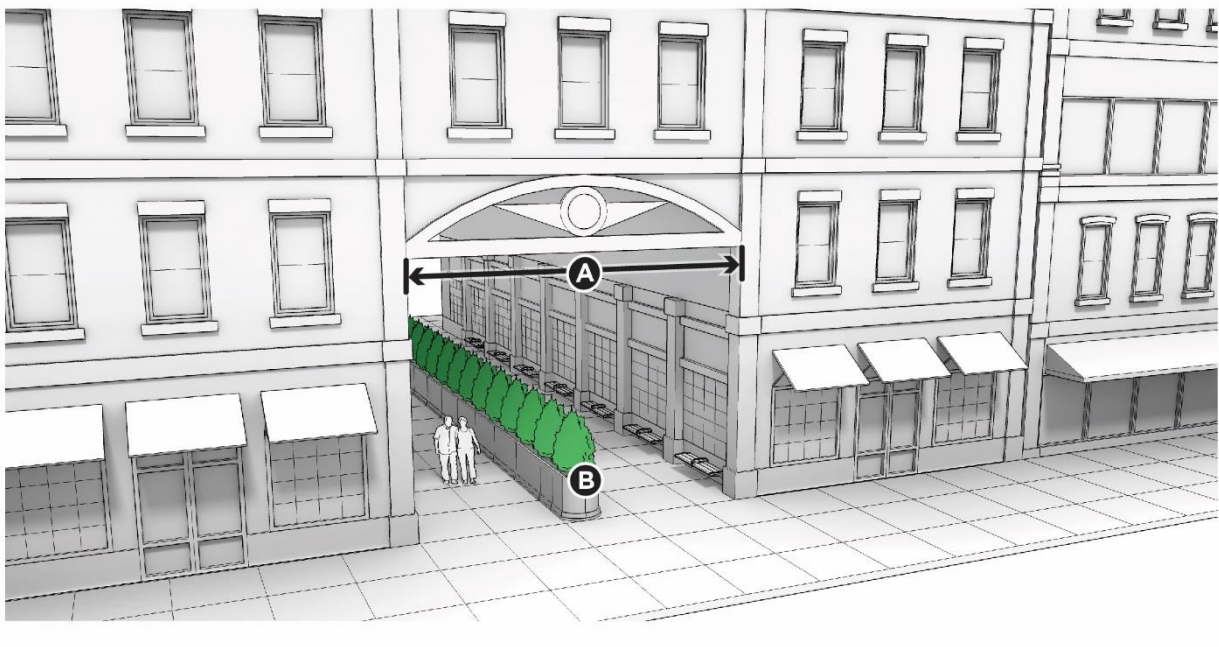
905.04.G.5. Building Passages

Building passages that provide a break in the ground floor façade from a public street and may include stories above the ground floor are encouraged. Building passages may be public, allowing public access to the riverfront, or private. (See Figure 8.)

a. General Requirements

- (1) Building passages must be a minimum of 15 feet in width. A width of 30 feet or greater is preferred.
- (2) To provide a visual connection from the street to the riverfront, passages must be designed to maintain views from one end through to the other. Such views must not be obstructed by lighting or other features.
- (3) Inclusion of decorative elements or public art within passages is encouraged.
- (4) For the purposes of calculating a build-to line, build-to zone, and/or build-to percentage, a building passage is considered part of the building façade that meets such requirements.

FIGURE 8: GENERAL REQUIREMENTS FOR BUILDING PASSAGES



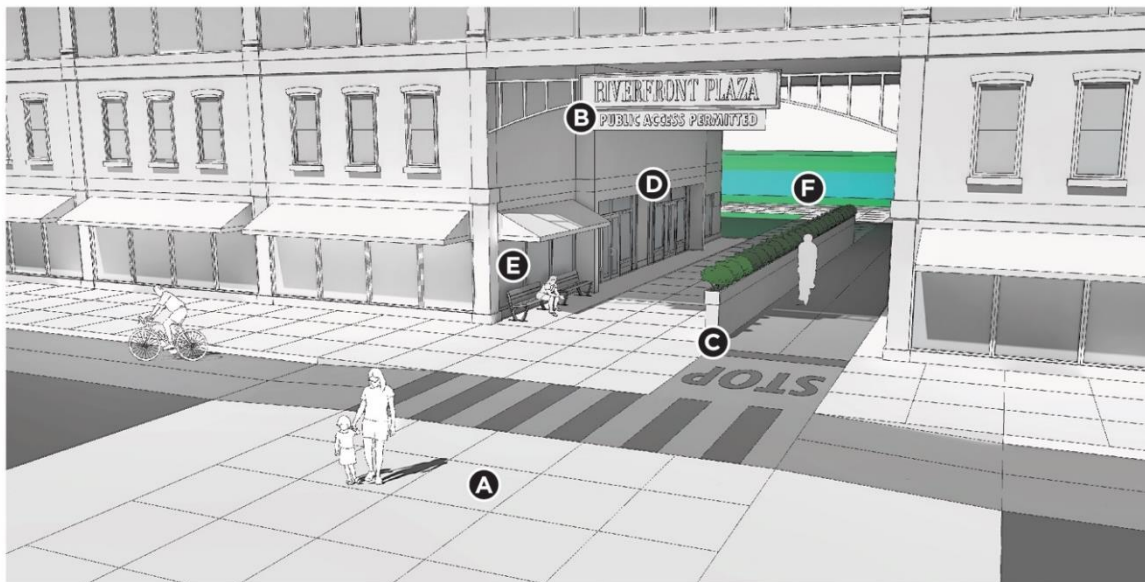
A Building passages must be at least 15 feet in width but a width of 30 feet or greater is preferred.

B Including decorative elements or public art within passages is encouraged.

b. Public Building Passages

- (1) To the extent possible, building passages should align with the street grid or other points of access to public open space along the riverfront where feasible.
- (2) Signs that indicate public access are required.
- (3) In nonresidential and mixed-use buildings, ground floor uses must be oriented toward the passage, including public entrances where feasible.
- (4) Ground floor façades facing into public building passages in nonresidential and mixed-use buildings must maintain a minimum transparency of 35% of the wall area of the passage.
- (5) Where providing a connection directly to the riverfront, passages must be designed to maintain views from one end through to the other. Such views must not be obstructed by lighting or other features.

FIGURE 9: PUBLIC BUILDING PASSAGES



- | | |
|---------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| <p>A Building passages should align with public open space access points and pedestrian crosswalks to the extent possible.</p> | <p>D In nonresidential and mixed-use buildings, ground floor uses and entrances must be oriented toward the building passage.</p> |
| <p>B Signs indicating public access are required.</p> | <p>E Ground floor façades facing into passages in nonresidential and mixed-use buildings must have a minimum transparency of 35%.</p> |
| <p>C Public access allowing both pedestrians and bicyclists must be delineated through distinct markings.</p> | <p>F Passages providing a direct connection to the riverfront may not be obstructed by building or accessory features.</p> |

c. Private Building Passages

- (1) Private building passages may be closed off to the public with gates and/or fencing but must be of open design to allow the public a clear view through the passage.
- (2) Private passages should be designed with elements to be used by site users, such as seating areas.
- (3) Ground floor façades facing into private building passages in nonresidential and mixed-use buildings must maintain a minimum transparency of 25% of the wall area of the passage.

FIGURE 10: PRIVATE BUILDING PASSAGES



- A** Non-retractable or permanently closed security gates may not be used to close off private passages.
- B** Private passages should include elements serving the site user, such as seating.

- C** Passages providing a visual connection from the street to the riverfront must be designed to maintain views from one end through to the other.

905.04.H. Accessory Structures and Encroachments

In addition to the requirements of the Zoning Code, the following apply to the RIV District. In the case of conflict with other provisions of the Code, these provisions control in the RIV District.

905.04.H.1. Fences

a. Fences and walls in the RIV District, except in the RIV-GI subdistrict, are permitted as follows:

- (1) Fences and walls in the Build-To Zones are permitted to a maximum four (4) feet in height and shall be of an open design.
- (2) Fences and walls in the rear and interior side yard are permitted to a maximum height of six and one half (6.5) feet and may be opaque, except when adjacent to the riverfront.
- (3) Fences adjacent to the riverfront are permitted to a maximum height of six and one half (6.5) feet and with a minimum of 60% opacity.
- (4) Security fencing that is required by federal or state regulations may exceed height and/or opacity maximums.
- (5) Walls greater than 40 feet in length must incorporate some sort of visual relief, including, but not limited to, pattern breaks, varying wall construction, vertical features such as columns, differing construction materials, or a combination of the above.

b. Fences and walls in the RIV-GI Subdistrict are permitted as follows:

- (1) Fences and walls are permitted to a maximum height of eight (8) feet and may be opaque.
- (2) Security fencing that is required by federal or state regulations may exceed height and/or opacity maximums.
- (3) Walls greater than 40 feet in length must incorporate some sort of visual relief, including, but not limited to, pattern breaks, varying wall construction, vertical features such as columns, differing construction materials, or a combination of the above.

c. The following materials are prohibited in the construction of fences and walls:

- (1) Scrap metal
- (2) Corrugated metal
- (3) Sheet metal
- (4) Pallets

(5) Electrical fences

(6) Razor or barbed wire, unless required by state or federal regulations. Where permitted, it must be located at least eight (8) feet above the ground.

(7) Chain link, including chain link with slats. Chain link without slats is permitted in heavy industrial or utility uses within the RIV District.

905.04.H.2. Mechanical Equipment

The following standards apply to mechanical equipment in all subdistricts except the RIV-GI Subdistrict. Mechanical equipment includes heating, ventilation, and air conditioning (HVAC) equipment, electrical generators, and similar equipment. These standards do not apply to wind turbines and solar panels.

a. Ground-Mounted Equipment

Mechanical equipment must be located to the side or rear of the structure. Any mechanical equipment visible from the public realm, including rivers, must be screened from view by a decorative wall or solid fence that is compatible with the architecture of the building and/or landscaping. The wall or fence must be of a height equal to or greater than the height of the mechanical equipment being screened.

b. Roof-Mounted Equipment

Roof mounted equipment visible from the proximal public realm must be screened.

c. Wall-Mounted Equipment

(1) Wall-mounted mechanical equipment is not permitted on any façade abutting a primary street frontage.

(2) Wall-mounted mechanical equipment on a riverfront or secondary street-fronting façade that protrudes more than 12 inches from the outer building wall must be screened from view by structural features that are compatible with the architecture of the subject building. This does not apply to window-mounted air conditioners.

905.04.H.3. Flat Roof Features

a. Green roofs, rooftop decks, rooftop gardens, and stormwater management systems are permitted to extend above the parapet of any flat roof building.

b. Accessory rooftop features of a flat roof, including green roofs, rooftop decks, rooftop gardens, and stormwater management systems are excluded from the calculation of maximum building height.

905.04.H.4. Wind Turbines

- a. Wind turbines may be designed as either vertical or horizontal axis turbines, with or without exposed blades, including designs that combine elements of the different types of turbines.
- b. Wind turbines are subject to the following height restrictions:
 - (1) Maximum height is the total height of the turbine system, including the tower and the maximum vertical height of the turbine blades. Maximum height therefore is calculated measuring the length of a prop at maximum vertical rotation to the base of the tower. The maximum height of any ground-mounted wind turbine is measured from grade to the length of a prop at maximum vertical rotation.
 - (2) No portion of exposed turbine blades may be within 20 feet of the ground. Unexposed turbine blades may be within ten feet of the ground.
 - (3) The maximum height of a ground-mounted wind turbine is 55 feet.
 - (4) The maximum height of a roof-mounted wind turbine is 15 feet where the building structure is less than 60 feet high, and 25 feet where the building structure is 60 feet high or greater.
- c. Ground-mounted wind turbines are permitted only in the rear yard. No part of the wind system structure, including guy wire anchors, may be located closer than ten (10) feet to any lot line.
- d. Ground-mounted wind turbines must be set back a distance equal to the height of the turbine from any primary structures on the lot and adjacent lots, as measured at the nearest external wall or walls.
- e. All wind turbines must be equipped with manual (electronic or mechanical) and automatic over speed controls to limit the blade rotation speed to within the design limits of the wind energy system.

905.04.I. Parking

In addition to the Parking, Loading and Access requirements of Chapter 914, the following limitations on parking shall apply. In the case of conflict with other provisions of the Code, these provisions control in the RIV District.

905.04.I.1. Required Parking

- a. The minimum parking required in the RIV District is 50% of the minimum parking required in Schedule A of Section 914.02.A, unless otherwise provided.
- b. The maximum parking limitation is the minimum parking required listed in Schedule A of Section 914.02.A.

- c. Uses requiring parking demand analysis shall provide parking in accordance with 914.02.E without modification.
- d. Reduction to required parking minimums may be available by contributing to a mobility improvement trust.

905.04.I.2. Surface Parking Lot Restriction

- a. No surface parking shall exceed 75 parking spaces on a single Zoning Lot or group of lots under common ownership.
- b. Any surface parking lot located between a building and the riverfront, including across a street, shall have a maximum of 15 parking spaces.

905.04.J. Landscape and Green Infrastructure

In addition to the Landscaping and Screening Standards of Chapter 918, the following landscape requirements shall apply. In the case of conflict with other provisions of the Code, these provisions control in the RIV District.

905.04.J.1. Site Landscape

- a. Areas of a development that are not covered by structures or impervious surface must be planted and maintained with live landscaping that contributes to the biodiversity of the three rivers, enhancing the wildlife habitat and native plant communities of the Western Pennsylvania region. Such landscaping must consist primarily of species that are native or naturalized to the region. Landscape should incorporate species from the Pennsylvania Department of Conservation and Natural Resources' (DCNR's) Native Wild Plant Species Accounts.
- b. All plant species listed on the Pennsylvania Department of Conservation and Natural Resources (DCNR) Invasive Plants List are prohibited.
- c. River rock, mulch and other permeable landscape material may be exposed for a maximum of 30% of the total landscape area. These materials cannot be used on slopes of 33% or greater.

905.04.J.2. Screening Buffers in the RIV-GI Subdistrict

This section establishes standards for the dimension and required landscape for buffer yards between land uses and/or zoning districts within the rear or interior side yard.

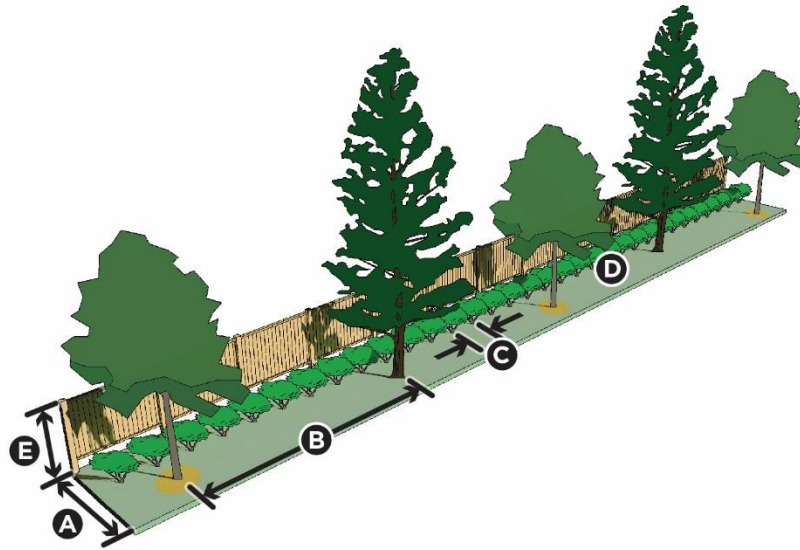
- a. Screening buffers are required where the RIV-GI Subdistrict abuts any other RIV Subdistrict or any other non-industrial zoning district. This does not apply if a public right-of-way is located between districts.
- b. Screening buffer landscape is in addition to any other landscape requirements, such as parking lot landscaping.

- c. Screening buffers must be reserved for the planting of material and installation of screening as required by this section. No parking, sidewalks, accessory structures, or any impervious surfaces are permitted within the screening buffer area.
- d. RIV District screening buffer requirements (See Figure 11):
- (1) A screening buffer must be a minimum of ten (10) feet in width.
 - (2) The minimum number of shade or evergreen trees required to be planted is one tree for every 25 linear feet of screening yard. Trees may be spaced at various intervals, but the total number of trees must be no less than one (1) per 25 linear feet of screening buffer length.
 - (3) The minimum number of evergreen shrubs required to be planted is one (1) shrub for every three (3) linear feet of screening yard. Shrubs may be spaced at various intervals, but the total number of shrubs must be no less than one (1) per three (3) linear feet of screening buffer length.
 - (4) In addition to the shrub and tree masses, 60% of the remaining landscape area must be planted and maintained in live groundcover, perennials, or ornamental grasses.
 - (5) Landscape area not covered by shrub and tree masses, live groundcover, perennials or ornamental grasses may be covered by river rock or other permeable natural materials. Impermeable or non-natural materials are not permitted.
 - (6) Required landscaping must consist primarily of species that are native or naturalized to the region. Landscape should incorporate species from the Pennsylvania Department of Conservation and Natural Resources' (DCNR's) Native Wild Plant Species Accounts.
 - (7) Unless otherwise specifically required by this Zoning Code, an opaque fence or wall must be erected along 100% of the screening buffer length, with the exception of ingress/egress points. Fences or walls must meet the following standards:
 - (a) Fences or walls must be a minimum of six (6) feet and a maximum of eight (8) feet in height, and a fence and berm may be combined provided the total height meets these requirements. Fences or walls must be erected along 100% of the screening buffer length, with the exception of ingress/egress points.
 - (b) Fences or walls must be constructed of wood posts and planks, brick, masonry or stone. Chain link, with or without slats, is prohibited.

(c) Fences or walls must be compatible with the architectural style and building materials of the primary structure.

(d) Walls greater than 40 feet in length must incorporate some form of visual relief, including, but not limited to, pattern breaks, varying wall construction, vertical features such as columns, differing construction materials, or a combination of the above.

FIGURE 11, SCREENING BUFFERS



A A buffer yard must be at least 10 feet in width.

B One shade or evergreen tree must be planted for every 25 feet of buffer yard length.

C One evergreen shrub must be planted for every three feet of buffer yard.

D 60% of landscape area outside of shrub and tree masses must be planted in live groundcover, perennials, or ornamental grasses.

E A solid fence or wall between six feet and eight feet in height must be erected along 100% of the buffer yard length.

905.04.K. Bonuses Goals and Points

Certain dimensional regulations allow for development bonuses. Bonuses allow for additional building height and a reduction in the Riparian Buffer Zone provided certain conditions are met. Bonus actions are assigned points which allow additional

building height above the base height of 55 feet or reduction of the required Riparian Buffer Zone.

905.04.K.1. Performance Points System

New buildings and renovations in this district can utilize the bonus system of Section 915.07. The list below identifies the bonus options available to projects in this district and any modifications to the points earned. Points earned by satisfying the bonus goals can be utilized in this district to achieve the bonus height as identified in Section 905.04.E.3 and/or the structure placement with the Riparian Buffer Zone as identified in Section 905.04.E.4.a. Each point equates to ten (10) feet of additional building height or ten (10) feet of Riparian Buffer Zone reduction. Points are not transferrable to other development projects.

- a. On-Site Energy Consumption – New Construction: Section 915.07.D.1.a – 1.c; points as listed.
- b. On-Site Energy Consumption – Existing Buildings: Section 915.07.D.2.a – 2.c; points as listed.
- c. On-Site Energy Generation: Section 915.07.D.3.a – 3.c; points as listed.
- d. Affordable Housing: Section 915.07.D.4.a – 4.d; points modified as follows: 4.c is four (4) points; 4.d is six (6) points.
- e. Rainwater: Required native species must be chosen from the Pennsylvania Department of Conservation and Natural Resources’ (DCNR’s) Native Wild Plant Species Accounts. Section 915.07.D.5.a-5.c; points as listed.
- f. Riverfront Public Access Easements, Trails & Amenities: Section 915.07.D.7.a-7.f; points as listed.
- g. Neighborhood Ecology: Section 915.07.D.8.a-8.b; points as listed.
- h. Public Art: Section 915.07.D.9.a-9.c; points as listed.
- i. Urban Fabric: Section 915.07.D.10.a; points as listed.
- j. Transit-Oriented: Section 915.07.D.11.a-11.b; points as listed.

Section 5. The Pittsburgh Code, Title Nine, Zoning Code, Article III, Chapter 906, Environmental Overlay Districts is hereby amended as follows:

906.03. ~~RF-O, Riverfront Overlay District.~~ [Reserved]

906.03.A—Purpose

~~Pittsburgh's river corridors, consisting of rivers, adjacent lands and islands are natural, scenic and development resources of regional significance. In recognition of the Commonwealth's trusteeship of the rivers for the benefit of all people, the RF O, Riverfront Overlay District is intended to:~~

- ~~1. Maintain an open space area with the potential for public access along the banks of the rivers;~~
- ~~2. Improve the scenic quality of the City's riverfronts;~~
- ~~3. Establish a classification of land and water area; and~~
- ~~4. Establish an application, review and permitting procedure appropriate to these special lands and waters.~~

~~It is further intended that the regulations applicable to the RF O District shall permit and encourage development in accordance with goals, objectives and policies found in the City's Riverfront Plan and in those plans and policy documents adopted from time to time by the Planning Commission.~~

906.03.B—Special Definitions

~~The following special definitions shall apply throughout the RF O District regulations of this section:~~

- ~~1. Access means a means of approaching or the right to approach, enter and use.~~
- ~~2. [Reserved.]~~
- ~~3. Commercial boat facility used for public admission by charge or charter means water oriented development, not including regular public transit service requiring a Port Authority license, which makes available to the public via admission charge or charter, private boats capable of providing meals, excursions or entertainment with a capacity of twenty (20) or more persons.~~
- ~~4. Corridor means a long narrow strip of land assembled by covenant or deed with an existing, previous or potential common use.~~
- ~~5. [Reserved.]~~
- ~~6. Floodway means the channel of a river and adjacent land area that shall be reserved in order to discharge the waters of the base flood (100 year flood) as depicted on maps prepared by the Federal Emergency Management Agency (dated 15 December 1981 as amended).~~
- ~~7. Launching Ramp means a constructed or altered segment of the river bank or shore used for the purpose of enabling a recreational boat to be placed into the water from a trailer or other apparatus used to transport or store the boat.~~

~~8. Preservation, Conservation and Development Map means the map depicting the zoning subdistricts of the RF-O District maintained in the office of the Zoning Administrator.~~

~~9. [Reserved.]~~

~~10. Riverbank means rising ground bordering a river.~~

~~11. Water enhanced facility or use means recreation, entertainment or restaurant facilities or uses which achieve greater value or beauty as a result of a location on or near a river.~~

~~12. Water oriented facility or use means a facility or use which by its nature is required to be on or adjacent to a river; without such adjacency the use could not exist.~~

~~13. Yard, Riverfront means the area created by the Riverfront Setback requirements of Sec. 906.03.E.~~

~~906.03.C — General Review Criteria~~

~~All uses within the RF-O District shall comply with the Riverfront Development Review Criteria adopted by the Planning Commission. All uses within the RF-O that include the riverbank shall comply with the Riverbank Treatment section of the Riverfront Development Review Criteria adopted by the Planning Commission.~~

~~906.03.D — Development Review Procedures~~

~~In addition to any other applicable review procedures and requirements, an applicant for approval of a Certificate of Occupancy in the RF-O District shall submit a riverfront development application in a form established by the Zoning Administrator and made available to the public. The application and required support material shall demonstrate compliance with all of the standards and criteria of this section. Upon receipt of a complete application, the Zoning Administrator shall process the riverfront development application in accordance with the procedures that are applicable to the proposed use. No Certificate of Occupancy shall be issued for a use that does not comply with the regulations and standards of the RF-O District and all other applicable requirements.~~

~~906.03.E — Riverfront Setbacks~~

~~In addition to the setback standards of the underlying zoning district, there shall be provided and maintained a Riverfront Setback, not less than fifty (50) feet in depth, measured landward from the normal or full pool elevation, for all property that falls within fifty (50) feet of the Allegheny, Ohio or Monongahela Rivers. Required Riverfront Setbacks shall be landscaped and maintained in good condition. Riverfront Setbacks shall be kept free of trash, storage and parked vehicles. No structures or use shall extend into required Riverfront Setbacks, except for the following, which may be authorized by the Zoning Administrator in accordance with the Administrator Exception procedures of Sec. 922.08:~~

906.03.E.1 — ~~Riverfront Setbacks for Planned Unit Development Districts, where potential for continuous public access along the riverfront length of the property is not provided.~~

~~The Zoning Administrator shall approve a waiver of the required riverfront setback for Planned Unit Developments which cannot provide potential for continuous public access, provided that the Zoning Administrator shall determine that the proposed landscaping, riverfront treatment, and open space meet the purpose of the RF O District. While the open space provided under this section need not provide the potential for continuous public access along the entire river bank length of the applicant's property, it shall provide substantial potential for public access to the river bank; shall provide as much potential for public access to the river bank as is physically possible; and shall provide a means to assure the potential for public access through the applicant's property to adjacent riverfront properties.~~

906.03.E.2 — ~~Exception to Riverfront Setback Requirement~~

~~The Zoning Administrator may grant a waiver from the riverfront setback requirement provided that:~~

~~(a) Landscaping, riverfront treatment and open spaces are in accord with the purpose of the Riverfront Overlay District; and~~

~~(b) The open space along the riverfront length of the property need not provide the potential for continuous riverfront access if the project provides the maximum amount of potential access as is physically possible, and if the project provides a means to assure the potential for public access through the applicant's property to adjacent riverfront property.~~

906.03.E.3 — ~~Water Enhanced or Water Oriented Uses and Structures~~

~~Water enhanced or water oriented use or structures whose function physically precludes the ability to provide a riverfront setback.~~

906.03.F — ~~Use Regulations~~

~~Within the RF O District development may occur, land may be used and structures may be erected, altered or enlarged for uses allowed in the underlying zoning district, as further regulated by the provisions of this section.~~

906.03.F.1 — ~~Preservation Subdistrict~~

~~The following use regulations shall apply within the Preservation Subdistrict of the RF O District.~~

~~(a) Uses Permitted By Right~~

~~All uses permitted by right in the underlying zoning district shall be permitted by right in the Preservation Subdistrict provided that:~~

- ~~(1) No development shall be permitted by right on slopes in excess of twenty-five (25) percent;~~
- ~~(2) No development shall be permitted by right within the floodway; and~~
- ~~(3) Parks and Recreation (Limited) uses shall be permitted by right in the RF-O District regardless of whether such use is permitted by right in the underlying zoning district.~~

~~(b) Administrator Exceptions~~

~~All primary uses listed as Administrator Exceptions in the underlying zoning district shall be Administrator Exceptions in the Preservation Subdistrict provided that:~~

- ~~(1) No development shall be allowed as an Administrator Exception on slopes in excess of twenty five (25) percent;~~
- ~~(2) No development shall be allowed as an Administrator Exception within the floodway; and~~
- ~~(3) Parks and Recreation (General) uses shall be Administrator Exceptions in the RF-O District regardless of whether such use is an Administrator Exception in the underlying zoning district.~~

~~(c) Special Exceptions~~

~~All uses listed as Special Exceptions in the underlying zoning district shall be Special Exceptions in the Preservation Subdistrict provided that~~

- ~~(1) No development shall be allowed as a Special Exception on slopes in excess of twenty five (25) percent; and~~
- ~~(2) No development shall be allowed as a Special Exception within the floodway.~~

~~(d) Conditional Uses~~

~~All uses listed as Conditional Uses in the underlying zoning district shall be allowed as Conditional Uses in the Preservation Subdistrict provided that no development shall be allowed as a Conditional Use within the floodway. In addition, the following uses shall be considered a Conditional Use in accordance with the procedures of Sec. 922.06:~~

- ~~(1) New construction or development in a Preservation Subdistrict on slopes in excess of twenty five (25) percent provided:
 - ~~(i) No construction or development occurs on slopes in excess of thirty-three (33) percent;~~
 - ~~(ii) No construction or development occurs in a floodway;~~~~

~~(iii) The development does not affect more than fifteen (15) percent of the site's land area which is in the Preservation Subdistrict.~~

~~(iv) It is not possible to locate the development on a portion of the site which is not in the Preservation Subdistrict; and~~

~~(v) Council may impose additional restrictions reasonably necessary to protect the health, safety or welfare; to protect the capacity of the floodplain; to improve or maintain the scenic quality of the rivers or riverfronts.~~

906.03.F.2—Conservation Subdistrict

The following uses regulations shall apply within the Conservation Subdistrict of the RF-O District.

~~(a) Uses Permitted By Right~~

~~All uses listed as permitted by right in the underlying zoning district shall be permitted by right in the Conservation Subdistrict provided that:~~

~~(1) No development shall be permitted in a Conservation Corridor other than pedestrian walkways, local roadways (as defined by functional classification), surface parking involving no structure and recreation facilities involving no structure; and~~

~~(2) Parks and Recreation (Limited) uses shall be permitted by right in the RF-O District regardless of whether such use is permitted by right in the underlying zoning district.~~

~~(b) Administrator Exceptions~~

~~All uses listed as Administrator Exceptions in the underlying zoning district shall be Administrator Exceptions in the Conservation Subdistrict, according to the provisions of Sec. 922.08, provided that no Administrator Exception use shall be allowed with a Conservation Corridor. The development of a use that is permitted As of Right in the underlying zoning district shall be considered an Administrator Exception when located within a Conservation Corridor. In addition, the following uses shall also be Administrator Exceptions in the Conservation Subdistrict:~~

~~(1) Water Oriented Uses~~

~~Water oriented uses, other than launching ramps, marinas with more than seventy five (75) boat slips, or commercial/boat operations for public admission charge or charter, provided no development occurs in a conservation corridor other than pedestrian walkways, local roadways, surface parking involving no structure and recreation facilities involving no structure.~~

~~(2) Parks and Recreation (General)~~

~~Parks and Recreation (General) uses shall be Administrator Exceptions in the RF-O District regardless of whether such use is an Administrator Exception in the underlying zoning district.~~

~~(3) Construction or Development in a Conservation Subdistrict of the Riverfront Overlay District~~

~~New construction or development in a Conservation Subdistrict of the RF-O District for water oriented facilities or uses such as marinas, docks, boating and fishing facilities, recreational uses and open space uses, including structures:~~

~~(i) No new construction or development shall be authorized in a floodway for any use which does not require direct access to a river, other than recreation and open space uses, or for which an alternative location outside of a floodway is possible;~~

~~(ii) To the maximum extent feasible, any new construction or development on a site which is partially within a floodway shall be located on portions of the site which are not within the floodway;~~

~~(iii) If feasible in relation to the use and in relation to the character of adjacent areas, public access to the riverfront shall be provided in connection with any new development or construction;~~

~~(iv) All requirements of the Site Plan Review procedures of Sec. 922.04 have been met; and~~

~~(v) Parking is provided in accord with the regulations of Chapter 914.~~

~~(4) Construction or Development in a Conservation Corridor~~

~~New construction or development in a Conservation Corridor provided that:~~

~~(i) An alternate development free continuous corridor of at least the same width as the Conservation Corridor is provided on the Administrator Exception applicant's property;~~

~~(ii) The provided alternate corridor abuts the Conservation Corridors on adjacent properties and forms a continuous corridor;~~

~~(iii) The alternate corridor provided the same general type of potential use as the delineated Conservation Corridor considering such factors as topography, landscaping, surface treatment, vehicular conflicts, and the condition of immediate environs;~~

~~(iv) It is not possible to locate the development on a portion of the site which is not a Conservation Corridor; and~~

~~(v) The Zoning Administrator may impose additional restrictions reasonably necessary to protect the health, safety or welfare; to protect the~~

capacity of the floodplain; to improve or maintain the scenic quality of the rivers and riverfronts.

~~(c) Special Exceptions~~

~~All uses listed as Special Exceptions in the underlying zoning district shall be Special Exceptions in the Conservation Subdistrict in accordance with the provisions of Sec. 922.07, provided that no Special Exception Use shall be allowed within a Conservation Corridor.~~

~~(d) Conditional Uses~~

~~All uses listed as Conditional Uses in the underlying zoning district shall be allowed as Conditional Uses in the Conservation Subdistrict according to the provisions of Sec. 922.06 provided that no Conditional Uses shall be allowed within a Conservation Corridor. The following uses shall also be Conditional Uses in the Conservation Subdistrict:~~

~~(1) Water Enhanced Uses~~

~~New construction or development in a Conservation Subdistrict of the RF-O District for water enhanced facilities or uses such as recreation, entertainment or restaurant facilities or uses, open to the public, which achieve greater value or beauty as a result of a location on or near a river; marinas with more than seventy five (75) boat slips; launching ramps; commercial boat operations for public admission charge or charter; public utility and mass transportation facilities; in accordance with all other provisions of this Zoning Ordinance applicable to the specific use and zoning district and provided:~~

~~(i) No new construction or development shall be authorized in a floodway for any use not open to the public which does not require direct access to a river, other than recreational uses involving no structures and open space uses, or for which an alternative location outside of a floodway is possible;~~

~~(ii) To the maximum extent feasible, any new construction or development on a site which is partially within a floodway shall be located on portions of the site which are not within the floodway;~~

~~(iii) If feasible in relation to the use and in relation to the character of adjacent areas, public access to the riverfront shall be provided in connection with any new development or construction; and~~

~~(iv) Council may impose additional restrictions reasonably necessary to protect the health, safety or welfare; to protect the capacity of the floodplain; to improve or maintain the scenic quality of the rivers and riverfronts.~~

~~(2) Launching Ramps~~

~~Launching ramps that are not located in a Planned Development District;~~

~~(3) Marinas~~

~~Marinas with more than seventy five (75) boat slips when not located in a Planned Development District;~~

~~(4) Commercial Boat Operations that are Available for Public Admission Charge or Charter~~

~~Commercial boat operations that are available for public admission charge or charter when they are not located in a Planned Development District; and~~

~~(5) Public Utility and Mass Transportation Facilities~~

~~Public utility and mass transportation facilities.~~

~~906.03.F.3 — Development Subdistrict~~

~~The following uses regulations shall apply within the Development Subdistrict of the RF-O District.~~

~~(a) Uses Permitted By Right~~

~~All uses listed as permitted by right in the underlying zoning district shall be permitted by right in the Development Subdistrict. In addition, Parks and Recreation (Limited) uses shall be permitted by right in the RF-O District regardless of whether such use is permitted by right in the underlying zoning district.~~

~~(b) Administrator Exceptions~~

~~All uses listed as Administrator Exceptions in the underlying zoning district shall be Administrator Exceptions in the Development Subdistrict. In addition, the following uses shall also be Administrator Exceptions in the Development Subdistrict:~~

~~(1) Water Oriented Uses~~

~~Water oriented uses, other than launching ramps, marinas with more than seventy five (75) boat slips and commercial boat operations for public admission charge or charter.~~

~~(2) Parks and Recreation (General)~~

~~Parks and Recreation (General) uses shall be Administrator Exceptions in the RF-O District regardless of whether such use is an Administrator Exception in the underlying zoning district.~~

~~(3) Construction or Development in a Development Subdistrict of the Riverfront Overlay District~~

~~New construction or development in a Development Subdistrict of the RF-O District for water oriented facilities or uses such as marinas, docks, boating and~~

~~fishing facilities, recreational uses and open space uses, including structures, subject to the following standards:~~

~~(i) No new construction or development shall be authorized in a floodway for any use which does not require direct access to a river, other than recreation and open space uses, or for which an alternative location outside of a floodway is possible;~~

~~(ii) To the maximum extent feasible, any new construction or development on a site which is partially within a floodway shall be located on portions of the site which are not within the floodway;~~

~~(iii) If feasible in relation to the use and in relation to the character of adjacent areas, public access to the riverfront shall be provided in connection with any new development or construction;~~

~~(iv) All requirements of the Site Plan Review procedures of Sec. 922.04 have been met; and~~

~~(v) Parking is provided in accord with the regulations of Chapter 914.~~

~~(c) Special Exceptions~~

~~All uses listed as Special Exceptions in the underlying zoning district shall be Special Exceptions in the Development Subdistrict.~~

~~(d) Conditional Uses~~

~~All uses listed as Conditional Uses in the underlying zoning district shall be allowed as Conditional Uses in the Development Subdistrict. The following uses shall also be Conditional Uses in the Development Subdistrict:~~

~~(1) Water Enhanced Uses~~

~~New construction or development in a Development Subdistrict of the RF-O District for water enhanced facilities or uses such as recreation, entertainment or restaurant facilities or uses, open to the public, which achieve greater value or beauty as a result of a location on or near a river; marinas with more than seventy five (75) boat slips; launching ramps; commercial boat operations for public admission charge or charter; public utility and mass transportation facilities; in accordance with all other provisions of this Zoning Ordinance applicable to the specific use and zoning district and provided:~~

~~(i) No new construction or development shall be authorized in a floodway for any use not open to the public which does not require direct access to a river, other than recreational uses involving no structures and open space uses, or for which an alternative location outside of a floodway is possible;~~

~~(ii) To the maximum extent feasible, any new construction or development on a site which is partially within a floodway shall be located on portions of the site which are not within the floodway;~~

~~(iii) If feasible in relation to the use and in relation to the character of adjacent areas, public access to the riverfront shall be provided in connection with any new development or construction; and~~

~~(iv) Council may impose additional restrictions reasonably necessary to protect the health, safety or welfare; to protect the capacity of the floodplain; to improve or maintain the scenic quality of the rivers and riverfronts.~~

~~(2) Launching Ramps~~

~~Launching ramps that are not located in a Planned Development District;~~

~~(3) Marinas~~

~~Marinas with more than seventy five (75) boat slips when not located in a Planned Development District;~~

~~(4) Commercial Boat Operations that are Available for Public Admission Charge or Charter~~

~~Commercial boat operations that are available for public admission charge or charter when they are not located in a Planned Development District; and~~

~~(5) Public Utility and Mass Transportation Facilities~~

~~Public utility and mass transportation facilities.~~

~~(Ord. No. 2-2005, § 1C, eff. 1-25-05)~~

Section 6. The Pittsburgh Code, Title Nine, Zoning Code, Article III, Chapter 907, Development Overlay Districts, is hereby amended as follows:

~~907.02.G — IPOD-2, Walnut Street [Reserve]~~

~~907.02.G.1 — General Boundaries~~

~~The Walnut Street Interim Planning Overlay District is generally defined by properties in the Local Neighborhood Commercial/LNC district on Walnut Street between Aiken Street and Negley Avenue. Specific boundaries of the district are mapped as a supplement to the City's Zoning District Map.~~

~~907.02.G.2 — Intent~~

~~The intent of the Walnut Street Interim Planning Overlay District is generally to create a regulatory mechanism in an area where substantial development growth is imminent and~~

~~where both the impact of individual development projects and the collective impact of such development on public resources and private properties is not mitigated through the existing zoning classification. Due to the unique circumstances in Shadyside at this point in time, the existing zoning classifications do not serve to carry out the purpose and intent of Chapter 901 and all the provisions of this Zoning Ordinance. Specifically, the intent of the Walnut Street IPOD is:~~

- ~~(a) To protect existing commercial development and encourage new commercial development that is accessible to all segments of the community;~~
- ~~(b) To protect and enhance the area's architecture, which includes building siting, massing, facade treatment, materials, proportion, and scale;~~
- ~~(c) To protect existing retail development which is supportive of residential uses, and to encourage new retail development which is supportive of residential uses.~~

~~907.02.G.3 — Need for Interim Zoning~~

~~Interim Zoning in the Walnut Street area is necessary to provide the proper balance between competing land uses and economic factors. Characteristics of existing zoning which render it inappropriate include its failure to provide:~~

- ~~(a) A mix of uses and magnitudes of these uses which stabilize and conserve the value of land and buildings;~~
- ~~(b) Design requirements for development consistent with the existing character of the commercial districts;~~
- ~~(c) Development criteria which facilitate an effective commercial business district.~~

~~907.02.G.4 — Applicability~~

~~In the Walnut Street IPOD, within the time period specified above, every new or changed use of land, every building demolition, every new, enlarged or reconstructed advertising sign, every new or enlarged parking area, and every structure erected or enlarged, with the exceptions noted in the following sub paragraph, shall, in addition to conforming to any and all regulations pertaining thereto in the underlying zoning district and Article I, Article V, Article VI, Article VII, Article VIII and Article IX as set forth in this Zoning Ordinance, be in accord with an IPOD Project Development Plan (PDP) of Sec. 922.13 approved by the Planning Commission.~~

- ~~(a) Developments which do not require approval of an IPOD Project Development Plan are:
 - ~~(1) Structures involving exterior alterations not in excess of five thousand dollars (\$5,000.00);~~
 - ~~(2) Residential structures that are proposed to contain no more than two (2) dwelling units; and~~~~

~~(3) Interior renovations only, except where more than one (1) additional unit is created.~~

~~(b) Plans and documents constituting the Walnut Street IPOD Project Development Plan shall be prepared in a manner set forth in submissions requirements established by the Zoning Administrator, and shall include but not be limited to, site plans, building elevations with construction material descriptions, landscaping plans with mixes and types of plant materials, lighting and signage plans, and planning studies as defined in Chapter 909 of this Zoning Ordinance.~~

~~(c) Development which is subject to IPOD Project Development Plan review and approval shall comply with all requirements specified hereunder and with all applicable standards and criteria contained in the plans and policy documents adopted by the Planning Commission which were noted at the time of application for the IPOD PDP.~~

907.02.I — IPOD 4 Uptown. [Reserve]

907.02.I.1 — General Boundaries

~~The Uptown Interim Planning Overlay District is generally defined by properties located in the Bluff/Uptown and West Oakland neighborhoods bounded by Colwell Street/Fifth Avenue, Beelen Street, Crosstown Boulevard, Boulevard of the Allies, and the western edge of the OPR-D zoning district, but does not include existing SP or EMI zoning districts. Specific boundaries of the district are mapped as a supplement to the City's Zoning District Map.~~

907.02.I.2 — Intent

~~The intent of the Uptown Interim Planning Overlay District is generally to create a regulatory mechanism in an area where substantial development growth is imminent and where both the impact of individual development projects and the collective impact of such development on public resources and private properties is not mitigated through the existing zoning classification. Due to the unique circumstances in Uptown at this point in time, the existing zoning classifications do not serve to carry out the purpose and intent of Chapter 901 and all the provisions of this Zoning Ordinance. Specifically, the intent of the Uptown IPOD is:~~

- ~~(a) To protect existing residential, commercial and office uses and encourage new uses that are complementary to the context of the mixed use nature of Uptown;~~
- ~~(b) To protect and enhance the area's architecture, which includes building siting, massing, facade treatment, materials, proportion, and scale; and~~
- ~~(c) To allow for a thorough and effective community process that encourages quality development in Uptown.~~

907.02.I.3 — Need for Interim Zoning

~~The Uptown Overlay District is necessary to provide the proper balance between competing land uses, development pressures and regional economic factors. Characteristics of existing zoning which render it inappropriate include its failure to provide:~~

- ~~(a) A mix of uses and magnitudes of uses which stabilize and conserve the value of land and buildings;~~
- ~~(b) Design requirements for development consistent with the existing character of the neighborhood;~~
- ~~(c) Development criteria which facilitate high quality development;~~
- ~~(d) The ability for neighborhood stakeholders to provide input on small and medium size projects which have a high impact on the public realm;~~
- ~~(e) The ability for neighborhood stakeholders to provide input on building demolitions and the proposed reuse of such properties.~~

907.02.I.4—Applicability

~~In the Uptown Overlay District, every building demolition; every new, enlarged or reconstructed advertising sign; every new or enlarged parking area with frontage on a major street; and every structure erected or enlarged by more than two thousand four hundred (2,400) square feet shall, in addition to conforming to all regulations the Zoning Code, be in accord with an Overlay District Project Development Plan (PDP) of Section 922.10.E.2 approved by the Planning Commission.~~

907.02.I.5—Standards

- ~~(a) All Project Development Plans within the IPOD-4 shall be subject to Design Review.~~
- ~~(b) All developments of the use type Parking, Commercial are prohibited (as described in the Use Table; Section 911.02).~~
- ~~(c) No parking, accessory or primary, shall be constructed with frontage on Fifth Avenue, Forbes Avenue, or Boulevard of the Allies. All such uses shall be located to the rear of the lot with access to be provided from secondary streets or ways.~~
- ~~(d) Landscaping and screening standards (Chapter 918) shall apply to all Project Development Plans within the IPOD-4 district. No exemptions to landscaping and screening standards for small off-street parking areas (as outlined in Section 918.01.B.2 shall be granted.~~
- ~~(e) Project Development Plans that are filed for building demolitions shall include a report, study, or statement of the property's future use that meets the review criteria of Section 922.10.E.2.~~

~~(f) For properties which are proposed to be used as vacant lots following a demolition as part of a Project Development Plan, such vacancy shall be considered to be a site feature subject to screening standards (Chapter 918.03), with no exemptions (Section 918.01.B).~~

907.02.J — IPOD 5, Riverfront zone. [Reserve]

907.02.J.1 — General Boundaries

~~The Riverfront Zone Interim Planning Overlay District is generally defined by properties located in the Marshall Shadeland, Chateau, North Shore, Troy Hill, Esplen, Elliott, South Shore, South Side Flats, Hays, Glen Hazel, Hazelwood, South Oakland, Bluff, Central Business District, Strip District, Lawrenceville (Lower, Central, and Upper), Morningside, Highland Park, and Lincoln-Lemington-Belmar neighborhoods that in the low-lying areas and bounded by the Allegheny, Monongahela, and Ohio Rivers; and by topographic features, infrastructure, and surrounding neighborhood fabric. Specific boundaries of the district are mapped a supplement to this Section and as an amendment to the City's Zoning District Map.~~

907.02.J.2 — Need for Interim Zoning

~~The Riverfront Zone Overlay District is necessary to provide the proper balance between competing land uses, development pressures and regional economic factors. The updated zoning will provide adequate balances by providing:~~

- ~~(a) A mix of uses and magnitudes of uses which stabilize and conserve the value of land and buildings;~~
- ~~(b) Design requirements for development consistent with the evolving character of the neighborhoods;~~
- ~~(c) Development criteria which facilitate high quality development;~~
- ~~(d) The ability for neighborhood stakeholders to provide input on projects which have a high impact on the public realm;~~
- ~~(e) Adequate connectivity to regional multimodal transportation networks, including riverfront trails; and~~
- ~~(f) Adequate protection for the natural environment and wildlife habitat.~~

907.02.J.3 — Intent

~~The intent of the Riverfront Zone Interim Planning Overlay District is to create a regulatory mechanism in an area where substantial development is imminent and where both the impact of individual development projects and the collective impact of such development on public resources and private properties is not mitigated through the existing zoning mechanisms. Due to the unique circumstances involved with~~

~~development near riverfronts, the existing zoning mechanisms do not serve to carry out the purpose and intent of Chapter 901 (General Provisions) and all provisions of this Zoning Ordinance. Specifically, the intent of the Riverfront Zone IPOD is to encourage quality development by:~~

- ~~(a) Protecting and preserving existing industrial, residential, commercial and office uses and encouraging new development that is complementary to the range of uses of Pittsburgh's riverfronts without creating new use restrictions;~~
- ~~(b) Protecting and enhancing the area's architecture, which includes building siting, massing, facade treatment, materials, proportion, and scale;~~
- ~~(c) Allowing for a thorough and effective community process that encourages quality development along the City's riverfronts;~~
- ~~(d) Providing for a riverfront setback that will benefit bank stabilization, wildlife habitat, water temperature modulation, pollution control, flood mitigation, and sediment removal; and will create space for a linear, continuous riverfront trail;~~
- ~~(e) Protecting public access to the riverfront at regular intervals; and~~
- ~~(f) Enhancing public safety.~~

907.02.J.4 — Applicability

~~The Riverfront Interim Planning Overlay District will create two zones:~~

~~(a) Zone A: For all parcels which are located, in full or in part, within two hundred (200) feet measured from the full pool elevation of the Allegheny, Monongahela, or Ohio Rivers, in addition to conforming to all regulations of the Zoning Code, be in accord with an Overlay District Project Development Plan adopted pursuant to Section 922.10.E.2. and approved by the Planning Commission, where such projects involve the following:~~

- ~~(1) Full building demolition;~~
- ~~(2) A new or enlarged parking area located between a building and the street, publicly accessible pedestrian easement, or the riverfront;~~
- ~~(3) A new or enlarged primary structure located adjacent to the riverfront;~~
- ~~(4) A new structure erected of a size equal to or greater than two thousand and four hundred (2,400) square feet; or~~
- ~~(5) An existing structure enlarged by a size equal to or greater than two thousand four hundred (2,400) square feet.~~

~~(b) Zone B: For all parcels which do not meet the criteria in 907.02.J.4.(a) above, projects shall, in addition to conforming to all regulations of the Zoning Code, be in accord with an Overlay District Project Development Plan adopted pursuant to~~

~~Section 922.10.E.2 and approved by the Planning Commission, where such project involve the following:~~

- ~~(1) A new or enlarged parking area that contains at least thirty (30) parking stalls;~~
- ~~(2) Construction of a new structure or group of structures of a size equal to or greater than ten thousand (10,000) square feet; or~~
- ~~(3) Enlargement of an existing structure or group of existing structures of a size equal to or greater than five thousand (5,000) square feet.~~

~~(c) All development where the zoning district is a Specially Planned (SP) District with a Preliminary Land Development Plan approved prior to the enactment of the IPOD-5 shall be exempted from the IPOD-5 regulations.~~

907.02.J.5 — Standards

~~(a) All Project Development Plans within the IPOD-5 shall be subject to Design Review.~~

~~(b) Building length parallel to the riverfront shall be no longer than five hundred (500) feet except where the structure is intended for use as a sports stadium.~~

~~(c) No building wall visible from a street, publicly accessible pedestrian easement or the riverfront shall contain a non-articulated condition greater than seventy (70) linear feet in length. Building wall articulation shall be achieved through stepbacks no smaller than six (6) inches in depth, building entrances, lobbies, doors, windows or similar features.~~

~~(d) All development is subject to the following riverfront setbacks:~~

~~(1) In accordance with Section 906.03.E, the Riverfront Overlay Setback of fifty (50) feet measured landward from the normal full pool elevation (FPE) of the river shall be applicable;~~

~~(2) No more than thirty (30) percent of the lot area that is located between fifty (50) feet and ninety-five (95) feet measured landward from the normal full pool elevation (FPE) of the river shall be occupied by building footprint(s); and~~

~~(3) Riverfront setback exceptions may be granted in accordance with the Riverfront Overlay Zoning District, Section 906.03.E.~~

~~(e) All development of more than ten thousand (10,000) square feet or with fifteen (15) or more new parking stalls shall be subject to the site plan review criteria of Section 922.04.E.4.~~

~~(f) Any ground level structured parking that has primary frontage along the riverfront or along a street or publicly accessible pedestrian easement that is a perpendicular connection to the riverfront shall be screened architecturally or be screened according to the provisions of Section 918.03.B.~~

~~(g) No Parking structures within Zone A shall be located between the riverfront and a structure or public street, whichever is closer. Within Zone A, where structured parking is integrated into a commercial or residential structure located on the riverfront, active use(s) shall be located along a minimum of fifty (50) percent of the length of the structure adjacent to the riverfront, except in cases where the structure is located within the Flood Plain Overlay (FP-O) District (906.02). For the purposes of this Section, active uses shall include commercial, residential, and accessory uses and activities that typically have user-occupied areas that are expressed through building fenestration and articulation.~~

~~(h) No surface parking lots of greater than fifteen (15) parking spaces shall be constructed in Zone A between the riverfront and a structure or public street, whichever is closer.~~

~~(Ord. 15-2001, § 1, eff. 6-19-01; Ord. 16-2002, § 1, eff. 6-4-02; Ord. 27-2003, § 1, eff. 9-9-03; Ord. No. 22-2007, § 1, 12-3-07; Ord. No. 23-2015, § 1, eff. 5-28-15; Ord. No. 12-2016, § 2, eff. 6-6-16)~~

Section 7. The Pittsburgh Code, Title Nine, Zoning Code, Article IV, Chapter 909, Planned Development Districts, is hereby amended as follows:

909.01.G SP-2 Herr's Island [Reserved]

~~The provisions of this section apply to all land within the SP-2 district.~~

~~909.01.G.1 Preferred Uses:~~

~~The following uses are preferred in the SP-2 district.~~

Industry Code	Industry Name
283	Drugs
3571	Electronic computers
3572	Computer storage devices
3575	Computer terminals
3577	Computer peripheral equipment, NEC
3578	Calculating and accounting machines, except electronic computers
366	Communication equipment

367	Electronic components and accessories
381	Search, detection, navigation, guidance, aero-nautical and nautical systems, instruments, and equipment
382	Laboratory apparatus and analytical, optical, measuring and controlling instruments
384	Surgical, medical and dental instruments and supplies
3949	Sporting and athletic goods, NEC
481	Telephone communications
482	Telegraph and other message communications
483	Radio and television broadcasting stations
489	Communications services, NEC
7334	Photocopying and duplicating services
737	Computer programming, data processing and other computer related services
7383	News syndicates
781	Motion picture production and allied services
8351	Child day care services
8711	Engineering services
8712	Architectural services
8713	Surveying services
8731	Commercial physical and biological research
8732	Commercial economic, sociological and educational research
8733	Noncommercial research organizations
8734	Testing laboratories

8741	Management services
8742	Management consulting services
8743	Public relations services
899	Miscellaneous professional services

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~~909.01.G.2 — Subdistrict SP-2(A)~~

~~(a) — Use Regulations~~

~~The following uses are permitted in Development Subdistrict A of the SP 2 District, which is generally bounded by the main channel, the back channel and the B&O Railroad to the northeast:~~

~~(1) — Office.~~

~~(2) — Research and Development.~~

~~(3) — Light manufacturing, provided that the light manufacturing uses are conducted entirely within an enclosed building and provided the uses are such that no explosive materials or processes are involved, and no smoke, fumes, odor or other noxious or objectionable attribute is noticeable from outside any building.~~

~~(4) — Recreational facility, hotel, conference center or conference facilities with restaurant uses, including destination restaurants, clearly incidental to the primary use and physically a part of the structure of the primary use.~~

~~(5) — Child day care center.~~

~~(6) — Minor commercial areas for retail sales accessory to any of the principal uses permitted in the SP 2(A) subdistrict, when located within a building or structure housing a permitted principal use.~~

~~(7) — Minor, major or community garage.~~

~~(8) — Helipads.~~

~~(9) — Helistops.~~

~~(b) — Maximum Height~~

~~The maximum height of structures hereafter erected or enlarged in the SP 2(A) subdistrict shall be seventy five (75) feet.~~

~~(c) Floor Area Ratio~~

~~The maximum floor area ratio within the SP-2(A) subdistrict shall be 0.50. Floor area limitations within use categories, except for child day care, minor commercial areas and minor, major or community garages, shall be based on the following percentages of the maximum floor area ratio (FAR):~~

~~Any floor area of manufacturing uses in excess of sixty thousand (60,000) gross square feet shall not be erected or used unless fifty (50) percent or more of the office/research and development/light manufacturing floor area is used for office and research and development purposes.~~

Use	Percentage of Maximum FAR
Research & Development	100%
Office	50%
Hotel or Conference Center	50%
Light Manufacturing	33%

~~(d) Urban Open Space~~

~~At least twenty (20) percent of the entire SP-2(A) subdistrict shall be provided and maintained as Urban Open Space.~~

~~909.01.G.3 Subdistrict SP-2(B)~~

~~(a) Use Regulations~~

~~The following uses are permitted in Development Subdistrict B of the SP-2 District which is generally bounded by the main channel, the back channel and the B&O Railroad to the southwest:~~

- ~~(1) Office.~~
- ~~(2) Research and Development.~~
- ~~(3) Light manufacturing, provided that the light manufacturing uses are conducted entirely within an enclosed building and provided the uses are such that no explosive materials or processes are involved, and no smoke, fumes, odor~~

~~or other noxious or objectionable attribute is noticeable from outside any building.~~

~~(4) Recreational facility, hotel, conference center or conference facilities with restaurant uses, including destination restaurants, clearly incidental to the primary use and physically a part of the structure of the primary use.~~

~~(5) Child day care center.~~

~~(6) Minor commercial areas for retail sales accessory to any of the principal uses permitted in the SP-2(A) subdistrict, when located within a building or structure housing a permitted principal use.~~

~~(7) Minor, major or community garage.~~

~~(8) Helipads.~~

~~(9) Helistops.~~

~~(b) Maximum Height~~

~~The maximum height of structures hereafter erected or enlarged in the SP-2(B) subdistrict shall be sixty (60) feet.~~

~~(c) Floor Area Ratio~~

~~The maximum floor area ratio within the SP-2(A) subdistrict shall be 0.60. Floor area limitations within use categories, except for child day care, minor commercial areas and minor, major or community garages, shall be based on the following percentages of the maximum floor area ratio (FAR):~~

Use	Percentage of Maximum FAR
Research & Development	50%
Office	25%
Hotel or Conference Center	100%
Light Manufacturing	25%

~~Floor area for light manufacturing uses shall not be erected or used unless thirty three (33) percent or more of the floor area within the entire subdistrict is used for permitted uses other than light manufacturing. Floor area for other light manufacturing uses within~~

~~the entire subdistrict shall not be erected or used unless sixty-seven (67) percent or more of the floor area within the entire subdistrict is used for permitted uses other than light manufacturing.~~

~~(d) Urban Open Space~~

~~At least five (5) percent of the entire SP-2(A) subdistrict shall be provided and maintained as Urban Open Space.~~

~~909.01.G.4 Subdistrict SP-2(C)~~

~~(a) Use Regulations~~

~~The following uses are permitted in Development Subdistrict C of the SP-2 District which is generally bounded by the main channel, the back channel and the 31st Street Bridge to the northeast:~~

~~(1) Two-unit dwellings~~

~~(2) Single-Unit Attached dwellings~~

~~(3) Multiple-Unit dwellings~~

~~(4) Public recreation area.~~

~~(5) Commercial uses, water-related only, including and limited to: restaurants, including catering service but not including drive-in business where persons are served in automobiles; full-service marina, members' club and marine sales; rental and supply business which is retail only; bicycle rental, sales and repair; soft goods sales.~~

~~(6) Convenience commercial, including and limited to: retail food sales; pharmacy, financial-automated teller machine.~~

~~(7) Club, community.~~

~~(8) Child day care center.~~

~~(9) Accessory use and structure customarily incident to the above uses, as regulated in the Preliminary Land Development Plan and the Final Land Development, and including:~~

~~(i) Fence or enclosure wall;~~

~~(ii) Loading space;~~

~~(iii) Minor garage or minor parking area.~~

~~(iv) Business sign or identification sign.~~

~~(b) Maximum Height~~

~~The maximum height of structures shall be as follows:~~

- ~~(1) Two Unit and Single Unit Attached: Thirty five (35) feet, forty five (45) feet with parking below.~~
- ~~(2) Multi Unit: Sixty (60) feet, seventy five (75) feet with commercial or parking below~~
- ~~(3) Marinas, Dry Stack: Fifty (50) feet~~
- ~~(4) Other structures: Thirty five (35) feet~~

~~(c) Floor Area Ratio~~

~~The maximum floor area ratio in the SP-2(C) subdistrict shall be 0.60.~~

~~(d) Urban Open Space~~

~~At least five (5) percent of the SP-2(c) subdistrict shall be provided and maintained as Urban Open Space.~~

~~909.01.G.5 — Subdistrict SP-2(D)~~

~~(a) Use Regulations~~

~~The following uses are permitted in Development Subdistrict D of the SP-2 District which is generally bounded by East Ohio Street and the north bank of the Allegheny River:~~

- ~~(1) Public recreation area.~~
- ~~(2) Marina services, including boat storage, repair, haul out, vehicular and trailer parking.~~
- ~~(3) Convenience commercial, including food and beverage sales; gasoline sales, not including automobile repair services; financial institution but automated teller machine only.~~
- ~~(4) Accessory use and structure customarily incident to the above uses, as regulated in the Preliminary Land Development Plan and the Final Land Development, and including:
 - ~~(i) Fence or enclosure wall.~~
 - ~~(ii) Loading space.~~
 - ~~(iii) Minor garage or minor parking area.~~
 - ~~(iv) Business sign or identification sign.~~~~

~~(v) Vehicle parking and staging area for adjacent food processing warehouse facility. (Ord. 6/April 5, 2000/Amend. U-18)~~

~~(b) Maximum Height~~

~~The maximum height of any building or structure within the SP-2(D) subdistrict shall not exceed thirty-five (35) feet.~~

~~(c) Floor Area Ratio~~

~~The maximum floor area ratio for the SP-2(D) subdistrict shall be 0.25.~~

909.01.H — SP-3 Public Safety Complex [Reserved]

~~The provisions of this section apply to all land within the SP-3 district.~~

909.01.H.1 — Boundaries

~~The City/County Public Safety Complex is generally bounded by First and Second Avenues on the north, the Tenth Street Bridge on the east, the Monongahela River on the south, and the Panhandle Bridge on the west.~~

909.01.H.2 — Use Regulations

~~In the SP-3 District, land and structures may be used, and structures may be erected, altered and enlarged for only the uses listed in this section.~~

~~(a) Government uses and structures, except housing, or unit group building thereof, other than Major Excavation/Grading/Fill and schools or educational institutions;~~

~~(b) Major garage and major parking area including gasoline service station, cleaning, waxing and mechanical repair of automobiles not including body and fender repairs;~~

~~(c) Transportation right of way, roadway and trackage, including shelter and comfort stations incident to the use thereof;~~

~~(d) Child day care center and convenience type of retail use that is intended to provide a service to people using the Public Safety Complex, garage and public transit station such as but not limited to news stand, coffee shop, pick up for dry cleaning/laundry, shoe repair; and~~

~~(e) Accessory uses that are clearly incidental to the principal uses permitted in the SP-3 district, and only when located within a structure housing a permitted principal use.~~

909.01.H.3 — Maximum Height

~~The maximum height of structures hereafter erected or enlarged shall not exceed the height limitations prescribed in this section:~~

~~(a) Structures within Height Area A, defined as the area bounded by First Avenue, the Liberty Bridge, the Monongahela River and the Panhandle Bridge, shall not be higher than the limits prescribed for structures in the GT-C district.~~

~~(b) Structures within Height Area B, defined as the area bounded by Second Avenue, the Liberty Bridge, Interstate 376, and a line defined between 2 points, 1 and 2. Point 1, 750 feet to the west of the Tenth Street Bridge along Second Avenue, is designated 1.375, 761E 409, 143N in the Pennsylvania Plane Coordinate System. Point 2, 750 feet west of the Tenth Street Bridge along the harbor line of the Monongahela River, is designated 1.375, 789E 408, 751N in the Pennsylvania Plane Coordinate System, shall not be higher than ten (10) stories or one hundred forty (140) feet, except that twenty five (25) percent of Area B may be occupied by structures that are up to one hundred ninety (190) feet in height.~~

~~(c) Structures within Height Area C, defined as the area bounded by Second Avenue, the Tenth Street Bridge, the Monongahela River, and the line between points 1 and 2 as defined in Height Area B, shall not be higher than three (3) stories or forty five (45) feet.~~

~~(d) Signs and sign structures shall be limited in height to either of the following which may apply:~~

~~(1) Thirty five (35) feet above grade, measured vertically between all points at grade, to all topmost points of the sign or sign structure above these grade points, or;~~

~~(2) Twenty feet above the elevation of exterior pedestrian entries on structures, measured vertically between all points at these pedestrian entries, to all topmost points of the sign or sign structure above these pedestrian entries.~~

909.01.H.4 — Floor Area Ratio

~~The maximum floor area ratio for the entire SP-3 district shall be 3:1.~~

909.01.H.5 — Urban Open Space

~~At least ten (10) percent of the entire SP-3 district shall be provided and maintained as Urban Open Space.~~

Section 8. The Pittsburgh Code, Title Nine, Zoning Code, Article IV, Chapter 910, Downtown Districts, is hereby amended as follows:

910.01.D Conditional Uses

The following Conditional Uses shall be permitted in the GT District according to the provisions of Section 922.06.

910.01.D.1 Density and Intensity Transfers

An increase in the number of dwelling units and allowable gross floor area of buildings and structures through the transfer of such development rights from zoning lots within the GT Districts having unused development rights to other zoning lots within the GT Districts in conformity with the official master plans of the City, provided that:

- (a) The zoning lot or lots from which unused development rights are transferred shall be known as the sending lot or lots; the zoning lot or lots on which the development rights are to be used shall be known as the receiving lot.
- (b) The receiving lot, prior to the transfer of development rights shall have a gross allowable floor area under this Zoning Ordinance at least equal to the amount of gross allowable floor area to be transferred.
- (c) For residential use only on the receiving lot, development rights may be transferred from any other zoning lot within the GT District and the required minimum lot area per dwelling unit and usable open space on the receiving lot shall be calculated without regard to the increase in dwelling units resulting from the transfer of development rights. ~~for structured parking use only on the receiving lot, development rights may be transferred from any other zoning lot within two (2) adjacent DR Districts;~~
- (d) For any permitted use on the receiving lot, development rights may be transferred from a site containing an historic structure, designated pursuant to the Pittsburgh Code, Section 1007.02 (Section 513.0);
- (e) For any permitted use on the receiving lot, development rights may be transferred from a site containing a not-for-profit performing arts facility, designated by Council after recommendation of the Planning Commission;
- (f) Transfers of development rights in (c) through (e) above may be permitted provided the following findings are made:
 - (1) Any proposal for such a transfer shall assure the safety and convenience of pedestrian and vehicular traffic movement, both within the receiving lot or lots and in relation to access streets, and the harmonious and beneficial relationship of structures and uses on the receiving lot and on adjacent property. The number and location of vehicular access points may be limited and landscaping and other design features may be required as a condition of approval;

(2) The streets providing access to the receiving lot shall be adequate to handle increased traffic resulting therefrom, considering the size and uses of the proposed development;

(3) Except where the sending lot and receiving lot abut or are immediately adjacent across a street or way, the allowable floor area on the receiving lot shall be limited to an increase of ~~twenty (20)~~ 20 percent over that allowed by the applicable base floor area ratio without regard to the transferred development rights;

(4) The transfer shall effect a binding reduction in the unused development rights under this Zoning Ordinance otherwise available to the sending lot, to the extent of the rights transferred, for the life of the development on the receiving lot. The transfer shall increase the development rights under this Zoning Ordinance otherwise available to the receiving lot, to the extent of the rights transferred, for the life of the development on the receiving lot. To ensure the binding effect of this transfer, a properly drawn legal instrument duly approved by the City Solicitor shall be executed by the parties concerned and shall be filed with the application for occupancy permit. The department, bureau and all other affected City departments shall note on appropriate records the reduction in development rights on the sending lot and the increase in development rights on the receiving lot.

(5) In the case of a transfer of development rights involving an Historic Landmark or Performing Arts Facility, there shall exist a plan and program for rehabilitation, if necessary, and for continuing maintenance of the Historic Structure or Performing Arts Facility on the sending lot approved by the Commission which provides for continuation of the structure and use upon which eligibility for the transfer of development rights was based for not less than ~~forty (40)~~ 40 years.

(6) That the zoning lot to which a transfer is made must have prior to the transfer of development rights a gross allowable floor area under this Zoning Ordinance at least equal to the gross allowable floor area to be transferred.

~~910.02. DR, Downtown Riverfront District. [Reserve]~~

~~910.02.A Purpose~~

~~The DR, Downtown Riverfront District is intended to:~~

- ~~1. Maximize opportunities for riverfront use in accordance with the Riverfront Plan to take full advantage of this unique and limited resource;~~
- ~~2. Promote public access to the riverfront; and~~

~~3. Encourage reuse of riverfront sites which had previously been occupied by heavy industry.~~

~~910.02.B — DR Subdistricts~~

~~DR District is further divided into the three (3) following zoning subdistrict classifications:~~

- ~~1. DR A, Downtown Riverfront Subdistrict A~~
- ~~2. DR B, Downtown Riverfront Subdistrict B~~
- ~~3. DR C, Downtown Riverfront Subdistrict C~~

~~The term "DR District" when used alone, without the subdistrict letter, shall be deemed to include all three (3) DR subdistricts.~~

~~910.02.C — General Provisions~~

~~The provisions in this section apply to all DR Districts, unless otherwise stated.~~

~~910.02.C.1 — Use Regulations~~

~~(a) Primary Uses~~

~~Primary uses shall be allowed in the DR District in accordance with the Use Table of Sec. 911.02.~~

~~(b) General Limitations~~

- ~~(1) All merchandise and products shall be sold only at retail, unless otherwise stated.~~
- ~~(2) There may be manufacture, compounding, processing or treatment of products that is clearly incidental and essential to a retail store or business, only when the major portion of such products is to be sold at retail on the premises.~~
- ~~(3) Uses, operations or products shall not be noxious or offensive by reason of the emission of odor, dust, smoke, gas, vibration, noise or other similar causes.~~
- ~~(4) Unit group development shall be permitted.~~

~~(c) Project Development Plan Review~~

~~Developments in the DR district that are subject to Project Development Plan review and approval shall comply with the review process and criteria specified in Section 922.10 and all applicable standard of this Code. Developments that do not require Project Development Plan Review are:~~

- ~~(1) Structures involving exterior alterations not in excess of fifty thousand dollars (\$50,000.00); and/or~~

~~(2) Interior renovations only, except when additional units are created.~~

~~910.02.C.2—General Open Space Requirements~~

~~(a) Location~~

~~Open Space required by the DR District regulations may be located on the same zoning lot as the principal use or on an adjacent zoning lot.~~

~~(b) Funds In Lieu~~

~~The Planning Commission may approve the payment of funds in lieu of the provision of open space in the following cases:~~

~~(1) On small sites where required open space would result in areas of limited public usefulness;~~

~~(2) In locations where required open space would be adjacent to existing large open spaces; and~~

~~(3) In specific locations such as historic districts or other areas where the adopted plans and policy documents of the City of Pittsburgh applicable to the district indicate that open space is not desirable.~~

~~The funds from any approved, in lieu payments shall be used by the City for the acquisition and development of open space elsewhere in the DR District. The amount of such payment shall be based upon the value of the land which would otherwise be required to be devoted to open space on the development site, plus the cost which would otherwise be incurred by the applicant for development of that Space in accordance with the provisions of this section.~~

~~(c) Riverfront Park Maintenance In Lieu~~

~~The Planning Commission may approve a reduction in required Urban Open Space by up to fifty (50) percent in the event that the property owner agrees to provide for assumption of the operating and capital replacement costs of an equal area of riverfront park located within the DR District. Such agreement must be duly approved by the City Solicitor, the Planning Director and Director of Parks and Recreation.~~

~~(d) Museum, Library or Gallery In Lieu~~

~~The Planning Commission may approve a reduction in required Urban Open Space by up to fifty (50) percent in the event that the property owner agrees to provide an equivalently sized museum, library or gallery located within the DR District. In order to receive Urban Open Space credit, the museum, library or gallery shall be available to the public without an admission fee; remain open to the general public during hours normal to museums, libraries or galleries; be easily accessible from the public sidewalk or Urban Open Space; and be operated by a not for profit institution.~~

910.02.C.3—Urban Open Space Requirements

~~Urban Open Space shall be provided in accordance with DR subdistrict requirements and shall be located, developed and maintained to provide a contiguous open space system with visual and pedestrian connections to open space at the rivers' edges. It shall also comply with the following standards.~~

~~(a) Components~~

~~The particular functions and kinds of Urban Open Space to be provided at a development site shall be based upon consideration of existing and projected pedestrian volumes and circulation patterns; the location, size and character of existing Urban Open Space in the vicinity of the development site; existing and proposed land use patterns; relation to public transportation; and objectives contained in the adopted plan and policy documents pertaining to the DR District.~~

~~(b) Development Standards~~

~~(1) Urban Open Space designed to facilitate pedestrian circulation or relieve pedestrian congestion shall be at the same level as abutting public sidewalks and shall provide a clear path or area for movement. There shall be no vehicle entrance or exit points within the Urban Open Space which would impede movement or endanger pedestrians, other than access which may be required for emergency vehicles. The Urban Open Space shall be paved in accordance with City standards for sidewalk finishes. Street trees and landscape elements shall be located so as not to impede pedestrian movement and shall comply with all City street-related improvements in the downtown area. An Urban Open Space designed to facilitate pedestrian movement or to relieve congestion shall be accessible to the handicapped throughout its entire area and shall be open without restriction to the general public at all reasonable times.~~

~~(2) Urban Open Space designed to provide passive recreation space or informal activity areas shall abut and be accessible from a public sidewalk or from an Urban Open Space designed to facilitate pedestrian circulation or relieve pedestrian congestion. A majority of the Urban Open Space shall be visible from such abutting Space. Access to the Urban Open Space shall not be interrupted by vehicle entrances or exits. A plaza or park may be located above or below the level of the abutting sidewalk or open space provided it is accessible to the handicapped. A plaza or park shall contain seating, permanent landscaping and lighting for night time illumination. A park or plaza may contain tables and facilities for food service, but a majority of the Space shall be available for general public use without charge or purchase of any services which may be offered. A park or plaza shall be sited and oriented to maximize the access of sun light and air to the Urban Open Space. The Urban Open Space shall be open without restriction to the general public at least during business hours normal to the area in which it is located and during periods of heavy pedestrian movement in the area.~~

~~(3) When a development site is adjacent to a bus stop or transit station, the required Urban Open Space shall be designed to provide access to and from waiting areas for transit riders.~~

~~(4) Every Urban Open Space provided under the requirements of this Code shall be located and developed to relate harmoniously with development on adjacent sites and to contribute to the attractiveness and efficient functioning of the overall environment of the district.~~

~~(5) Open Space, in excess of that required by this Code, which may be provided on a development site shall be located and developed in a manner which does not disrupt or diminish the functioning or public utilization of the required Urban Open Space.~~

~~(c) Maintenance~~

~~A legally binding agreement, in a form acceptable to the City, shall be executed for each Urban Open Space provided and approved under the requirements of this Code. This agreement shall include provision for the permanent maintenance of the Urban Open Space by its owner.~~

~~910.02.C.4 — Light Access~~

~~Buildings shall be designed to provide at least five (5) feet from the zoning lot line to a proposed affected window except when the zoning lot line is contiguous to a public right-of-way of ten (10) or more feet in width. An affected window is defined as a window that provides light, air and visibility to the outdoors not including glazing for architectural design. The five-foot space may be waived when a similar amount of open space is provided on the adjacent property with a recorded easement or similar type of document.~~

~~(Ord. 28/November 17, 2000/Amend. U-25)~~

~~910.02.C.5 — Landscaping~~

~~All open space and other areas not covered by buildings or impervious surfaces shall be landscaped according to the provisions found in the Landscaping Standards of the Subdivision Regulations.~~

~~910.02.D — Conditional Uses~~

~~The following Conditional Uses shall be permitted in the DR District according to the provisions of Sec. 922.06.~~

~~910.02.D.1 — Density and Intensity Transfers~~

~~An increase in the number of dwelling units and allowable gross floor area of buildings and structures through the transfer of such development rights from zoning lots within two (2) adjacent DR Districts from zoning lots having unused development rights to other~~

zoning lots within the adjacent DR Districts, in conformity with the official master plans of the City, provided that:

~~(a) The zoning lot or lots from which unused development rights are transferred shall be known as the sending lot or lots; the zoning lot or lots on which the development rights are to be used shall be known as the receiving lot.~~

~~(b) The receiving lot, prior to the transfer of development rights shall have a gross allowable area under this Zoning Ordinance at least equal to the amount of gross allowable floor area to be transferred.~~

~~(c) For residential use only on the receiving lot, development rights may be transferred from any other zoning lot within the DR Districts and the required minimum lot area per dwelling unit and usable open space on the receiving lot shall be calculated without regard to the increase in dwelling units resulting from the transfer of development rights; for structured parking use only on the receiving lot, development rights may be transferred from any other zoning lot within two (2) adjacent DR Districts;~~

~~(d) For any permitted use on the receiving lot, development rights may be transferred from a site containing an historic structure, designated pursuant to the Pittsburgh Code, Section 1007.02 (Section 513.0);~~

~~(e) For any permitted use on the receiving lot, development rights may be transferred from a site containing a not for profit performing arts facility, designated by Council after recommendation of the Planning Commission;~~

~~(f) Transfers of development rights in (c) through (e) above may be permitted provided the following findings are made:~~

~~(1) Any proposal for such a transfer shall assure the safety and convenience of pedestrian and vehicular traffic movement, both within the receiving lot or lots and in relation to access streets, and the harmonious and beneficial relationship of structures and uses on the receiving lot and on adjacent property. The number and location of vehicular access points may be limited and landscaping and other design features may be required as a condition of approval;~~

~~(2) The streets providing access to the receiving lot shall be adequate to handle increased traffic resulting therefrom, considering the size and uses of the proposed development;~~

~~(3) Except where the sending lot and receiving lot abut or are immediately adjacent across a street or way, the allowable floor area on the receiving lot shall be limited to an increase of twenty (20) percent over that allowed by the applicable base floor area ratio without regard to the transferred development rights;~~

~~(4) The transfer shall effect a binding reduction in the unused development rights under this Zoning Ordinance otherwise available to the sending lot, to the extent of the rights transferred, for the life of the development on the receiving lot. The transfer~~

~~shall increase the development rights under this Zoning Ordinance otherwise available to the receiving lot, to the extent of the rights transferred, for the life of the development on the receiving lot. To ensure the binding effect of this transfer, a properly drawn legal instrument duly approved by the City Solicitor shall be executed by the parties concerned and shall be filed with the application for occupancy permit. The department, bureau and all other affected City departments shall note on appropriate records the reduction in development rights on the sending lot and the increase in development rights on the receiving lot.~~

~~(5) In the case of a transfer of development rights involving an Historic Landmark or Performing Arts Facility, there shall exist a plan and program for rehabilitation, if necessary, and for continuing maintenance of the Historic Structure or Performing Arts Facility on the sending lot approved by the Commission which provides for continuation of the structure and use upon which eligibility for the transfer of development rights was based for not less than forty (40) years.~~

~~(6) That the zoning lot to which a transfer is made must have prior to the transfer of development rights a gross allowable floor area under this Zoning Ordinance at least equal to the gross allowable floor area to be transferred.~~

910.02.D.2—~~Electronic Sign Messages~~

~~Electronic Sign Messages shall be permitted as a Conditional Use in the DR B Subdistrict provided that:~~

~~(a) The sign shall be attached to existing primary structures;~~

~~(b) The sign shall not exceed a sign face area of one thousand two hundred (1,200) square feet;~~

~~(c) The sign shall not project more than five (5) feet from the wall of the structure to which it is attached; and~~

~~(d) The sign shall be located within five hundred (500) feet of a stadium or auditorium capable of accommodating ten thousand (10,000) people.~~

910.02.E—~~Administrator Exceptions~~

~~The following Administrator Exceptions shall be permitted in the DR District according to the procedures of Sec. 922.08.~~

910.02.E.1—~~Conversion of Existing Buildings to Museum Use~~

~~The conversion of an existing building to a museum use by a nonprofit entity with a waiver of open space requirements and with limited enlargement provided:~~

~~(a) Up to fifty (50) percent of the required urban open space may be waived; and~~

~~(b) A display area in the first floor of the structure equal to the area of urban open space to be waived that is open to the public without charge during the operating hours of the museum shall be provided.~~

~~910.02.E.2 — Structures which Penetrate the Inclined Height Plane~~

~~The erection of structures which penetrate the inclined height plane to a maximum of one hundred eighty (180) feet shall be permitted provided that:~~

- ~~(a) The structure or structures are located on disposition parcels of an approved redevelopment area plan;~~
- ~~(b) The structure or structures are compatible with surrounding structures;~~
- ~~(c) The structure or structures present an overall image of structures along the shoreline; and~~
- ~~(d) The structure or structures meet the requirements of plans and policies adopted by the City Planning Commission.~~

~~910.02.F — DR A Subdistrict~~

~~The provisions in this section apply to lands within the DR A Subdistrict of the DR District.~~

~~910.02.F.1 — Purpose~~

~~The purpose of the DR A Subdistrict is as follows:~~

- ~~(a) To provide a zoning classification suitable for application to the area of the North Shore west of Heinz Field, where views of the Golden Triangle and Mt. Washington provide an environment for business, entertainment/recreation, residential and education uses;~~
- ~~(b) To encourage development which will maximize long term benefits to the City, enhance the use of the North Shore, and complement Golden Triangle, Manchester and Allegheny West uses; and~~
- ~~(c) To encourage development that will enhance the natural site advantages and frame views of the Golden Triangle and preserve and complement advantages from other adjacent locations, and enhance public access to the riverfront.~~

~~910.02.F.2 — Site Development Standards~~

~~Each site in the DR A Subdistrict shall be subject to the following site development standards.~~

- ~~(a) Floor Area Ratio~~

~~The maximum floor area ratio for structures that do not contain residential dwelling units shall be six (6). The maximum floor area ratio for structures that contain residential dwelling or hotel units shall be 7.5 provided the total amount of residential and/or hotel floor area exceeds one half (1/2) the of total floor area.~~

~~(b) Urban Open Space~~

~~Urban Open Space shall be provided at ground level on lots of twenty thousand (20,000) square feet or more in an amount at least equal to ten (10) percent of the lot area.~~

~~(c) Height~~

~~(1) Maximum building height shall not exceed eighty five (85) feet within two hundred (200) feet of the Ohio River.~~

~~(2) Maximum building height shall not exceed one hundred twenty (120) feet at any point more than two hundred (200) feet from the Ohio River.~~

~~910.02.G — DR B Subdistrict~~

~~The provisions in this section apply to lands within the DR B Subdistrict of the DR District.~~

~~910.02.G.1 — Purpose~~

~~The purposes of the DR B Subdistrict area as follows:~~

~~(a) To provide a zoning classification suitable for the development of public assembly facilities, on the Allegheny and the Ohio Rivers, where access, parking and infrastructure can support a daytime and event population in excess of thirty eight thousand (38,000);~~

~~(b) To encourage use and development of this area primarily for recreation, entertainment, office, residential and hotel uses;~~

~~(c) To encourage development that will enhance the natural site advantages and preserve and complement visual advantages to and from adjacent locations, and enhance public access to the riverfront; and~~

~~(d) To guide the redevelopment of the North Shore area as an extension of the Golden Triangle, lead to continued efficient utilization of public infrastructure, and extend the open space amenities of the riverfront.~~

~~910.02.G.2 — Site Development Standards~~

~~Each site in the DR B District shall be subject to the following site development standards.~~

~~(a) Floor Area Ratio~~

~~The maximum floor area ratio for structures that do not contain residential dwelling units shall be 7.5. The maximum floor area ratio for structures that contain residential dwelling and/or hotel units shall be ten (10) provided the total amount of residential and/or hotel floor area exceeds one half (1/2) the of total floor area.~~

~~(b) Urban Open Space~~

~~Urban Open Space shall be provided at ground level on lots of twenty thousand (20,000) square feet or more in an amount equal to at least ten (10) percent of the lot area provided at ground level or other pedestrian levels that provide a continuous, public pedestrian space easily accessible from public streets, sidewalks and Clemente Park; and that are accessible to the handicapped.~~

~~910.02.H — DR-C Subdistrict~~

~~The provisions in this section apply to lands within the DR-C Subdistrict of the DR District.~~

~~910.02.H.1 — Purpose~~

~~The purpose of the DR-C Subdistrict is as follows:~~

~~(a) To provide a zoning classification suitable for application to the area across the Allegheny River from the Golden Triangle, where the Allegheny River and proximity to the Golden Triangle, Allegheny Center and Northside Communities provide an environment where residential, business support and parking is desirable;~~

~~(b) To guide the redevelopment of the North Shore area as an extension of the Golden Triangle, and to encourage mixed use development, with primarily retail business frontages at street level, with offices, office related and residential uses as the primary uses of upper stories of buildings; and~~

~~(c) To encourage development that will enhance the natural site advantages and preserve and complement visual advantages from adjacent locations, and enhance public access to the riverfront.~~

~~910.02H.2 — Site Development Standards~~

~~Each site in the DR-C Subdistrict shall be subject to the following site development standards:~~

~~(a) Floor Area Ratio~~

~~The maximum floor area ratio for structures that do not contain residential dwelling units shall be seven and one half (7.5). The maximum floor area ratio for structures that contain residential dwelling and/or hotel units shall be ten (10), provided the total amount of residential and/or hotel floor area exceeds one half (1/2) the of total floor area.~~

~~(b) Urban Open Space~~

~~Urban Open Space shall be provided at ground level on lots of twenty thousand (20,000) square feet or more in an amount at least equal to ten (10) percent of the lot area.~~

~~(e) Height~~

~~Maximum building height in the area north of Isabella Street and Isabella Street extended shall not exceed one hundred twenty (120) feet. Maximum building height in the area south of Isabella Street and Isabella Street extended shall not exceed eighty five (85) feet.~~

~~(Ord. 5/April 15, 1999/Amend. No. U-2; Ord. 19-2004, §§ 1G—1K, eff. 11-8-04)~~

Section 9. The Pittsburgh Code, Title Nine, Zoning Code, Article V, Chapter 911, Primary Uses, Section 911.02, Use Table, is hereby amended as follows:

911.02 Use Table.

Use Classification The Pittsburgh Urban Zoning Code P = Permitted By Right A = Administrator Exception S = Special Exception C = Conditional Use	Base Zoning Districts*																		Standard See Section 911.04.x				
	Residential				Mixed-Use						Special			DT		<u>RIV</u>							
* As Base Zoning District Regulations, all uses may be subject to additional regulations imposed by applicable Overlay Zoning Districts.	R1D	R1A	R2	R3	RM	ND	OL	NC	NDI	UNC	HC	GI	UI	P	H	EM	IGT	DR	<u>RM</u>	<u>MUN</u>	<u>NS</u>	<u>GI</u>	<u>IMU</u>
Residential Uses																							
Single-Unit Detached Residential means the use of a zoning lot for one detached housing unit.	P	P	P	P	P	P	P	P	P					P	A	P							A.69
Single-Unit Attached Residential means the use of a zoning lot for one dwelling unit that is attached to one or more dwelling units by a party wall or separate abutting wall and that is located on its own separate lot. (Ord. 32/November 23, 2005)		P	P	P	P	P	P	P	P						S		P	P	P				A.69

<p>Two-Unit Residential means the use of a zoning lot for two dwelling units that are contained within a single building. (<i>Ord. 32/November 23, 2005</i>)</p>				P	P	P	P	P	P	P							P	P	P	P					P	
<p>Three-Unit Residential means the use of a zoning lot for three dwelling units that are contained within a single building. (<i>Ord. 32/November 23, 2005</i>)</p>					P	P	P	P	P	P							P	P	P	P					P	
<p>Multi-Unit Residential means the use of a zoning lot for four or more dwelling units that are contained within a single building.</p>						P	P	P	P	P			S			A	P	P	P	P	P				P	A.85

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	Residential					Mixed-Use						Special			DT		RIV						
* As Base Zoning District Regulations, all uses may be subject to additional regulations imposed by applicable Overlay Zoning Districts.	R1D	R1A	R2	R3	RM	NDO	LNC	NDI	UNC	HC	GI	UI	P	H	EM	GT	DR	RM	MU	NS	GI	IMU	
Assisted Living means a facility for the accommodation of convalescents or chronically ill persons, in which such nursing care and medical services are prescribed or are performed under the general direction of persons licensed to provide such care or services in accordance with Commonwealth laws.																							
Assisted Living Class A means an Assisted Living use with less than 9 patient beds.			S	S	S	A	A	A	P	P		P			A	P	P	<u>A</u>	<u>A</u>	<u>P</u>		<u>P</u>	A.66
Assisted Living Class B means an Assisted Living use with 9 to 17 patient beds.					S	S	S	S	P	P		P			S	P	P	<u>S</u>	<u>S</u>	<u>P</u>		<u>P</u>	A.66
Assisted Living Class C means an Assisted Living use with 18 or more patient beds.					C	S	S	S	S			S			S	P	P		<u>S</u>	<u>P</u>		<u>S</u>	A.66

<p>Community Home is a group of more than eight unrelated disabled persons living together as a single housekeeping unit with shared common facilities. If required, staff persons may reside on the premises. A Community Home may not be a Multi-Suite Residential use or an Assisted Living use as defined in Section 911.02. For the purposes of this definition, "disabled" means "handicapped" as defined according to the Fair Housing Act Amendments of 1988, 42 U.S.C.S. 3602(h), and any amendments thereto. This use does not include Custodial Care Facilities. This use includes halfway houses where persons are aided in readjusting to society following a period of hospitalization or institutionalized treatment for a medical, psychiatric, developmental, emotional, or other disability or handicap. This does not include halfway houses for people</p>	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	A.84
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<p>leaving a correctional facility.</p>																				
<p>Dormitory means the use of a zoning lot for occupancy by groups of people who are not defined as a family and who are registered students at a college, university or other institution of higher learning, on a weekly basis or longer, and is managed by the institution at which the students are registered.</p> <p><i>(Ord. 32/November 23, 2005)</i> <i>(Ord. 24/August 21, 2000/A.U-23)</i></p>																				

S

S

A.23

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	Residential					Mixed-Use						Special			DT		RIV							
* As Base Zoning District Regulations, all uses may be subject to additional regulations imposed by applicable Overlay Zoning Districts.	R1D	R1A	R2	R3	RM	NDO	LNC	NDI	UNC	HC	GI	UI	P	H	EM	GT	DR	RM	MU	NS	GI	IMU		
Housing for the Elderly (General) means a Housing for the Elderly use with 30 or more units.				S	S	A	S	S	S	S					A				<u>S</u>	<u>S</u>	<u>S</u>		<u>S</u>	A.35
Multi-Suite Residential means a building or portion thereof, containing rooms rented as sleeping or living quarters, without private kitchens and with or without private bathrooms. Lodging or meals or both are provided for compensation on a weekly or monthly basis. Multi-Suite Residential uses shall not include Dormitory and Fraternity/Sorority.																								
Multi-Suite Residential (Limited) means a Multi- Suite Residential use with less than 8 sleeping rooms. (Ord. 32/November 23, 2005)					C		A	P	P						S	P	P	<u>A</u>	<u>P</u>	<u>P</u>			<u>P</u>	A.41
Multi-Suite Residential (General) means a Multi- Suite Residential use with 8 or more sleeping rooms.							S	A	A				A		S	P	P	<u>S</u>	<u>A</u>	<u>P</u>			<u>A</u>	A.41

(Ord. 32/November 23, 2005)																						
Personal Care Residence is a building where food, shelter and personal assistance or supervision are provided for at least one full day for three or more adults who are not relatives of the operator and who may require assistance or supervision in the matters as dressing, bathing, diet, or medication prescribed for self administration but do not require hospitalization or care in a Nursing Home.																						
Personal Care Residence (Large) is a personal care residence that is limited to no more than nineteen (19) persons including clients, operator (any person responsible for the day-today operation and supervision of the home) and family of the operator. An operator may also be the householder. Clients shall be limited to no more than seventeen (17) Persons.			S	S	S	S	S	S	S	S	S	S			A	S	S	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	A.95A
Personal Care Residence (Small) is a personal care residence that is limited to no more than ten (10) persons and no fewer than three (3) persons including clients, operator (any person responsible for the day-to-day operation and supervision of the home) and family of the operator. An operator may also be the	A	A	A	A	A	A	A	A	A	A	A			A	A	A	A	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	A.95B

householder. Clients shall be limited to no more than eight (8) persons.																						
Non-Residential Uses																						
Adult Entertainment means Adult Bookstore, Adult Cabaret, Adult Mini-Theater, Adult Theater, Massage Establishment, Model Studio, or Sexual Encounter or Meditation Center. See Chapter 926 for definitions. <i>(Ord. 28/November 17, 2000/A. U-25)</i>																					A.1	
Agriculture (General) means the growing of crops and raising of livestock and domestic small farm animals for domestic and commercial uses. The minimum lot size required is two (2) acres.	P	P	P	P	P		P		P	P	P	P	P				<u>P</u>			<u>P</u>	A.2(a)	
Agriculture (Limited) With Beekeeping means the growing of crops and raising honey bees for domestic and commercial uses.	P	P	P	P	P	P	P		P	P	P	P	P				<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	A.2(b)

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	Residential					Mixed-Use						Special			DT		RIV						
<p>* As Base Zoning District Regulations, all uses may be subject to additional regulations imposed by applicable Overlay Zoning Districts.</p>	R1D	R1A	R2	R3	RM	NDO	LNC	NDI	UNC	HC	GI	UI	P	H	EM	IGT	DR	RM	MUN	NS	GI	IMU	
<p>Agriculture (Limited) means the growing of crops for commercial use. No minimum lot size is required.</p>	P	P	P	P	P	P	P	P		P	P	P	P	P				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		A.2(c)
<p>Amusement Arcade means any establishment displaying seven or more amusement devices including but not limited to pool tables, foosball tables, air hockey, "pong" games, mechanical rides for children, electronic games, and shooting gallery types games. See Chapter 926 for additional definitions.</p>									S	S		S				A	A		<u>S</u>	<u>A</u>		<u>S</u>	A.3

Animal Care (Limited) means a use providing small animal (household pets) boarding or veterinary services with no outside runs, not including lab animals.							P	P	P	P	P					A	A	A		<u>P</u>	<u>P</u>		<u>P</u>	A.4		
Animal Care (General) means a use providing animal care, veterinary services or boarding.										P	P	P									<u>P</u>			<u>P</u>		
Art or Music Studio means an art studio, music studio or photographer's studio.							P	P	P	P	P					P	P	P			<u>P</u>	<u>P</u>		<u>P</u>		
Public Assembly means open, partially enclosed or fully enclosed structure used or intended to be used primarily for spectator sports, entertainment events, expositions and other public gatherings. Typical uses include convention and exhibit halls, sports arena and amphitheaters.																										
Public Assembly (Limited) means a Public Assembly use with a capacity of less than 500 persons. <i>(Ord. 32/November 23, 2005)</i>										S	S	S		S	C		S	P	P		<u>S</u>	<u>P</u>		<u>S</u>	A.5	
Public Assembly (General) means a Public Assembly use with a capacity of 500 or more persons. <i>(Ord. 32/November 23, 2005)</i>											C		C	C		S	P	P			<u>S</u>	<u>P</u>		<u>S</u>	A.6	
Bank or Financial Institution means an establishment engaged in deposit banking. Typical uses include commercial banks, savings institutions and credit unions.																										
Bank or Financial Institution (Limited) means a Bank or Financial Institution										P	P	P	P	P			A	P	P			<u>P</u>	<u>P</u>		<u>P</u>	A.96

use with a gross floor area or less than 3,500 square feet.																							
Bank or Financial Institution (General) means a Bank or Financial Institution use with a gross floor area of 3,500 square feet or more. <i>(Ord. 32/November 23, 2005)</i>							P	P	P	P	P			A	P	P			<u>P</u>	<u>P</u>		<u>P</u>	A.96
Basic Industry means an establishment engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials.											P	S									<u>P</u>	<u>S</u>	
Bed and Breakfast means an occupied dwelling unit in which rooms are let on an overnight basis as the temporary abiding place of persons who have residences elsewhere.																							
Bed and Breakfast (Limited) means a Bed and Breakfast use containing one to three guest rooms.	S	S	S	S	S	P	P	P	P	P				A	P	P		<u>S</u>	<u>P</u>	<u>P</u>		<u>P</u>	A.7; A.8

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* As Base Zoning District Regulations, all uses may be subject to additional regulations imposed by applicable Overlay Zoning Districts.	R1D	R1A	R2	R3	RM	NDO	LNC	NDI	UNC	HC	GI	UI	P	H	EM	IGT	DR	RM	MU	NS	GI	IMU	
Cemetery means land used or intended to be used for the burial of the dead and dedicated to cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries, when operated in conjunction with and within the boundary of such cemetery.													A										A.11
Bed and Breakfast (General) means a Bed and Breakfast use containing four to ten guest rooms.			C	C	C	P	P	P	P	P		P			S	P	<u>P</u>	<u>S</u>	<u>P</u>	<u>P</u>		<u>P</u>	A.7; A.9
Car Wash means an establishment primarily engaged in cleaning or detailing motor vehicles,							A	A	P	P	A									<u>P</u>	<u>A</u>		A.10

to retail buyers that cashes checks or issues money orders for a minimum flat fee not exceeding two dollars (\$2.00) as a service to its customers incidental to the main use of the establishment.																					
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Child Care means an establishment that provides care, protection and supervision for children on a regular basis away from their primary residence for less than 24 hours per day. The term does not include the following: public or private elementary or secondary schools or facilities operated in conjunction with an employment use, shopping center or other principal activity, where children are cared for while parents or custodians are occupied on the premises or in the immediate vicinity.

Child Care (Limited) means a Child Care center that provides care, protection and supervision for 4 to 6 children at any one time, including those under the supervision or custody of the child care provider and those under the supervision or custody of employees. The term includes	S	S	P	P	P	P	P	P	P	P	A	A			P	P	P	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	A.12
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<p>but is not limited to "Family Child Day Care Home" as defined by Title 55 of the Pennsylvania Code.</p>																								
<p>Child Care (General) means a Child Care center that provides care, protection and supervision for 7 or more children at any one time, including those under the supervision or custody of the child care provider and those under the supervision or custody of employees. The term includes but is not limited to "Family Child Day Care Home" as defined by Title 55 of the Pennsylvania Code.</p>					P	P	P	P	P	P	A	A			A	P	P		<u>P</u>	<u>P</u>			<u>P</u>	A.12
<p>Club: Social, Fraternal, Athletic, Business or Professional (Ord. 28/Nov. 17, 2000/A. U-25)</p>																								
<p>Club (Limited) means a club that does not provide, sell or allow the consumption of intoxicating beverages on the premises and is not more than 2400 square feet in net floor area.</p>								P	P	P	P	P				P	P		<u>P</u>	<u>P</u>			<u>P</u>	

<i>(Ord. 28/Nov. 17, 2000/A. U-25)</i>																												
Club (General) other than the limited type described above. <i>(Ord. 28/Nov. 17, 2000/A. U-25)</i>							S	S	S	P	P	P				P	P				<u>P</u>	<u>P</u>				<u>P</u>	A.88	
College or University Campus means a college, community college, or other post secondary educational complex, or any elements thereof not in an EMI District, which shall include one (1) or more of the following uses: teaching and research facilities; educational classroom space; public assembly; child care facilities, student center; food service facilities; laundry services; library; administrative offices; parking lots and structures; and recreation facilities.							C	C		C	C	C														<u>C</u>	A.90	
Communication Tower means a structure on which radio frequency transmitting and/or receiving antennae are located or which serves as such an antenna itself, including accessory buildings and equipment. Radio frequency is that portion of the electromagnetic spectrum that contains AM, FM, two-way radio, cellular telephone, television and microwave transmissions.																												
Communication Tower, Class A means a	S	S	S	S	S	S	S	A	S	S	A	A	S	S	S	S	S	S	S	S	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	A.13

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Construction Contractor means an establishment primarily engaged in construction, building maintenance and building repair activities, including heating and electrical businesses, building maintenance and building movers.																							
Construction Contractor (Limited) means a Construction Contractor with a gross floor area of less than 3,500 square feet.						A	A	A	P	P	P							<u>A</u>		<u>P</u>	<u>A</u>	A.15	
Construction Contractor (General) means a Construction Contractor with a gross floor area of 3,500 square feet or more.									P	P	P									<u>P</u>			

<p>Controlled Substance Dispensation Facility means a public or private facility that sells, dispenses, distributes or otherwise provides any controlled substance, as defined in the Controlled Substances Act, 21 U.S.C. § 802 et seq., as the same may be amended from time to time, including, but not limited to, methadone, to any person known or believed by such facility or to any employee, agent or individual otherwise connected to such facility, to be physically or psychologically dependent on the use of controlled substances, for the detoxification treatment or maintenance treatment of such dependency, unless said controlled substance is sold, dispensed, distributed or otherwise provided for the cure or treatment of an illness, malady or disease other than controlled substance dependency.</p>							C	C	C	C	C	C	C	C	C	C	€	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	A.98
<p>Correctional Facility is a publicly or privately operated facility housing persons awaiting trial or persons serving a sentence after being found guilty of a criminal offense.</p>																						

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	Residential					Mixed-Use						Special			DT		RIV							
* As Base Zoning District Regulations, all uses may be subject to additional regulations imposed by applicable Overlay Zoning Districts.	R1D	R1A	R2	R3	RM	NDO	LNC	NDI	UNC	HC	GI	UI	P	H	EM	IGT	DR	RM	MUN	NS	GI	IMU		
Correctional Facility (Limited) means a Correctional Facility with less than 50 beds.								C	C	C	C	C					C	€			<u>C</u>	<u>C</u>	<u>C</u>	A.16
Correctional Facility (General) means a Correctional Facility with 50 or more beds.											C						C					<u>C</u>		A.17
Cultural Service means a museum or similar use engaged in the collection, display or preservation of objects of community or cultural interest in one or more of the arts or science.																								
Cultural Service (Limited) means a Cultural Service with a gross floor area of less than 5,000 square feet.	S	S	S	S	S	A	P	P	P	P	P	P	A			A	P	P	<u>S</u>	<u>P</u>	<u>P</u>		<u>P</u>	A.18

<p>Cultural Service (General) means a Cultural Service with a gross floor area of 5,000 square feet or more. (Ord. 32/November 23, 2005)</p>							S	S	P	P	P	P	A		A	P	P		<u>P</u>	<u>P</u>		<u>P</u>	A.19	
<p>Custodial Care Facility is facility providing custodial care and treatment in a protective environment for persons residing or attending by court placement, post-correctional facilities, juvenile detention facilities, temporary detention facilities, and halfway houses. This includes halfway houses and similar facilities for people on probation or parole and halfway houses for people leaving a correctional facility or placed there as a form of alternative sentencing.</p>			C	C	C	C	C	C	C	C	C				C	C	€	<u>C</u>	<u>C</u>	<u>C</u>		<u>C</u>	A.94	
<p>Educational Classroom Space means classroom space associated with a college, community college, university, or other institution of higher learning.</p>																								
<p>Educational Classroom Space (Limited) means an Educational Classroom Space use with a gross floor area of less than 20,000 square feet.</p>							S	S	S	P		P			A	P	P		<u>S</u>	<u>P</u>		<u>P</u>	A.20	
<p>Educational Classroom Space (General) means an Educational Classroom Space</p>									S	P		P			A	P	P					<u>P</u>	A.21	

use with a gross floor area of 20,000 square feet or more.																												
Excavation/Grading/Fill, Major means any operation, other than in connection with the construction of a foundation for a structure, involving: 1: Strip of other mining of coal or other minerals, excavating of sand or rock and the crushing of rock, sanitary and other fills, recovery of metal or other natural resources and similar operations; or 2. A volume of earth movement exceeding 16,000 cubic yards; or	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	€	C	C	C	C						A.22	
Firearms Business Establishment means any business establishment, duly licensed by the appropriate agencies of the United States of America and the Commonwealth of Pennsylvania, that engages in the sale of firearms ("firearms" as defined by Section 607.01 of the City								S	S	S	S	S				S										<u>S</u>	<u>S</u>	A.92

Code), either by wholesale or retail, mail order or any other manner.																				
Firearms Business Establishment means any business establishment, duly licensed by the appropriate agencies of the United States of America and the Commonwealth of Pennsylvania, that engages in the sale of firearms ("firearms" as defined by Section 607.01 of the City Code), either by wholesale or retail, mail order or any other manner.							S	S	S	S	S			S				<u>S</u>	<u>S</u>	A.92
Forestry Activities: The management, cultivation, maintenance, and harvesting of timber from a site of one-quarter acre (10,890 square feet; approximately 104.35 feet by one hundred 104.35 feet) or more, or a linear extent in any direction exceeding 200 feet. Does not include the production or	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S				A.22A

<p>processing of lumber or similar activities whether grown on site or off site. <i>(Ord. 39/December 30, 2005)</i></p>																						
<p>Freight Terminal means a facility designed for the moving and storage of goods, including railroad and trucking terminals and railroad repair shops.</p>									S	P	S								<u>P</u>	<u>S</u>	A.24	
<p>Funeral Home means an establishment engaged in undertaking services such as preparing the human deceased for burial, and arranging and managing funerals, including mortuaries and crematoria.</p>							S	S	S	A	P	P			S				<u>S</u>	<u>P</u>	<u>P</u>	A.25

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Grocery Store means a retail store, the primary function of which is the sale of staple good and other basic life necessities.																									
Grocery Store (Limited) means a Grocery Store use with a gross floor area of less than 3,000 square feet.								A	A	A	P	P	P				A	P	P		<u>P</u>	<u>P</u>		<u>P</u>	A.82
Grocery Store (General) means a Grocery Store use with a gross floor area of 3,000 square feet or more.								S	S	A	P	A	A				S	P	P		<u>P</u>	<u>P</u>		<u>P</u>	A.83
Hazardous Operations means activities principally involved in activities and processes that present hazards to human life and health. Typical uses include arsenals, atomic reactors, explosives and fireworks manufacture, hazardous waste																								<u>C</u>	A.27

Hotel/Motel means an establishment used, maintained or advertised as a place where sleeping accommodations are supplied for short-term rent to tenants, in which rooms are furnished for accommodation of such guests and which exclude individual kitchen facilities.																									
Hotel/Motel (Limited) means a Hotel/Motel use with less than 40 guest rooms.							A	A	A	P		P				A	P	P		<u>A</u>	<u>P</u>		<u>P</u>	A.33	
Hotel/Motel (General) means a Hotel/Motel use with 40 or more guest rooms. (Ord. 32/November 23, 2005)							S	S	S	P		P				A	P	P		<u>S</u>	<u>P</u>		<u>P</u>	A.34	
Incinerator, Solid Waste means a facility, alone or in conjunction with a landfill or other facility, used or intended to be used for burning solid waste or trash.																							<u>C</u>		A.36
Laboratory/Research Services means an establishment engaged in conducting basic, applied, industrial or scientific research, other than medical testing, including production of prototype products when limited to the minimum scale necessary for full investigation of the merits of a product, but excluding production of products used primarily or customarily for sale or for use in non-prototype production operations. The term also includes medical laboratories where prosthetic devices or medical testing takes place exclusively on the written work order of a licensed member of the dental or medical profession.																									
Laboratory/Research Services (Limited) means a Laboratory/Research Services use with a gross floor area of less than 10,000 square feet.							P	P	P	P	P	P				A	P	P		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	A.37	
Laboratory/Research Services (General) means a Laboratory/Research Services use with a gross floor area of 10,000 square feet or more.								A	A	P	P	P				A	P	P		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	A.37	

Manufacturing and Assembly means an establishment engaged in the manufacture or products or parts, predominantly using previously prepared material, including processing, fabrication, assembly, treatments, and packaging of such products, and incidental storage, sales and distribution of such products.																								
Manufacturing and Assembly (Limited) means a Manufacturing and Assembly use with a gross floor area of less than 20,000 square feet.								A	S	P	P	P					A	A		<u>S</u>	<u>A</u>	<u>P</u>	<u>P</u>	A.39
Manufacturing and Assembly (General) means a Manufacturing and Assembly use with a gross floor area of 20,000 square feet or more.								S		S	P	A					A	A			<u>A</u>	<u>P</u>	<u>P</u>	A.39; A.40
Medical Marijuana Dispensary means an establishment that is issued a permit by the Department of Health to dispense medical marijuana.							S	P	P	P	P	A			P	P	P			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	A.99
Medical Marijuana Growing and Processing means an establishment that is issued a permit by the Department of Health to grow and process medical marijuana.								P		P	P	A										<u>P</u>	<u>P</u>	A.100
Medical Office/Clinic means an establishment providing therapeutic, preventative, corrective, healing and health-building treatment services on an out-patient basis by physicians, dentists and other practitioners. Typical uses include medical and dental offices and clinics and out-patient medical laboratories.																								

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	Residential					Mixed-Use							Special			DT		RIV					
* As Base Zoning District Regulations, all uses may be subject to additional regulations imposed by applicable Overlay Zoning Districts.	R1D	R1A	R2	R3	RM	NDO	LNC	NDI	UNC	HC	GI	UI	P	H	EM	GT	DR	RM	MU	NS	GI	IMU	
Medical Office/Clinic (Limited) means a Medical Office/Clinic use with a gross floor area of less than 5,000 square feet.						A	P	P	P	P	P	P			A	P	P		<u>P</u>	<u>P</u>		<u>P</u>	A.81
Medical Office/Clinic (General) means a Medical Office/Clinic use with a gross floor area of 5,000 square feet or more.						S	A	A	P	P	P	P			A	P	P		<u>A</u>	<u>P</u>		<u>P</u>	A.81
Nursery, Retail means the use of a zoning lot for the retail sale of plants and planting materials.																							
Nursery, Retail (Limited) means a Retail Nursery with less than 10 parking spaces and with a lot area of less than half an acre.						A	A	P	P	P	P	P	A						<u>P</u>			<u>P</u>	A.80

Nursery, Retail (General) means a Retail Nursery with 10 or more parking spaces or with a lot area of half an acre or more.								A	P	P	A	P							<u>P</u>		<u>P</u>				
Office means an establishment providing executive, management, administrative or professional services, but not involving medical or dental services or the sale of merchandise, except as incidental to a permitted use. Typical uses include real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, government, design, engineering, accounting and similar offices.																									
Office (Limited) means an Office with a gross floor area of less than 10,000 square feet.								A	P	P	P	P	P					A	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	A.42	
Office (General) means an Office with a gross floor area of 10,000 square feet or more.								S	S	A	P	P	A	P				A	P	<u>P</u>	<u>P</u>		<u>P</u>	A.43	
Outdoor Retail Sales and Service [NonAccessory Use] means the sale of goods and services, including food items, situated outdoors on property other than public right-of-way, wherein the sale of goods and services is separate and distinct from the commercial activities being conducted in the existing establishment or property located on the zoning lot or is not consistent with the use specified on the certificate of																									
									S											S	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	A.91

occupancy for the zoning lot or is being conducted pursuant to a different business identification number from the existing establishment or property.																				
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Parking, Commercial means an area used or intended to be used for the off-street parking of operable motor vehicles on a temporary basis, other than as accessory parking to a principal use, and excluding parking structures.

Parking, Commercial (Limited) means a Commercial Parking area with less than 25 spaces. (Ord. 32/November 23, 2005)							S	A	A	P	A	P			S			<u>S</u>	<u>S</u>	<u>A</u>	<u>S</u>	A.44
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Parking, Commercial (General) means a Commercial Parking area with 25 or more spaces. (Ord. 42/December 30, 2005) (Ord. 32/November 23, 2005)							S	S	A	P	P			S	S			<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	A.45
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Parking Structure means a structure used or intended to be used for off-street parking of operable motor vehicles on a temporary basis, other than as accessory parking to a principal use. (Ord.28/Nov 17, 2000/A.U-25)

Parking Structure (Limited) means a Parking Structure with less than 50 spaces. (Ord. 32/November 23, 2005)							S	S	S	A	A	A	A		S	A	A		<u>S</u>	<u>A</u>	<u>A</u>	A.87
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<p>Parking Structure (General) means a Parking Structure with 50 or more spaces. <i>(Ord. 32/November 23, 2005)</i> <i>(Ord. 28/Nov. 17, 2000/A.U-25)</i> <i>(Ord. 19/July 8, 1999/A.U-9)</i></p>						S	S	S	S	S	A	S			S	A	A		<u>S</u>	<u>A</u>		<u>A</u>	A.87
<p>Parks and Recreation means park, playground or other facility or open space area providing active or passive recreational opportunities for the general public.</p>																							
<p>Parks and Recreation (Limited) means a Parks and recreation use that does not have spectator seating, concession, lighted playing courts or fields or more than 19 parking spaces.</p>	S	A	A	A	A	P	P	P	P	P	A	P	P	A	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	A.46
<p>Parks and Recreation (General) means a Parks and recreation use with spectator seating, concession, lighted playing courts or fields or 20 or more parking spaces.</p>										P	A	P	P		A	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	A.46

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	Residential				Mixed-Use						Special			DT		RIV																			
* As Base Zoning District Regulations, all uses may be subject to additional regulations imposed by applicable Overlay Zoning Districts.	R1D	R1A	R2	R3	RM	ND	OL	NC	NDI	UNC	HC	GI	UI	P	H	E	M	I	GT	DR	RM	MU	NS	GI	IMU										
Pawn Shop means an establishment engaged in retail sales of new or secondhand merchandise and offering loans secured by personal property. <i>(Ord. 42/December 30, 2005)</i>											S	S	S													<u>S</u>	A.97								
Recreation and Entertainment, Indoor means an establishment offering recreation and entertainment to the general public within an enclosed building. Typical uses include movie theaters, bowling alleys, skating rinks, fitness centers, dance studios, court sports and swimming pools.																																			
Recreation and Entertainment, Indoor (Limited) means an Indoor Recreation and Entertainment use for which fewer than 20 parking spaces are provided.											P	P	P	P												P	A	A	P	P	<u>P</u>	<u>P</u>		<u>P</u>	A.48

Recreation and Entertainment, Indoor (General) means an Indoor Recreation and Entertainment use for which 20 or more parking spaces are provided. <i>(Ord. 32/November 23, 2005)</i>								S	S	A	P		P	A			S	P	P			<u>P</u>	<u>P</u>			<u>P</u>	A.47								
Recreation and Entertainment, Outdoor means an establishment offering recreation, entertainment or games of skill to the general public for a fee or charge wherein any portion of the activity takes place in the open. Typical uses include archery range, golf driving ranges and miniature golf course and other types of recreation and entertainment not otherwise defined.																																			
Recreation and Entertainment, Outdoor (Limited) means an Outdoor Recreation and Entertainment use for which fewer than 25 parking spaces are provided.								S	S	S	P		P	A			A	P	P			<u>S</u>	<u>P</u>			<u>P</u>	A.49								
Recreation and Entertainment, Outdoor (General) means an Outdoor Recreation and Entertainment use for which 25 or more parking spaces are provided. <i>(Ord. 32/November 23, 2005)</i> <i>(Ord. 19/July 8, 1999/A.U-9)</i>									A									P	S	P	A					S	P	P		<u>S</u>	<u>P</u>			<u>P</u>	A.50

Recycling Collection Station means freestanding containers not occupying an area of greater than 800 square feet (exclusive of area designed for vehicular access), which are designed to receive and store pre-sorted recyclable materials not intended for disposal and which are made available to the general public.							A	A	A	P	P	P	A			A	P	P		<u>A</u>	<u>P</u>	<u>P</u>	<u>P</u>	A.51	
Recycling Processing Center means a building or land in excess of 800 square feet devoted to the receipt, separation, storage, bailing, conversion and/or processing of recycle materials. <i>(Ord. 19/July 8, 1999/A.U-9)</i>										S	P	S										<u>P</u>		A.52	
Religious Assembly means an establishment operated by a religious organization for religious worship, religious training and related religious services.																									
Religious Assembly (Limited) means a Religious Assembly use for which fewer than 20 parking spaces are required. <i>(Ord. 20/July 8, 1999/A.U-10)</i>	S	S	S	S	S	A	P	P	P	P	S	P				A	P	P		<u>S</u>	<u>P</u>	<u>P</u>		<u>P</u>	A.53

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	Residential					Mixed-Use							Special			DT		RIV													
* As Base Zoning District Regulations, all uses may be subject to additional regulations imposed by applicable Overlay Zoning Districts.	R1	D1	A	R2	R3	RM	ND	O	L	C	ND	I	U	NC	HC	GI	UI	P	H	E	M	IG	T	DR	RM	MU	NS	GI	I	MU	
Religious Assembly (General) means a Religious Assembly use for which 20 or more parking spaces are required. (<i>Ord. 20/July 8, 1999/A.U-10</i>)	S	S	S	S	S	S	A	P	P	P	S	P						S	P	P	<u>S</u>	<u>A</u>	<u>P</u>					<u>P</u>			A.53
Restaurant, Fast-Food means an establishment where the principal business is the sale of food and non-alcoholic beverage in a ready-to-consume state and where the design or principal method of operation is that of a quick-service restaurant where orders are generally not taken at the customers' tables, where food is generally wrapped in disposable wrapping or containers, and where food and beverage may be served directly to the customer in an automobile.																															
Restaurant, Fast-Food (Limited) means a FastFood Restaurant that does not have a separate curb-cut on a public right-of- way for automobile drive- through service.							A	A	A	P	A	A	C		A	P	P				<u>S</u>	<u>P</u>				<u>A</u>			A.54		

Restaurant, Fast-Food (General) means a FastFood Restaurant that has a separate curb-cut on a public right-of-way for automobile drivethrough service.										S	P	A	A									<u>S</u>	A.55
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Restaurant means an establishment other than "Fast-Food Restaurant" where the principal business is the sale of food in a ready to consume state, where there is no service to a customer in an automobile, and where the design or principal methods of operation consist of one (1) or more of the following:

1. A sit-down restaurant where customers are normally provided with an individual menu, are generally served food in non-disposable containers by a restaurant employee at the same table or counter at which the food and beverage items are consumed, or
2. A cafeteria or cafeteria-like operation where food and beverage generally are served in non-disposable containers and are consumed with the restaurant; But not including Social Club.

Restaurant (Limited) means a Restaurant with a gross floor area of less than 2,400 square feet and that does not have live entertainment or dancing.							P	P	P	P	A	P	C			A	P	P			<u>P</u>	<u>P</u>		<u>P</u>	A.56
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Restaurant (General) means a Restaurant with a gross floor area of 2,400 square feet or more or one that has live entertainment or dancing. <i>(Ord. 32/November 23, 2005)</i>							S	S	S	P		P	C			S	P	P			<u>S</u>	<u>P</u>		<u>P</u>	A.57
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Retail Sales and Services means an establishment engaged in the sale or rental of goods and services, excluding those uses defined more specifically in the Use Table.

Retail Sales and Services (Limited) means a Retail Sales and Services use with a gross							P	P	P	P	A	P				P	P	P			<u>P</u>	<u>P</u>		<u>P</u>	A.58
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floor area of less than 10,000 square feet.																								
Retail Sales and Services (General) means a Retail Sales and Services use with a gross floor area of 10,000 square feet or more.							A	A	A	P	A	P			A	P	P		<u>A</u>	<u>P</u>		<u>P</u>	A.59	
Retail Sales and Services, Residential Convenience means a Retail Sales and Services use contained wholly within the ground-floor of a multi-unit residential building. <i>(Ord. 19/July 8, 1999/A.U-9)</i>					A			P				P			A				<u>A</u>				A.60	
Safety Service means a facility designed or used for the conduct of public safety and emergency services, including fire and police protection services and emergency medical and ambulance services.	S	S	S	S	S	S	A	A	A	P	P	P	S		S	P	P		<u>S</u>	<u>A</u>	<u>P</u>	<u>P</u>	<u>P</u>	A.61

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	Residential				Mixed-Use						Special			DT		RIV									
* As Base Zoning District Regulations, all uses may be subject to additional regulations imposed by applicable Overlay Zoning Districts.	R1	DR1A	R2	R3	RM	ND	OL	NC	NDI	UNC	HC	GI	UI	P	H	EM	IGT	DR	RM	MUN	NS	GI	IMU		
Salvage Yard means a lot, land or structure, or part thereof, used primarily for the collecting, storage and sale of waste paper, rags, scrap metal or discard material; or for the collecting, dismantling, storage and salvaging of machinery or vehicles that are not in operating condition; or for the sale of parts thereof. Typical uses include automobile salvage yards and junk yards.																									A.62
School, Elementary or Secondary means the use of a site for instructional purposes on an elementary or secondary level, with a curriculum that complies with state regulations.																									
School, Elementary or Secondary (Limited) means an Elementary or Secondary	S	S	S	S	S	S	S	S	A	A		S			A	P	P	<u>S</u>	<u>S</u>	<u>P</u>			<u>S</u>	A.63	

School with a maximum enrollment of less than 75 students.																							
School, Elementary or Secondary (General) means an Elementary or Secondary School with a maximum enrollment of 75 students or more.	C	C	C	C	C	C	C	S	A	A	S			C	P	P		<u>S</u>	<u>A</u>		<u>S</u>	A.64	
Service Station means an establishment primarily engaged in the retail sale of gasoline or other motor fuels, that may include accessory activities such as the sale of lubricants, automotive accessories or supplies; the lubrication or washing of motor vehicles; and the minor adjustment or repair of motor vehicles.								S	S	S	P	P	A			A	A		<u>S</u>	<u>A</u>		<u>A</u>	A.65

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	Residential				Mixed-Use							Special			DT		RIV							
* As Base Zoning District Regulations, all uses may be subject to additional regulations imposed by applicable Overlay Zoning Districts.	R1D	R1A	R2	R3	RM	NDO	LNC	NDI	UNC	HC	GI	UI	P	H	EMI	GT	DR	RM	MU	NS	GI	IMU		
Sidewalk Cafe means an establishment serving food and/or beverage on public sidewalk space.							A	A	A	A		A	A		A	A	A	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>	A.68
Transit Facility means a facility used or intended to be used as an area for loading, unloading, and interchange transit passengers. Typical uses include bus terminals, rail stations, and passenger related mass transit facilities.	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	€		<u>S</u>	<u>S</u>	<u>S</u>		<u>S</u>	A.70
Utility (Limited) means services and facilities of agencies that are under public franchise or ownership to provide services that are essential to	A	A	A	A	A	A	A	A	A	P	P	P	A		S	P	P		<u>C</u>	<u>C</u>	<u>P</u>		<u>C</u>	A.71

<p>support development and that involve only minor structures, such as but not limited to poles and lines.</p>																								
<p>Utility (General) means generating plants; electrical switching facilities and primary substations; water and wastewater treatment plants; water tanks; and similar facilities that are under public franchise or ownership to provide the general public with electricity, gas, heat, steam, communication, water, sewage collection, rail lines or other similar service. The term "utility" shall not be construed to include corporate or general offices; gas or oil processing; manufacturing facilities; or other uses defined in this section.</p>							C	C	C	C	P	C	A			C	C	€		<u>C</u>	<u>C</u>	<u>P</u>	<u>C</u>	A.72

<p>Vehicle/Equipment Repair (Limited) means a use providing automobile and other equipment repair or maintenance services within completely enclosed buildings, but not including General Vehicle/Equipment Repair services. Typical uses include businesses engaged in the following activities:</p> <ol style="list-style-type: none"> 1. Electronic tune-ups; 2. Brake repairs (including drum turning); 3. Air conditioning repairs; 4. Transmission and engine repairs; 5. Tire repairs; 6. Front end alignments; 7. Battery recharging; 8. Oil changes and lubrication; and 9. State Inspection stations. 							S	S	S	P	P	P							C	A	A			<u>S</u>	<u>A</u>	<u>P</u>	<u>P</u>	A.73
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	Residential					Mixed-Use						Special			DT		RIV							
* As Base Zoning District Regulations, all uses may be subject to additional regulations imposed by applicable Overlay Zoning Districts.	R1D	R1A	R2	R3	RM	ND	OL	LC	NDI	UNC	HC	GI	UI	P	H	EM	IGT	DR	RM	MUN	NS	GI	IMU	
Vehicle/Equipment Repair (General) means: 1. Any vehicle/equipment service not conducted within a completely enclosed building; 2. Any establishment engaged in body work or painting of vehicles or equipment; or 3. Any establishment involved in the repair of heavy equipment, including any vehicle with more than two axles. Typical uses include paint and body shops, truck repair									S	S	P	P	A				A	A				<u>P</u>	<u>A</u>	A.74

<p>facilities and heavy machinery repair shops.</p>																					
<p>Vehicle/Equipment Sales means an establishment engaged in the retail or wholesale sale or rental, from the premises, of motorized vehicles or equipment, along with incidental service or maintenance. Typical uses include new and used automobile and truck sales, automobile rentals, boat sales, motorcycle sales, construction equipment rental yards, moving trailer rental, farm equipment sales and rental, and machinery sales, service and rental.</p>																					
<p>Vehicle/Equipment Sales (Limited) means a Vehicle/Equipment Sales use with a gross floor area of less than 10,000 square feet and a site of less than one acre. <i>(Ord. 29/Nov. 22, 2000/A. U-26) (Ord. 32/2009)</i></p>							S	A	A	P	P	A							<u>P</u>	<u>A</u>	A.75

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	Residential				Mixed-Use						Special			DT		RIV									
* As Base Zoning District Regulations, all uses may be subject to additional regulations imposed by applicable Overlay Zoning Districts.	R1D	R1A	R2	R3	RM	ND	OL	LC	NDI	UN	CH	GI	UI	P	H	EM	IGT	DR	RM	MU	NS	GI	IMU		
Vehicle/Equipment Sales (General) means a Vehicle/Equipment Sales use with a gross floor area of 10,000 square feet or more or a site of one acre or more.									S	S	A	P	A									<u>P</u>	<u>S</u>	A.76	
Vocational School means an establishment offering regularly scheduled instruction in professional, technical, commercial or trade skills, such as, but not limited to, business, real estate, building and construction, electronics, computer programming and technology, automotive and aircraft mechanics and technology, and similar types of instruction.																									
Vocational School (Limited) means a Vocational School for which fewer than 25 parking spaces are required.								P	P	P	P	P	P			A	P	P			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	A.77
Vocational School (General) means a Vocational School for which 25 or more parking spaces are required.								A	S	A	P	P	P			A	P	P			<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	A.77

Warehouse means an establishment that is engaged in the storage of materials, equipment or products that will be distributed to wholesalers or retailers.																							
Warehouse (Limited) means a Warehouse use with fewer than five loading/unloading docks or bays.								A			P	P	P			S				<u>P</u>	<u>P</u>	A.78	
Warehouse (General) means a Warehouse use with five or more loading/unloading docks or bays.											S	P	A								<u>P</u>	<u>A</u>	A.78

Warehouse, Residential Storage means an enclosed storage facility of a commercial nature containing independent, fully enclosed bays which are leased to persons exclusively for dead storage of their household goods or personal property.								S			P	P	P										
Welding or Machine Shop means a workshop where machines, machine parts, or other metal products are fabricated. Typical uses include machine shops, welding shops and sheet metal shops.								S			S	P	A								<u>P</u>		A.79
New and Unlisted Uses See Section 911.03												S											See 911.03

Section 10. The Pittsburgh Code, Title Nine, Zoning Code, Article V, Chapter 911, Primary Uses, Section 911.04, Use Standards, is hereby amended as follows:

911.04. - Use Standards.

(Ord. 20/July 8, 1999/Amend. U-10 In Total)

No permit shall be issued for any development or use of land unless the activity is in compliance with all applicable provisions of this Code, including the standards established in this section. For the purposes of this Chapter, the following terms, phrases, words and their derivations shall have the meaning given herein unless otherwise specifically provided in this Chapter, or Chapter 926, unless the context clearly indicates otherwise or unless such meaning would be inconsistent with the manifest intent of Council. (Ord. No. 33-2016, § 1, eff. 12-13-16)

911.04.A Standards That Apply to Uses Listed in the Use Table

The following standards apply to uses listed in the Use Table, to the extent stated.

911.04.A.1 Adult Entertainment

Adult Entertainment uses shall be subject to the following standards:

(a) Separation From Other Adult Entertainment Uses

The building housing an Adult Entertainment use shall not be located within ~~one thousand (1,000)~~ 1,000 feet of any of the following uses: Adult Entertainment uses, Amusement Arcade, Hotel/Motel, bar or nightclub or Gaming Enterprise. This one thousand-foot area shall be defined by a radius of ~~one thousand (1,000)~~ 1,000 feet from the center point of the subject building. This separation distance requirements may be waived upon a determination of the following:

- (1) That the proposed use shall not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this Zoning Code shall be observed;
- (2) That the establishment of an additional regulated use in the area shall not be contrary to any program of neighborhood conservation nor shall it interfere with any program of urban renewal; and
- (3) That all applicable regulations of this Zoning Code shall be observed.

(b) Separation From Other Uses

The building housing an Adult Entertainment use shall be located at least ~~five hundred (500)~~ 500 feet from the following uses. The five hundred-foot area shall be defined by a radius of ~~five hundred (500)~~ 500 feet from the property line of the subject building:

- (1) Religious Assembly;

- (2) Library;
- (3) Cultural Service;
- (4) Child Care Center;
- (5) Elementary or Secondary School;
- (6) Community Center;
- (7) Single-Unit Detached Residential;
- (8) Single-Unit Attached Residential;
- (9) Two-Unit Residential;
- (10) Three-Unit Residential; and
- (11) Public Assembly (General).

(c) Prohibited Activities

An Adult Entertainment use shall not be conducted in any manner that provides the observation of any material depicting, describing or relating to "specified sexual activities" or "specified anatomical areas", from any public right-of-way. This provision shall apply to any display, decoration or show window.

(d) Operational Standards

- (1) Establish a minimum size space for adult cabaret performance.
- (2) Establish a minimum size space for showing movies or videos.
- (3) Stages are required for all live entertainment.
- (4) A floor layout of premises is required that ensures that the manager has visual control of the premises.
- (5) Operating days and hours shall be specified.
- (6) Access control measures shall be specified.
- (7) Posting and enforcement of a "no-loitering" policy is required.
- (8) All Adult Entertainment establishments shall be licensed with the Bureau of Building Inspections.

911.04.A.2(a) Agriculture (General)

Agriculture (General) shall be subject to the following standards:

- (1) The site shall be at least two (2) acres in size;

- (2) No structure, including beehives, chicken coops, or any similar accessory structures, except a dwelling unit shall be located within ~~fifty (50)~~ 50 feet of any lot line;
- (3) The sale of non-mechanical agricultural and farm products that are grown, used, produced on site, or are part of an affiliated Community Supported Agriculture program shall be permitted and shall comply with the standards of Section 912.06, Outdoor Retail Sales and Service (Accessory Use);
- (4) Killing or dressing of animals raised on the premises shall be permitted if conducted entirely within an enclosed building;
- (5) The keeping of poultry birds, livestock, and domestic small farm animals shall be permitted within a securely fenced and enclosed area. Only chickens, ducks, bees, and goats may be permitted when there is not also a residential use of the property;
- (6) All animal structures and roaming areas shall be kept sanitary and free from accumulations of animal excrement and objectionable odor;
- (7) All seed, fertilizer, and animal feed shall be stored in a secured, rodent-proof container and housed within an enclosed structure; and
- (8) All applications shall be in compliance with Environmental Overlay District regulations of Chapter 906.

911.04.A.2(b) Agriculture (Limited) With Beekeeping

Agriculture (Limited) with Beekeeping shall be subject to the following standards:

- (1) The sale of non-mechanical agricultural and farm products that are grown, used, produced on site, or are part of an affiliated Community Supported Agriculture program shall be permitted, and shall comply with the standards of Section 912.06, Outdoor Retail Sales and Service (Accessory Use);
- (2) The keeping of poultry, livestock, and domestic small farm animals is not permitted;
- (3) For property with a minimum of ~~two thousand (2,000)~~ 2,000 square feet in size, the property owner is permitted to keep two (2) beehives. For every additional ~~two thousand (2,000)~~ 2,000 square feet of property, the owner is permitted two (2) additional beehives;
- (4) All structures necessary for and related to the housing of honeybees shall be subject to any required setbacks of the underlying zoning district, but shall in all cases be a minimum of ten (10) feet from any property line;
- (5) A "flyway barrier" of at least six (6) feet in height shall be provided at all places on the property line that are within ~~twenty (20)~~ 20 feet of the hive(s). The "flyway barrier" shall consist of a solid fence or wall, dense vegetation, or combination

thereof. No flyway is required for hives that are located on porches or balconies at least ten (10) feet above grade, except where such porch or balcony is located less than five (5) feet from a property line.

(6) Roof-mounted beehives shall be located on primary and accessory structures no lower than ten (10) feet from grade and shall not be within the required setback;

(7) All seed, fertilizer, or similar products shall be stored in a secured, rodent-proof container and housed within an enclosed structure; and

(8) All applications shall be subject to the Environmental Overlay District regulations of Chapter 906.

911.04.A.2(c) Agriculture(Limited)

Agriculture (Limited) shall be subject to the following standards:

(1) The sale of non-mechanical agricultural and farm products that are grown, used, produced on site, or are part of an affiliated Community Supported Agriculture program shall be permitted, and shall comply with the standards of Section 912.06, Outdoor Retail Sales and Service (Accessory Use);

(2) The keeping of poultry, livestock, and domestic small farm animals is not permitted;

(3) All seed, fertilizer, or similar products shall be stored in a secured, rodent-proof container and housed within an enclosed structure; and

(4) All applications shall be subject to the Environmental Overlay District regulations of Chapter 906.

911.04.A.3 Amusement Arcade

Amusement Arcades shall be subject to the following standards:

(a) Location in Historic District Prohibited

The building shall not be located within a City Council designated "Historic District" per Chapter 1007 of the Pittsburgh Code of Ordinances.

(b) Located in Building Containing Residential Dwelling Units

When the arcade is located in a building containing residential dwelling units, the space to be occupied for arcade shall not be located directly above or beneath the residential space.

(c) Separation from Residential Zoning Districts and Historic Districts

The arcade shall not be located within ~~three hundred (300)~~ 300 feet of a LNC District, residential zoning district or City Council designated "Historic District," as measured

from each pedestrian entrance or exit of the arcade to the nearest boundary of the LNC District, residential zoning district or "Historic District."

(d) Separation From Other Uses

A lot containing an arcade shall not be located within ~~five hundred (500)~~ 500 feet of a lot containing any of the following:

- (1) Other Amusement Arcade;
- (2) Religious Assembly;
- (3) Elementary or Secondary School;
- (4) Library;
- (5) Cultural Service;
- (6) Community Center; or
- (7) Park or Recreation (Limited).

(e) Impact on Surrounding Community

Before approving an arcade use, the Approving Body shall determine that the proposed use shall not create detrimental impacts on the community, taking into consideration traffic generation, the relationship of the proposed use to surrounding structures; the availability of parking; and hours of operation; and the volume of people.

911.04.A.4 Animal Care (Limited)

(a) In the GT, ~~DR~~ and EMI Districts

Animal Care (Limited) uses in the GT, ~~DR~~ and EMI Districts shall be subject to the following standards:

- (1) Animal care activities shall be completely screened from view from any off-site location; and
- (2) The design of the structure shall include features that acoustically shield any animal noises from being heard outside the property line.

(b) In the RIV Districts

Animal Care (Limited) use in the RIV Districts shall be subject to the following standards:

- (1) The design of the structure shall include features that acoustically shield any animal noises from being heard outside the property line.

911.04.A.5 Assembly, Public (Limited)

(a) In NDI, UNC, UI, RIV-MU, RIV-IMU and HC districts Assembly, Public (Limited) uses shall be subject to the following standards:

1. A traffic analysis shall be submitted demonstrating that the proposed development will not create traffic congestion in the district;
2. Parking shall be provided in a location and manner that allows for all parking required by the facility, and all traffic created by the facility, to be located outside of residential districts; and
3. The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking needs, noise generation, and the hours of operation.
4. The proposed use shall be subject to the Site Plan Review Procedures of Section 922.04.

(b) In P District

Assembly, Public (Limited) uses shall be subject to the following standards in the P District:

- (1) A traffic analysis shall be submitted demonstrating that the proposed development will not create traffic congestion in the district;
- (2) Parking shall be provided in a location and manner that allows for all parking required by the facility, and all traffic created by the facility, to be located outside of residential districts;
- (3) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking needs, noise generation, and the hours of operation; and
- (4) All facilities shall be designed to be compatible with the surrounding landscape, such that the minimum possible grading will be required and the minimum disturbance and removal of existing vegetation will be required.

(c) In EMI districts Assembly, Public (General) uses shall be subject to the following standards:

- (1) The design shall include devices which prevent noise associated with the use of the facility from being heard on other properties in the vicinity;
- (2) A traffic analysis shall be submitted demonstrating that the proposed development will not create traffic congestion in the district;

(3) The proposed use shall be in compliance with an approved Institutional Master Plan; and

(4) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

911.04.A.6 Assembly, Public (General)

(a) In HC and UI Districts

Assembly, Public (General) uses shall be subject to the following standards in the HC and UI Districts:

(1) A traffic study in a form approved by the Zoning Administrator shall be submitted with the application, and shall address parking and traffic impacts of the proposed development. The transportation study shall illustrate that the proposed development will not create traffic congestion on the surrounding streets, and that residential streets in the vicinity shall not be used for parking for the proposed development;

(2) The design shall include devices which prevent noise associated with the use of the facility from being heard on other properties in the vicinity;

(3) The height and bulk of the proposed structure shall be designed as to minimize blocking of views from adjacent residential properties;

(4) A traffic analysis shall be submitted demonstrating that the proposed development will not create traffic congestion in the district;

(5) Parking shall be provided in a location and manner that allows for all parking to be located outside of residential districts; and

(6) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking needs, generation of noise and the hours of operation.

(b) In P District

Assembly, Public (General) uses shall be subject to the following standards in the P District:

(1) A traffic analysis shall be submitted demonstrating that the proposed development will not create traffic congestion in the district;

(2) Parking shall be provided in a location and manner that allows for all parking required by the facility, and all traffic created by the facility, to be located outside of residential districts;

(3) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking needs, noise generation, and the hours of operation; and

(4) All facilities shall be designed to be compatible with the surrounding landscape, such that the minimum possible grading will be required and the minimum disturbance and removal of existing vegetation will be required.

(c) In EMI Districts

(1) [*Reserved.*]

(2) The design shall include devices which prevent noise associated with the use of the facility from being heard on other properties in the vicinity;

(3) The height and bulk of the proposed structure shall be designed as to minimize blocking of views from adjacent residential properties;

(4) A traffic analysis shall be submitted demonstrating that the proposed development will not create traffic congestion in the district;

(5) Parking shall be provided in a location and manner that allows for all parking to be located outside of residential districts;

(6) The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking needs, generation of noise and the hours of operation; and

(7) The proposed use shall be in compliance with an approved Institutional Master Plan;

(8) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

(d) In RIV Districts

(1) A traffic study in a form approved by the Zoning Administrator shall be submitted with the application, and shall address parking and traffic impacts of the proposed development. The transportation study shall illustrate that the proposed development will not create traffic congestion on the surrounding streets, and that residential streets in the vicinity shall not be used for parking for the proposed development;

(2) The design shall include devices which prevent noise associated with the use of the facility from being heard on other properties in the vicinity;

(3) Parking shall be provided in a location and manner that allows for all parking to be located outside of residential districts; and

(4) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking needs, generation of noise and the hours of operation.

911.04.A.7 Bed and Breakfast

Bed and Breakfast uses shall be subject to the following standards:

- (a) The Bed and Breakfast use shall have a manager available on the premises on a twenty-four-hour-day basis while guests are on the premises;
- (b) Food and beverage service shall be limited to breakfast for registered, paying overnight guests except in the case of limited social and business functions held on premises;
- (c) Guests shall be limited to a maximum length of stay of ~~fifteen (15)~~ 15 consecutive days in any ~~thirty~~ 30-day period;
- (d) Wherein limited retail sales limited to incidental, occupant convenience items, and marketing and promotional items of our city are allowed to be sold to guests and visitors on the premises provided that there is no indication of items for sale by way of exterior signs or window displays;
- (e) Wherein limited social and business functions may occur provided that:
 - (1) The hours are limited to no later than 6:00 p.m. daily for bed and breakfasts (Limited); and no later than 11:00 p.m. Monday through Saturday, and 6:00 p.m. on Sunday for bed and breakfasts (General). No bed and breakfast shall host more than two (2) scheduled social or business functions per week.
 - (2) Valet parking shall be provided having a minimum of one (1) parking stall for every four (4) occupants permitted under the occupancy placard issued by the Bureau of Building Inspection.
 - (3) Strict compliance with the local noise ordinance is maintained.
 - (4) Occupancy shall not exceed the number of persons listed on the occupancy placard by the Bureau of Building Inspection.
- (f) Any structure in which a Bed and Breakfast use is to be located shall not be enlarged to provide for more guest rooms or guest room accommodations if such an enlargement would intrude on any front, side or rear setback requirements of the zoning district in which it is located;
- (g) A license shall be obtained as provided by Chapter 701 of the Pittsburgh Code of Ordinances prior to issuance of a Certificate of Occupancy;
- (h) A daily register of guests shall be maintained and made available for inspection by any City of Pittsburgh Code Enforcement Officer; and

(i) No more than one (1) Bed and Breakfast use shall be permitted in a building and only in a single-unit residential structure.

(j) The Bureau of Building Inspection shall designate at least one enforcement officer to be available during evening hours on weekdays and weekends to enforce the restrictions contained in this chapter.

(k) A Bed and Breakfast Problem Solving Task Force is hereby created comprising Public Safety, Bureau of Building Inspection, City residents living adjacent to Bed and Breakfast, and representatives of Bed and Breakfast Association to (1) receive complaints and mediate disputes and (2) initiate a report to City Council at the end of ~~twelve (12)~~ 12 months with recommendations for legislative amendments if needed. This shall take effect upon the date of the Mayor's signature (March 26, 1999), and will expire one (1) year later.

(Ord. No. 3/April 1, 1999/Amend. U-4)

911.04.A.8 Bed and Breakfast (Limited)

(a) In Residential and Grandview Public Realm, RIV-RM, and EMI Districts, Bed and Breakfast (Limited) uses shall be subject to the following standards:

~~Bed and Breakfast (Limited) uses shall be subject to the following standards in all residential and Grandview Public Realm zoning districts:~~

(1) The Bed and Breakfast use shall be limited to no more than three (3) guest rooms, to be occupied by a total of no more than five (5) guests;

(2) An identification sign, non-illuminated and no larger than four (4) square feet in size, shall be permitted only on the wall of the structure;

(3) Automobile parking space shall be provided on the basis of one (1) parking stall for the resident operator and one (1) parking stall for each guest room within the boundaries of the same zoning lot in which the Bed and Breakfast use is approved. The zoning lot shall not include any building that is intended to be razed for parking purposes or has been razed at any time during a three (3)-year period prior to an application for occupancy as a Bed and Breakfast; and

(4) In R1D-VL and R1D-L Districts, a bed and breakfast use may only be located in a historically designated structure.

911.04.A.9 Bed and Breakfast (General)

(a) In R2, RM, Grandview Public Realm, RIV-RM and EMI Zoning Districts, Bed and Breakfast (General) uses shall be subject to the following standards:

~~Bed and Breakfast (General) uses shall be subject to the following standards in the RT, RM and Grandview Public Realm Subdistricts:~~

(1) The Bed and Breakfast use shall be limited to no more than ten (10) guest rooms and each guest room may provide lodging for up to two (2) individuals, unless children under the age of ~~sixteen (16)~~ 16 years are accompanying the guests, and in no instance shall the total number of guests in a Bed and Breakfast use exceed ~~thirty (30)~~ 30;

(2) An identification sign, non-illuminated and no larger than four (4) square feet in size shall be permitted only on the wall of the structure; and

(3) Automobile parking shall be provided on the basis of and shall not exceed two (2) parking stalls for the resident operator and one (1) parking stall for each guest room within the boundaries of the same zoning lot in which the Bed and Breakfast use is approved. The zoning lot shall not include any building that is intended to be razed for parking purposes or has been razed at any time during a three-year period prior to an application for occupancy for a Bed and Breakfast use.

911.04.A.10 Car Wash

(a) In all Districts

Car Wash uses shall be subject to the following standards in all districts:

(1) Curb cuts shall be located a minimum of ~~sixty (60)~~ 60 feet from an intersection; and

(2) The proposed use shall require Site Plan Review.

(b) In the UNC District

Car Wash uses in the UNC District shall be subject to the following standards:

(1) All primary uses shall be completely enclosed within a structure; and

(2) Accessory uses, including, but not limited to, vacuum stations and window washing stations, shall be screened from the street and adjacent residential properties in accordance with the Landscaping and Screening Standards of Chapter 918.

(c) In the UI District

Car Wash uses shall be subject to the Site Plan Review procedures of Section 922.04.

(d) In the NDI and RIV-IMU Districts, car wash uses shall be subject to the following standards:

~~Car Wash uses shall be subject to the following standards in the NDI District:~~

(1) Curb cuts shall be located a minimum of ~~sixty (60)~~ 60 feet from an intersection;

(2) Curb cuts shall be minimized to the maximum extent feasible in order to achieve access to the site; and

(3) The Approving Body shall determine that the proposed use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking, pedestrian safety, noise, and hours of operation.

911.04.A.11 Cemetery

Sufficient on-site roadways and parking areas shall be provided within Cemeteries to accommodate peak traffic demands.

911.04.A.12 Child Care (Limited and General)

Child Care (Limited and General) shall be subject to the health and safety, site, and transportation standards outlined in Title 55 of the Pennsylvania Code. In addition, the following standards shall apply:

(a) In R1D and R1A_Districts

Child Care (Limited and General) uses in ~~RSD and RSA~~ R1D and R1A Districts shall be subject to the following standards:

(1) The Approving Body shall determine that the proposed use will not create detrimental impact on the surrounding properties, taking into consideration the probable traffic generation, height, bulk and scale of the proposed structure, compatibility of the proposed structure with residential structures in the district, parking needs, noise generation, the volume of people, and hours of operation;

(2) Outdoor play areas shall be sufficiently enclosed and screened from the street such that children are protected from vehicular traffic, and that neighboring properties are screened in order to minimize external impacts of the play areas; and

(3) The proposed use shall not include any signage.

(b) In the GI District

Child Care uses shall be subject to the following standards in the GI District:

(1) Child Care uses shall be located and designed so as to protect children from any external impacts of industrial operations in the vicinity;

(2) The proposed use shall be subject to the Site Plan Review procedures of Sec. 922.04;

(3) Parking and access shall be provided in such a way as to protect users from any external impacts of traffic in the vicinity; and

(4) The Approving Body shall determine that the proposed location of such use will not create detrimental impacts for children attending such facility, taking into consideration surrounding industries, hazardous conditions, traffic generation and hours of operation.

(c) In the UI, RIV-MU and RIV-IMU Districts

Child Care uses shall be subject to the following standards in the UI, RIV-MU and RIV-IMU Districts:

- (1) The proposed use shall be subject to the Site Plan Review procedures of Sec. 922.04;
- (2) Child Care uses shall be located and designed so as to protect children from any external impacts of industrial operations in the vicinity; and
- (3) Parking and access shall be provided in such a way as to protect users from any external impacts of traffic in the vicinity.

(d) In EMI Districts

Child Care uses shall be subject to the following standards:

- (1) Outdoor play areas shall be sufficiently enclosed and screened from the street such that children are protected from vehicular traffic, and that neighboring properties are screened in order to maximize external impacts of the play areas;
- (2) Parking shall be provided in location and manner that allows for all parking to be located outside of residential districts; and
- (3) The proposed use shall be subject to the site plan review procedures of Section 922.04.

911.04.A.13 Communication Towers and Antennas

The following standards shall apply to all Communication Tower and Antenna Primary Uses:

(a) The following standards shall apply to all Communication Tower and Antenna uses in all zoning districts in addition to the standards required for each Class of Tower (Class A, B, and C) listed hereafter:

(1) In all zoning districts:

- (i) All Tower and Antenna applications on parcels of land shall be submitted to the Zoning Administrator for the Administrator's review and comment.

(ii) All applications that are within a Public Right-of-Way shall be subject to all applicable guidelines and standards as adopted by the Art Commission, and all applicable standards and processes within the City Code regarding obstructions or otherwise dealing with structures within Rights-of-Way. Administration of approvals and permits within Rights-of-Way shall be as prescribed by the Director of Public Works.

(iii) Applications shall be deemed complete only upon receipt of all requisite documents necessary for review including, but not limited to those listed in Section 911.04.A.13(a)(8), and certification that the submitted documents are adequately complete and accurate for review.

(iv) Applications where the subject is a Primary Use will be reviewed in accordance with the process and standards herein.

(v) Applications where the subject is an Accessory Use or Structure will be reviewed by the Administrator as an Administrator's Exception and approved or rejected in accordance with the procedure set forth in Section 922.08, and in accordance with the standards within Section 912.04.G of the Code.

(vi) Applications where the subject is a Primary Use, and where the proposal meets the criteria below, will be reviewed by the Zoning Administrator as an Administrator's Exception and approved or rejected in accordance with the procedure set forth in Section 922.08:

a. New Antenna locating and co-locating on an existing Tower or Alternative Antenna Support Structures.

b. New concealed, stealth or camouflaged Towers, Antenna, DAS or Alternative Antenna Support Structures which are designed to blend in with the surroundings, including but not limited to, Antennas located in a structure such as a church steeple, or bell tower but which are not noticeable to the reasonable observer, and Antennas disguised as things such as trees, flagpoles, chimneys, grain silos or anything consistent with the surroundings.

c. New Antenna installed on a structure other than a Tower; provided the Antenna and supporting electrical and mechanical equipment must be of a neutral color that is closely compatible with the color of the supporting structure so as to make the Antenna and related equipment as visually unobtrusive as possible. Specifically, the application will be reviewed to determine whether it is compatible with the neighborhood, the surrounding uses, and the skyline.

d. Amateur Radio Antennas up to ~~eighty (80)~~ 80 feet, that are owned and operated, exclusively, by a federally licensed amateur radio station operator. Approval of said Amateur Radio Antennas is conditioned

upon the lack of interference with immediate neighbors' quiet enjoyment of their property.

e. Temporary Towers and Antennas, where temporary means six (6) months or less, and said Towers and Antennas shall not exceed ~~eighty~~ ~~(80)~~ 80 feet.

(2) The owner shall maintain the Tower, Antenna, Communications Facility, Station and Transmission Equipment in compliance with standards contained in applicable Federal, State and Local laws and regulations.

(3) All Towers, except concealed, stealth or camouflaged Towers and Antenna which are designed to blend in with the surroundings, and Alternative Antenna Support Structures shall be designed for collocation, which shall mean the ability of the structure to allow for the placement of antennae for three (3) or more tenants. As a condition of issuing a permit to construct or operate a Tower in the City, the owner/operator of the Tower is required to allow collocation until said Tower has reached maximum structural and frequency capacity. Any expansion of a Tower requires the entire site and/or Communications Facility to comply with the standards and conditions set forth in this Pittsburgh Zoning Code.

(4) Communications Facility shall mean any accessory building, structure, equipment cabinet, Base Station, Transmission Equipment or any other equipment installed in connection with Towers and/or Antennas for the direct or indirect purpose of providing low power radio communications service and shall be:

(i) Constructed so as to conform with all aspects of the Pittsburgh Code, including but not limited to, requirements regarding height, setback, lighting, landscaping, screening, construction materials, etc., and

(ii) Fully automated and unattended on a daily basis and shall be visited only for periodic maintenance, and

(iii) Accessed by means of a public street or easement to a public street. The easement shall be a minimum of ~~twenty (20)~~ 20 feet in width and shall be improved to a width of at least ~~twelve (12)~~ 12 feet with a dust-free, all-weather surface for the entire length. The access shall be landscaped to the satisfaction of the Zoning Administrator.

(5) A soil report complying with the standards of Appendix I: Geotechnical Investigations, ANSI/EIA-222-E, as amended, shall be submitted to the City, sealed by a Professional Engineer, to document and verify the design specifications of the foundation for the Communications Tower and/or Antenna, and anchors for the guy wires if used.

(6) The Towers and Antennas erected thereon as well as free-standing Communication Antennas shall be designed to withstand wind gusts in

accordance with in accordance with the current Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, published by the Electrical Industrial Association/Telecommunications Industry Association and applicable requirements of the Pennsylvania Uniform Construction Code and other applicable regulations, current BOCA Code standards and/or other applicable generally accepted industry standards, laws, ordinances and regulations.

(7) All new Applications for Communications Towers shall be accompanied with a statement from an engineer qualified in the field of radio frequency engineering, certifying that the Communications Tower and Communications Facility are within the applicable standards adopted by the Federal Communications Commission (FCC) for safety levels with respect to human exposure to radio frequency electromagnetic fields, as the same shall exist at the time of application.

(8) All applications shall include:

(i) A map illustrating the location of the site for the proposed Tower, Antenna, Station and/or Communications Facility. The site shall be physically and visually marked in the field, for immediate identification, with any combination of survey irons or flags.

(ii) Explanation from the Applicant as to why the site was selected. No new Tower or Antenna shall be permitted unless the Applicant submits evidence that demonstrates that no existing Tower, Antenna, Station, Communications Facility or structure can accommodate the Applicant's proposed antenna.

(iii) A written commitment to the Zoning Administrator from the owner/operator of the Tower that the owner/operator shall allow collocation on the Tower where structurally and economically feasible.

(iv) A visual analysis, which may include photo simulation or other techniques, which identifies the potential visual impacts of the proposed Tower, Antenna, Station or Communications Facility. Visual analysis of the Tower, Antenna, Station or Communications Facility shall be from at least two (2) directions.

(v) Radio Frequency Propagation Maps.

(vi) A NEPA (National Environmental Policy Act) Environmental Compliance Checklist prepared in accordance with Section 106 of NEPA; which shall be provided by the Applicant prior to the issuance of a permit.

(vii) A report by a certified engineer documenting the following:

a. Tower or Antenna height and design, including technical, engineering, collocation, economic and other pertinent factors governing selection of the proposed design. Height shall be measured

to the highest point of the structure and/or the highest point of its accessory equipment or antenna, whichever is higher. A cross section of the Tower or Antenna shall be included.

b. Total anticipated capacity of the site, including number and types of Antennas which can be accommodated.

c. Evidence of structural integrity of the Tower and/or the Antenna structure.

d. Failure characteristics of the Tower and/or Antenna and demonstration that the site and setbacks are of adequate size to accommodate debris.

e. Ice hazards and mitigation measures which have been employed, including increased setbacks and/or deicing equipment.

f. Specific design and construction plans for the Tower, Antenna, Station or Communications Facility which include the means by which shared use requirements will be met.

(viii) Site plans.

a. A plot plan shall be submitted with the application showing the location and dimensions of the Tower, Antenna, Station and/or Communications Facility and all improvements in the project area, including information concerning (if required) rights-of-way and easements, topography, setbacks, ingress/egress, parking, fencing, landscaping, screening, concealment, and adjacent zoning and uses. Concept plan approval by the Approving Body is required for applications requiring ZBA or City Council approval. Final Site Plan approval is required by the Zoning Administrator prior to the issuance of an Occupancy Permit. Final Site Plan approval by the Zoning Administrator is also required for administratively approved applications.

b. As part of the plot plan review, screening, fencing, or anti-climbing security features will be required, at the discretion of the Zoning Administrator, around the base of the Tower, Antenna, Station and/or Communications Facility and any shelters as listed in the Use Standards for the specific Class of Tower.

(9) Abandoned Towers and Antennas.

(i) The Tower, Antenna, Station and/or Communications Facility shall be utilized continuously for communication services. In the event the Tower, Antenna, Station and/or Communications Facility ceases to be used for communication services for a period of six (6) consecutive months, the Tower, Antenna, Station and/or Communications Facility shall be removed.

The Applicant may be granted an extension up to six (6) months at the discretion of the Zoning Administrator.

(ii) All abandoned Towers, Antennas, Stations and/or facilities improvements above ground and to three (3) feet below grade shall be removed within ~~ninety (90)~~ 90 days of abandonment.

(iii) All unused building-mounted Antennas shall be removed within ~~sixty (60)~~ 60 days of abandonment.

(iv) The Department of Permits, Licensing and Inspections, as well as the Department of Public Works will monitor the Towers, Antennas, Stations and/or facilities for signs of abandonment.

(10) Damaged/Destroyed Towers and Antennas.

Any Tower, Antenna, Station and/or Communications Facility damaged/destroyed by vandalism, terrorism, faulty construction or design, wind, ice, snow, earthquake, fire, or other act of nature or God, that was completely operational/functional at the time of the damage/destruction, must be repaired/replaced within six (6) months of damage/destruction. If the Tower, Antenna, Station and/or Communications Facility is not repaired/replaced within six (6) months the requirements under "Abandoned Towers and Antennas" will apply.

(11) Replacement Towers and Antennas.

(i) Any Tower or Antenna can be replaced with a similar Tower or Antenna for reasons of structural integrity, or advances that have been made in technology since the installation of the existing Tower, or for the installation of a less intrusive technology or stealth technology.

(ii) Replacement Towers must meet the requirements of this Section.

(iii) Replacement Towers must receive administrative approval and are subject to the fee schedule in this Section.

(b) Communication Tower, Class A (zero (0) feet to ~~eighty (80)~~ 80 feet).

Communication Towers, Class A shall be subject to the following standards:

(1) In NDI, UI and GI Districts.

Communication Towers, Class A shall be subject to the following standards in the NDI, UI and GI Districts.

(i) The structure shall comply with the setback requirements of the district. In addition, the Tower shall be set back a minimum of ~~three hundred (300)~~ 300 feet from the lot line of any adjacent R-zoned lot that is occupied by one (1) or more dwelling units. Peripheral supports and guy anchors for

radio or television transmission or receiving Towers may be located within required yards, provided that they shall be located entirely within the boundaries of the property on which the Tower is located and shall be located no closer than five (5) feet from any property line, and no closer than ten (10) feet from the lot line of an R-zoned lot that is occupied by one (1) or more dwelling units;

(ii) The Tower may exceed the height limit of the zoning district in which it is located to a height of no more than ~~eighty (80)~~ 80 feet provided it is demonstrated to the Administrator that such height is necessary and essential for the proper functioning of the concerned Tower, Antenna, Station and/or Communications Facility and said Tower, Antenna, Station and/or Communications Facility employs concealment, stealth technology, or is otherwise camouflaged with a design to blend in with the surroundings or otherwise be disguised consistent with the surroundings;

(iii) The applicant shall demonstrate to satisfaction of the Zoning Administrator that such use is reasonably necessary at the proposed location for the convenience of the people at large or for the general welfare and that the proposed Tower, Antenna, Station and/or Communications Facility cannot be co-located on an existing structure. The information submitted by the applicant shall include a map of the area to be served by the Tower, Antenna, Station and/or Communications Facility and the relationship of the proposed site to other telecommunications Towers, Antennas, Stations and/or facilities;

(iv) A fence or wall not less than six and one-half (6½) feet in height from finished grade shall be constructed around each Tower and around each guy anchor and peripheral support. The fence or wall shall comply with all provisions of this Zoning Code, including but not limited to the relevant provisions of Chapters 918 and 925 of this Zoning Code, as well as with the following standards:

a. Access to the Tower shall be through a locked gate in the required fence or wall;

b. The required fencing shall consist of a masonry wall or solid fence with trees planted along the exterior of the wall or fence, or an open fence with an evergreen screen that consists of a continuous hedge with a minimum height of five (5) feet with trees planted along the exterior of the screen. Tree plantings shall consist of three-inch minimum caliper deciduous or evergreen trees planted ~~twenty (20)~~ 20 feet on center maximum. Existing vegetation shall be preserved to the maximum extent possible; and

c. If high voltage is necessary for the operation of the Tower and it is present in a ground grid or in the Tower, signs located every ~~twenty~~

~~(20)~~ 20 feet and attached to the fence or wall shall display in large bold letters the following: "HIGH VOLTAGE - DANGER";

(v) The Tower shall not encroach into or through any established public or private airports approach path as established by the Federal Aviation Administration (FAA);

(vi) All obsolete or unused Towers shall be removed within six (6) months of cessation of use;

(vii) The Tower shall comply with current Federal Communications Commission standards for non-ionizing electromagnetic radiation (NIER);

(viii) The Tower may be located on lots occupied by another primary use and may occupy a leased parcel on a lot meeting the minimum lot size requirement of the district in which it is located; and

(ix) No Antenna or Tower structure shall be illuminated, except as may be required by the Federal Aviation Administration (FAA) or the Federal Communication Commission (FCC).

(2) In all other Districts.

Communication Towers, Class A shall be subject to the following standards in all districts except NDI, UI, and GI:

(i) Communication Towers shall be located on a zoning lot complying with the yard requirements of the zoning district in which such use is located, except that the widths of certain yards shall be as follows:

a. The minimum setback between Communication Towers and property lines of non-residentially zoned lots shall be at a distance equal to ~~twenty (20)~~ 20 percent of the height of the Tower;

b. Communication Towers shall be setback a minimum of ~~fifty (50)~~ 50 feet from any existing or planned right-of-way; and

c. Communication Towers shall be set back a minimum of ~~three hundred (300)~~ 300 feet from the lot line of any adjacent R-zoned lot that is occupied by one (1) or more dwelling units.

(ii) Peripheral and guy anchors for Communication Towers may be located within required yards, provided that they shall be located entirely within the boundaries of the property on which the Tower is located and shall be located no closer than five (5) feet from any property line, and no closer than ten (10) feet from the lot line of an R-zoned lot that is occupied by one (1) or more dwelling units.

(iii) The Tower may exceed the height limit of the zoning district in which it is located provided it is demonstrated to Council that such height is

necessary and essential for the proper functioning of the concerned Tower, Antenna, Station and/or Communications Facility and said Tower, Antenna, Station and/or Communications Facility employs concealment, stealth technology, or is otherwise camouflaged with a design to blend in with the surroundings or otherwise be disguised consistent with the surroundings.

(iv) When a Communication Tower, Antenna, Station and/or Communications Facility is proposed to be located in any district, the applicant shall demonstrate to satisfaction of Council that such use is reasonably necessary at the proposed location for the convenience of the people at large or for the general welfare and that the proposed Communication Tower, Antenna, Station and/or Communications Facility cannot be co-located on an existing structure and that a diligent effort was made to locate on an existing structure. The information submitted by the Applicant shall include a map of the area to be served by the Tower, Antenna, Station and/or Communications Facility and the relationship of the proposed site to other telecommunications Towers.

a. When the proposed site is in any residential district, the Applicant shall demonstrate to the satisfaction of Council that the proposed Communication Tower, Antenna, Station and/or Communications Facility cannot be co-located on an existing Tower, Antenna, Station and/or Communications Facility within a nonresidential district and that a diligent effort was made to locate on an existing structure. The information submitted by the Applicant shall include a map of the area to be served by the Tower, Antenna, Station and/or Communications Facility and the relationship of the proposed site to other telecommunications Towers.

(v) A fence or wall not less than six and one-half (6½) feet in height from finished grade shall be constructed around each Communication Tower and around each guy anchor and peripheral support. The fence or wall shall comply with all provisions of this Zoning Code, including but not limited to the relevant provisions of Chapters 918 and 925 of this Zoning Code, as well as with the following standards:

a. Access to the Tower shall be through a locked gate in the required fence or wall;

b. In accordance with Chapter 918, the required fencing shall consist of a masonry wall or solid fence with trees planted along the exterior of the wall or fence, or an open fence with an evergreen screen that consists of a continuous hedge with a minimum height of five (5) feet with trees planted along the exterior of the screen. Tree plantings shall consist of three-inch minimum caliper deciduous or evergreen trees planted ~~twenty (20)~~ 20 feet on center maximum. Existing vegetation shall be preserved to the maximum extent possible; and

c. If high voltage is necessary for the operation of the radio or television transmission or receiving Tower and it is present in a ground grid or in the Tower, signs located every ~~twenty (20)~~ 20 feet and attached to the fence or wall shall display in large bold letters the following: "HIGH VOLTAGE- DANGER".

(vi) Communication Towers shall not encroach into or through any established public or private airport approach path as established by the Federal Aviation Administration (FAA).

(vii) All obsolete or unused Communication Towers shall be removed within six (6) months of cessation of use.

(viii) Communication Towers shall comply with current Federal Communication Commission standards for non-ionizing electromagnetic radiation (NIER).

(ix) Communication Towers may be located on lots occupied by another primary use and may occupy a leased parcel on a lot meeting the minimum lot size requirement of the district in which it is located.

(x) No antenna or Tower structure shall be illuminated, except as may be required by the Federal Aviation Administration (FAA) or the Federal Communication Commission (FCC).

(c) Communication Tower, Class B (~~eighty one (81)~~ 81 feet to ~~one hundred eighty (180)~~ 180 feet can be allowed as Special Exceptions in accordance with the Review Procedures of Sec. 922.07; and Class C (~~one hundred eighty one (181)~~ 181 feet and above) can be allowed as Conditional Uses in accordance with the Review Procedures of Sec. 922.06: Communication Towers, Class B and Communication Towers, Class C shall be subject to the following standards in all districts:

(1) Communication Towers shall be located on a zoning lot complying with the yard requirements of the zoning district in which such use is located, except that the widths of certain yards shall be as follows:

(i) The minimum setback between Communication Towers and property lines of non-residentially zoned lots shall be at a distance equal to twenty (20) percent of the height of the Tower;

(ii) Communication Towers shall be setback a minimum of ~~fifty (50)~~ 50 feet from any existing or planned right-of-way; and

(iii) Communication Towers shall be set back a minimum of ~~three hundred (300)~~ 300 feet from the lot line of any adjacent R-zoned lot that is occupied by one (1) or more dwelling unit.

(iv) Peripheral and guy anchors for Communication Towers may be located within required yards, provided that they shall be located entirely

within the boundaries of the property on which the Tower is located and shall be located no closer than five (5) feet from any property line, and no closer than ten (10) feet from the lot line of an R-zoned lot that is occupied by one (1) or more dwelling units.

(2) Class B and C Communication Towers' height must be demonstrated to the appropriate approving body, such as the ZBA, Planning Commission or City Council that such height is necessary and essential for the proper functioning of the concerned Tower, Antenna, Station and/or Communications Facility and said Tower, Antenna, Station and/or facility employs concealment, stealth technology, or is otherwise camouflaged with a design to blend in with the surroundings or otherwise be disguised consistent with the surroundings.

(3) When a Class B or C Communication Tower is proposed to be located in any district, the Applicant shall demonstrate to satisfaction of the appropriate approving body, such as the ZBA, Planning Commission or City Council that such use is reasonably necessary at the proposed location for the convenience of the people at large or for the general welfare and that the proposed Communication Tower, Antenna, Station and/or Communications Facility cannot be co-located on an existing Tower, Antenna, Station and/or facility and that a diligent effort was made to locate on an existing structure. The information submitted by the Applicant shall include a map of the area to be served by the Tower, Antenna, Station and/or Communications Facility and the relationship of the proposed site to other telecommunications Towers.

(i) When the proposed site is in any residential district, the Applicant shall demonstrate to the satisfaction of the appropriate approving body, such as the ZBA, Planning Commission or City Council that the proposed Communication Tower, Antenna, Station and/or Communications Facility cannot be co-located on an existing Tower, Antenna, Station and/or facility within a nonresidential district and that a diligent effort was made to locate on an existing structure. The information submitted by the Applicant shall include a map of the area to be served by the Tower, Antenna, Station and/or Communications Facility and the relationship of the proposed site to other telecommunications Towers.

(4) A fence or wall not less than six and one-half (6½) feet in height from finished grade shall be constructed around each Communication Tower and around each guy anchor and peripheral support. The fence or wall shall comply with all provisions of this Zoning Code, including but not limited to the relevant provisions of Chapters 918 and 925 of this Zoning Code, as well as with the following standards:

(i) Access to the Tower shall be through a locked gate in the required fence or wall;

(ii) The required fencing shall consist of a masonry wall or solid fence with trees planted along the exterior of the wall or fence, or an open fence with

an evergreen screen that consists of a continuous hedge with a minimum height of five (5) feet with trees planted along the exterior of the screen. Tree plantings shall consist of three-inch minimum caliper deciduous or evergreen trees planted ~~twenty (20)~~ 20 feet on center maximum. Existing vegetation shall be preserved to the maximum extent possible; and

(iii) If high voltage is necessary for the operation of the Communication Tower and it is present in a ground grid or in the Tower, signs located every ~~twenty (20)~~ 20 feet and attached to the fence or wall shall display in large bold letters the following: "HIGH VOLTAGE - DANGER".

(5) Communication Towers shall not encroach into or through any established public or private airport approach path as established by the Federal Aviation Administration (FAA).

(6) All obsolete or unused Communication Towers shall be removed within six (6) months of cessation of use.

(7) Communication Towers shall comply with current Federal Communication Commission standards for non-ionizing electromagnetic radiation (NIER).

(8) Communication Towers may be located on lots occupied by another primary use and may occupy a leased parcel on a lot meeting the minimum lot size requirement of the district in which it is located.

(9) No Antenna or Tower structure shall be illuminated, except as may be required by the Federal Aviation Administration (FAA) or the Federal Communication Commission (FCC).

(Ord. No. 33-2016, § 1, eff. 12-13-16)

911.04.A.14 Community Center (Limited and General)

(a) Community Center (Limited)

(1) In all Residential, ~~and Grandview Public Realm,~~ and RIV-RM Districts

Community Center (Limited) uses shall be subject to the following standards:

(i) Potential detrimental impacts of traffic and parking shall be addressed, taking into consideration the needs of events which may occur on site;

(ii) All activities conducted on the premises of the Community Center shall be noncommercial and nonprofit;

(iii) The Approving Body shall determine that the Community Center use will not be detrimental impacts to the neighborhood, taking into consideration the physical relationship of the proposed use to the surrounding structures, the probable hours of operation, social activities to

be conducted and the number of people using the premises at any one (1) time; and

(iv) The Residential Compatibility Standards of Chapter 916 shall apply.

(2) In NDO District

Community Center (Limited) uses shall be subject to the following standards:

(i) Potential detrimental impacts of traffic and parking shall be addressed, taking into consideration the needs of events which may occur on site;

(ii) All activities conducted on the premises of the Community Center shall be noncommercial and nonprofit; and

(iii) The Residential Compatibility Standards of Chapter 916 shall apply.

(3) In all UI and EMI Districts

Community Center (Limited and General uses shall be subject to the following standards:

(i) The proposed use shall be subject to the Site Plan Review Procedures of Section 922.04; and

(ii) Parking and access shall be provided in such a way as to protect users from any external impacts of traffic in the vicinity.

(b) Community Center (General)

(1) In NDO Districts

Community Center (General) uses shall be subject to the following standards:

(i) Potential detrimental impacts of traffic and parking shall be addressed, taking into consideration the needs of events which may occur on site;

(ii) All activities conducted on the premises of the Community Center shall be noncommercial and nonprofit;

(iii) The Approving Body shall determine that the Community Center use will not create detrimental impacts to the neighborhood, taking into consideration the physical relationship of the proposed use to the surrounding structures, the probable hours of operation, social activities to be conducted and the number of people using the premises at any one (1) time; and

(iv) The Residential Compatibility Standards of Chapter 916 shall apply.

(2) In P and Grandview Public Realm Districts

Community Center (General) uses in the P and Grandview Public Realm Districts shall be subject to the following standards:

- (i) Potential detrimental impacts of traffic and parking shall be addressed, taking into account the needs of events which may occur on site;
- (ii) All activities conducted on the premises of the Community Center shall be noncommercial and nonprofit;
- (iii) The Approving Body shall determine that the Community Center use will not create detrimental impacts to the neighborhood, taking into consideration the physical relationship of the proposed use to the surrounding structures, the probable hours of operation, social activities to be conducted, and the number of people using the premises at any one (1) time; and
- (iv) The Residential Compatibility Standards of Chapter 916 shall apply.

(3) In EMI Districts

Community Center (General) uses shall be subject to the following standards:

- (i) The proposed use shall be subject to the Site Plan Review procedures of Section 922.04;
- (ii) Parking shall be provided in a location and manner that allows for all parking to be located outside of residential areas.

(4) In RIV Districts

Community Center (General) uses shall be subject to the following standards:

- (i) Potential detrimental impacts of traffic and parking shall be addressed, taking into consideration the needs of events which may occur on site; and
- (ii) The Approving Body shall determine that the Community Center use will not create detrimental impacts to the neighborhood, taking into consideration the physical relationship of the proposed use to the surrounding structures, the probable hours of operation, social activities to be conducted and the number of people using the premises at any one (1) time.

911.04.A.15 Construction Contractor (Limited)

(a) In LNC, NDI, ~~and UNC~~, and RIV Districts

Construction Contractor (Limited) uses shall be subject to the following standards in the LNC, NDI, ~~and UNC~~, and RIV Districts:

- (1) All storage of materials and vehicles shall be within a completely enclosed structure; and
- (2) Sufficient space shall be provided to park and store all construction vehicles off the public rights-of-way.

911.4.A.16 Correctional Facility (Limited)

Correctional Facility (Limited) uses shall be subject to the following standards:

- (a) The facility shall be designed to address the safety of those within and outside of the facility;
- (b) Walls, fences, and other physical barriers shall be designed to be compatible with the architecture of the facility, and shall not include barbed wire, razor wire or other similar devices;
- (c) The facility shall be located within convenient walking distance of public transportation service;
- (d) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration probable traffic generation and the physical relationship of the proposed use and structure to surrounding uses and structures; and
- (e) The Approving Body shall request a report and recommendation from the Planning Director on the planning aspects of the proposed use and structures.

911.04.A.17 Correctional Facility (General)

Correctional Facilities (General) shall be subject to the following standards:

- (a) The facility shall be designed to address the safety of those within and outside of the facility;
- (b) Walls, fences, and other physical barriers shall be designed to be compatible with the architecture of the facility, and shall not include barbed wire, razor wire or other similar devices;
- (c) The facility shall be located within convenient walking distance of public transportation service;
- (d) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration probable traffic generation and the physical relationship of the proposed use and structure to surrounding uses and structures; and
- (e) The Approving Body shall request a report and recommendation from the Planning Director on the planning aspects of the proposed use and structures.

911.04.A.18 Cultural Service (Limited)

(a) In Residential and RIV-RM Districts

Cultural Service (Limited) uses shall be subject to the following standards in residential districts:

- (1) Parking demand shall be addressed in a manner which does not interfere with parking spaces required for surrounding residential uses;
- (2) All activities conducted on the premises of the Cultural Service shall be noncommercial and nonprofit;
- (3) The Approving Body shall determine that the such use will not create detrimental impacts on the neighborhood, taking into consideration the physical relationship of the proposed use to the surrounding structures, the probable hours of operation, social activities to be conducted and the number of people using the premises at any one (1) time; and
- (4) The Residential Compatibility Standards of Chapter 916 shall apply.

(b) In the P District

Cultural Service (Limited) uses shall be subject to the following standards in the P District:

- (1) Potential detrimental impacts of traffic and parking shall be addressed, taking into consideration the needs of events which may occur on site;
- (2) All activities conducted on the premises of the Cultural Service shall be noncommercial and nonprofit; and
- (3) All facilities shall be designed to be compatible with the surrounding landscape, such that the minimum possible grading will be required and the minimum disturbance and removal of existing vegetation will be required.

(c) In NDO Districts

Cultural Service (Limited) uses shall be subject to the following standards:

- (1) Parking demand shall be addressed in a manner which does not interfere with parking spaces required for surrounding residential uses; and
- (2) All activities conducted on the premises of the cultural service shall be noncommercial and nonprofit; and
- (3) The proposed use shall be subject to the Site Plan Review procedures of Section 922.04.

(d) In EMI Districts

- (1) The proposed use shall be in compliance with an approved Institutional Master Plan; and
- (2) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10

911.04.A.19 Cultural Service (General)

(a) In NDI and LNC Districts

Cultural Service (General) uses shall be subject to the following standards in the NDI and LNC Districts:

- (1) Cultural Service (General) uses shall be controlled in such a manner as to offer reasonable protection to the neighborhood against possible detrimental impacts, taking into consideration the physical relationship to surrounding properties, the hours of operation and access to the site;
- (2) The design of the structure shall follow the development standards for commercial uses in the NDI and LNC Districts; and
- (3) Parking demand shall be addressed so as to meet parking needs for both normal and event use, and to discourage parking on nearby residential streets.

(b) In the P District

Cultural Service (General) uses shall be subject to the following standards in the P District:

- (1) Potential detrimental impacts of traffic and parking shall be addressed, taking into consideration the needs of events which may occur on site;
- (2) All activities conducted on the premises of the Cultural Service shall be noncommercial and nonprofit; and
- (3) All facilities shall be designed to be compatible with the surrounding landscape, such that the minimum possible grading will be required and the minimum disturbance and removal of existing vegetation will be required.

(c) In the GI District

Cultural Service (General) uses shall be subject to the following standards in the GI District:

- (1) Parking facilities shall be designed and located to avoid disruption of industrial facilities in the area;
- (2) Parking demand shall be addressed so as to meet parking needs for both normal and event use, and to discourage parking on nearby streets;

(3) A traffic study in a form approved by the Zoning Administrator shall be submitted with the application, and shall address parking and traffic impacts of the proposed development. The transportation study shall illustrate that the proposed development will not create traffic congestion on the surrounding streets;

(4) Parking and access shall be provided in such a way as to protect users from any external impacts of industry in the vicinity; and

(5) The Approving Body shall determine that the proposed use will not create detrimental impacts on the surrounding district, taking into consideration potential traffic generation, pedestrian access, and hours of operation.

(d) In EMI Districts

Cultural Service (General) uses shall be subject to the following standards:

(1) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the emission of noise or glaring light, and proposed accessory uses, such as meeting facilities;

(2) The proposed use shall be in compliance with an approved Institutional Master Plan;

(3) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

911.04.A.20 Educational Classroom Space (Limited)

(a) In non-EMI Districts

Educational Classroom Space (Limited) shall be subject to the following standards:

(1) The design of the structure shall follow the district's development standards for commercial uses;

(2) The height and bulk of the proposed structure shall be designated as to minimize blocking of views from adjacent residential properties;

(3) Access to the facility shall be addressed in a manner which emphasizes the use of public transit to the facility, and clearly meets the peak demands of the facility in a manner which does not require the use of parking spaces on residential streets; and

(4) The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration

probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the probable hours of operation, the impacts of parking in surrounding residential uses, and the size and bulk of the building;

(5) The proposed use shall be subject to the Site Plan Review procedures of Section 922.04.

(b) In EMI districts

Educational Classroom Space (Limited) shall be subject to the following standards:

(1) The proposed use shall be in compliance with an approved Institutional Master Plan; and

(2) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

911.04.A.21 Educational Classroom Space (General)

(a) In UNC Districts

Educational Classroom Space (General) shall be subject to the following standards:

(1) The design of the structure shall follow the district's development standards for commercial uses;

(2) The height and bulk of the proposed structure shall be designed as to minimize blocking of views from adjacent residential properties;

(3) Access to the facility shall be addressed in a manner which emphasizes the use of public transit to the facility, and clearly meets the peak demands of the facility in a manner which does not require the use of parking spaces on residential streets; and

(4) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the probable hours of operation, the impacts of parking in surrounding residential uses, and the size and bulk of the building;

(b) In EMI Districts

Educational Classroom Space (Limited) shall be subject to the following standards:

(1) The proposed use shall be in compliance with an approved Institutional Master Plan; and

(2) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

(c) In RIV Districts

Educational Classroom Space (General) shall be subject to the following standards:

(1) Access to the facility shall be addressed in a manner which emphasizes the use of public transit to the facility, and clearly meets the peak demands of the facility in a manner which does not require the use of parking spaces on residential streets; and

(2) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the probable hours of operation, the impacts of parking in surrounding residential uses, and the size and bulk of the building.

911.04.A.22 Excavation/Grading/Fill, Major

Excavation, Grading or Fill, Major operations and any temporary or permanent construction or facilities associated with such operation shall be subject to the following standards:

(a) The proposed operation shall meet all requirements of the Land Operations Ordinance;

(b) The operation shall be controlled in such a manner as to offer reasonable protection to the neighborhood against possible detrimental impacts, taking into consideration the physical relationship to surrounding properties and access to the site;

(c) Residential streets shall not be used for routing of vehicles serving the excavation or fill, unless there is no other physical option; and

(d) A plan shall be prepared and submitted to the Planning Director addressing the number of vehicles that will access the site and the routes the vehicles will travel. The plan and proposed use of any street for incidental trucking operations shall have the approval of the Department of Public Works and the Bureau of Traffic Engineering.

911.04.A.22A Forestry Uses Shall be Subject to the Following Standards:

(a) Site Plan (Logging Plan) Review will be required as per Section 922.04.

- (1) Such a plan must be drawn to scale and in addition to information required in Section 922.09 of the Zoning Code depict: the location of trees to be cut and residual stands; the location of all skid roads, skid trails and log landings; the location of any streams or wetlands; the location of curb cuts; the location of public or private easements; the location of any residential structure within ~~fifty (50)~~ 50 feet of the property line.
- (2) Forestry activities shall be at least ~~fifty (50)~~ 50 feet from property lines.
- (3) Forestry activities shall be at least ~~one hundred (100)~~ 100 feet from a residential structure.
- (4) Debris shall not be stored within the previously specified setbacks.
- (5) Log Landings, skid roads and skid trails as specific forestry activities shall observe previously specified setbacks.
- (6) Access to haul roads shall be via an approved curb cut.
- (7) Forestry activities shall not occur between 10:00 p.m. and 7:00 a.m. and may have further restrictions placed on hours of operation as determined by the Zoning Administrator.
- (8) Prior to approval, the Zoning Administrator will require the approval of all haul roads by the Department of Public Works.
- (9) Timber harvesting shall not occur on slopes greater than ~~forty (40)~~ 40 percent.
- (10) No more than ~~fifty (50)~~ 50 percent of the trees shall be removed on slopes greater than ~~twenty five (25)~~ 25 percent.
- (11) No more than ~~fifty (50)~~ 50 percent of the trees shall be removed within ~~fifty (50)~~ 50 feet of any stream or wetland.
- (12) Compliance with Environmental Overlay Districts (906) requirements must be assured.
- (13) An approved revegetation plan depicting the planting of specific species by area is required; no invasive species may be employed in that planting plan.
- (14) Proof of liability insurance naming the property owner and the City of Pittsburgh as insured or additional insureds with combined coverage of no less than one million dollars (\$1,000,000.00).
- (15) Compliance with all applicable City of Pittsburgh, Allegheny County, Commonwealth of Pennsylvania and Federal laws.

911.04.A.23 Fraternity/Sorority and Dormitory

- (a) Fraternity/Sorority

Fraternity/Sorority uses shall be subject to the following standards:

- (1) The building shall be used solely for undergraduate or graduate students of an educational institution;
- (2) The building shall be located with the EMI District of the institution at which the students are enrolled;
- (3) An Operation and Management Plan for the proposed Fraternity/Sorority use shall be submitted as part of the occupancy permit application and shall describe programs of operation and management including but not limited to:
 - (i) Uses and activities that will occur in conjunction with the Fraternity/Sorority use;
 - (ii) Hours of operation of non-residential services;
 - (iii) Noise control; and
 - (iv) Traffic generation.
- (4) The Approving Body shall determine that the such use will not create detrimental impacts on the surrounding properties, taking into consideration the Operation and Management Plan, probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the probable hours of operation, the impacts of parking in surrounding residential uses, and the size and bulk of the building;
- (5) The proposed use shall be in compliance with an approved Institutional Master Plan; and
- (6) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

(b) Dormitory

Dormitory uses shall be subject to the following standards:

- (1) The building shall be used solely for undergraduate or graduate students of an educational institution;
- (2) The building shall be located within the same district of the institution at which the students are enrolled;
- (3) An Operation and Management Plan for the proposed Dormitory use shall be submitted as part of the occupancy permit application and shall describe programs of operation and management including but not limited to:
 - (i) Use and activity that will occur in conjunction with the Dormitory use;
 - (ii) Hours of operation of non-residential services;

(iii) Noise control; and

(iv) Traffic generation.

(4) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the Operation and Management Plan, probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the probable hours of operation, the impacts of parking in surrounding residential uses, and the size and bulk of the building;

(5) The proposed use shall be in compliance with an approved Institutional Master Plan; and

(6) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

(Ord. No. 24/August 21, 2000/Amend U-23)

911.04.A.24 Freight Terminal

(a) In HC and RIV Districts

Freight Terminals shall be subject to the following standards in the HC District:

(1) Every portion of the property used for Freight Terminal purposes shall be located not closer than ~~two hundred (200)~~ 200 feet to any property in a R or H District, and ~~one hundred (100)~~ 100 feet from any property in a NDI, UNC or LNC District;

(2) Access for motor-freight vehicles shall be by way of streets of adequate width as determined by the Approving Body;

(3) The site shall be fully enclosed with a barrier adequate to insure that no portion of a vehicle shall extend beyond the lot line;

(4) In addition to adequate area within the site for docking, manipulation and maneuver of motor-freight vehicles, a reservoir of parking area for motor-freight vehicles waiting to be loaded or unloaded, shall be provided at the rate of one (1) parking space sufficient to park a motor freight vehicle for every four (4) loading or unloading docks;

(5) The site shall be designed in such a manner as to permit forward movement of all vehicles both upon entering and upon leaving the site; and

(6) The number, location and width of entrances to and exits from the site shall be determined by the Approving Body after recommendations thereon by the Department of Public Works and Bureau of Traffic Engineering and/or Department of Mobility and Infrastructure.

911.04.A.25 Funeral Home

Funeral Home uses shall be subject to the following standards:

- (a) There shall be no crematory or receiving vault on the premises, and no preparation room or display of merchandise visible from outside the main or accessory building;
- (b) No loading or unloading shall be permitted on public right-of-way; and
- (c) No parking or standing of motor vehicles accessory to the Funeral Home shall occur on adjoining streets other than passenger automobiles when funeral processions are being organized.

911.04.A.26 Golf Course

Golf Course uses shall be subject to the following standards:

- (a) All facilities shall be designed to be compatible with the surrounding landscape, such that the minimum possible grading will be required and the minimum disturbance and removal of existing vegetation will be required; and
- (b) The Approving Body shall determine that the design and location of the parking facility is screened from surrounding residential properties and has created the minimum possible disruption to the landscape.

911.04.A.27 Hazardous Operations

Hazardous Operations shall be subject to the following standards:

- (a) Hazardous Operations shall not be permitted within ~~three hundred (300)~~ 300 feet of any districts other than GI or RIV-GI;
- (b) Hazardous Operations shall not be permitted within a distance determined by the Fire Department, as necessary to secure special protection to such public facilities as bridges, tunnels, highway interchanges, power stations, communication centers and the like; and
- (c) Suitable measures shall be taken for the disposal of waste without adversely affecting adjacent areas.

911.04.A.28 Helicopter Landing Facilities

The following regulations shall govern and control the erection, installation and enlargement of all helicopter facilities, including Heliports, Helipads and Helistops.

- (a) A helicopter landing area shall not be approved if its associated approach/departure flight path extends over an Elementary or Secondary School which has a minimum of ~~fifty (50)~~ 50 students attending on a regular basis, school

stadium, school playground, or school sports field. The Zoning Board of Adjustment or City Council may allow the approach/departure flight path associated with a medical use helicopter landing area to fly over a school if that portion of the flight path is at least ~~nine hundred (900)~~ 900 feet from the landing area and it can be demonstrated there is no feasible alternative flight path.

(b) A helicopter landing area shall be located at least ~~one hundred eighty (180)~~ 180 feet from a school stadium, playground, school athletic field or public right-of-way adjacent to and within one-quarter (¼) mile of such school facilities. The Zoning Board of Adjustment may allow a medical landing area to be closer if it can be demonstrated that sufficient barriers exist, between the landing area and the pertinent above features, which would assure there would be no fire danger, associated with ~~three hundred fifty (350)~~ 350 gallons of jet fuel burning on the landing area, to any person located on the pertinent above features.

(c) A helicopter landing area shall be located at least ~~four hundred (400)~~ 400 feet from an Elementary or Secondary School building which has a minimum regular attendance of fifty (50) or more students.

(d) A helicopter landing area with more than three (3) flights per month occurring between 10:00 p.m. and 7:00 a.m. shall be located at least ~~four hundred (400)~~ 400 feet from residential uses in residential, RP, AP, SP, and LNC Districts.

(e) A helicopter landing area with three (3) or fewer flights per month occurring between 10:00 p.m. and 7:00 a.m. shall be located at least ~~three hundred (300)~~ 300 feet from residential uses in residential, RP, AP, SP, and LNC Districts.

(f) A helicopter landing area shall not be permitted on rooftops in the GT and ~~DR~~ RIV-NS Districts.

(g) A helicopter landing area shall be spaced at least ~~two thousand (2,000)~~ 2,000 feet from any other helicopter landing area. This spacing requirement may be reduced to ~~one thousand five hundred (1,500)~~ 1,500 feet if it is demonstrated that all associated approach/departure flight paths are at least ~~one thousand five hundred (1,500)~~ 1,500 feet from one (1) another and there is a compelling need for that landing area that cannot otherwise be met.

(h) A helicopter landing area shall be setback at least ~~fifty (50)~~ 50 feet from property lines.

(i) A helicopter landing area shall be licensed by State or Federal licensing agencies such as the Pennsylvania Department of Transportation's Bureau of Aviation (PennDOT-BOA) and/or Federal Aviation Administration prior to becoming operational, and shall continue to be in compliance with such licensing regulations.

(j) A helicopter landing area shall have primary and secondary approach/departure paths approved by the Federal Aviation Administration or PennDOT BOA when required. Such flight paths shall reflect cognizance of zoning district height limitations, air rights and topographic features.

(k) Any significant change, subsequent to zoning approval, in aircraft related technology employed at the facility or related to the craft using the facility shall be approved by the pertinent State, Federal and local zoning and public safety approval authorities. Such changes include but are not limited to the provision of instrument flight capabilities, change in type of fuel used, use of vertical takeoff/landing craft other than helicopters, use of helicopters larger than for which the pad was designed applying PennDOT and FAA design criteria, or use of helicopters which produce an increase of three (3) db in noise levels, measured at a four hundred-foot distance, over the craft previously used at the site.

(l) A helicopter landing area shall maintain a log of all arrivals and departures indicating time of arrival, time of departure, operator and owner. A helicopter medical private use landing area shall maintain a log of all arrivals and departures indicating time of arrival, time of departure, operator, owner and purpose of trip. This log shall be submitted quarterly in April, June, October and January to the Zoning Administrator.

(m) A helicopter landing area shall meet any other conditions required by the pertinent approval authorities such as the Zoning Board of Adjustment, City Planning Commission and City Council, and compliance with the City Building Code, relating to hours of operation; number of helicopters based, type of operations, surface transportation, parking, site circulation, screening or other aspects of the site development or use.

(n) Applicants for a helicopter landing area shall submit a site plan as depicted by and with the seal of a registered engineer or architect or surveyor depicting pertinent setback and spacing requirements and all associated approach/departure flight paths. The applicant shall also submit evidence that the Allegheny County Aviation Department (ACAD) has been notified of the landing area proposal and has been invited to comment directly to the Zoning Administrator within a thirty-day period commencing on ACAD's receipt of notification.

911.04.A.29 Helipads

Helipads shall comply with the following requirements:

(a) Helipads shall comply with the Helicopter Landing Facility requirements of Sec. 911.04.A.28;

(b) An environmental report addressing the pertinent ~~sixteen (16)~~ 16 specific environmental categories (out of ~~twenty (20)~~ 20 categories) outlined by the Federal Aviation Administration in Order 5050.4A. Airport Environmental Handbook (as may be amended), shall be submitted by the applicant to the City Planning Commission so that the environmental effects of the proposed heliport along with the proposed use, purpose and need of the heliport can serve as the basis for the Planning Commission's recommendation to City Council concerning approval of the proposed heliport. In evaluating the impact of the environmental categories, the reviewing authority shall adopt and use for helicopter landing areas the regulations

and descriptions of the specific impact categories contained in the Federal Aviation Administration Order 5050.4A. Airport Environmental Handbook as may be amended. The sixteen (16) categories are:

- (1) Noise in terms of Ldn via analysis utilizing the FAA helicopter noise model;
- (2) Compatible land use within ~~four hundred (400)~~ 400 feet of the heliport and under approach/departure paths and associated transition zones;
- (3) Social impacts;
- (4) Induced socioeconomic impacts;
- (5) Air quality;
- (6) Water quality;
- (7) Department of Transportation Section 4(f) lands involving public parks and recreation areas;
- (8) Historical, architectural, archaeological and cultural resources;
- (9) Biotic communities, wildlife refuges or Greenways;
- (10) Flora and fauna;
- (11) Wetlands;
- (12) Floodplains;
- (13) Energy supply and natural resources;
- (14) Light emissions;
- (15) Solid waste impacts; and
- (16) Construction impacts.

911.04.A.30 Heliports

Heliports shall be subject to the following standards in the GI, RIV-GI, and MP Districts:

- (a) Heliports shall comply with the Helicopter Landing Facility requirements of Sec. 911.04.A.28;
- (b) An environmental report addressing the pertinent ~~sixteen (16)~~ 16 specific environmental categories (out of ~~twenty (20)~~ 20 categories) outlined by the Federal Aviation Administration in Order 5050.4A. Airport Environmental Handbook (as may be amended), shall be submitted by the applicant to the City Planning Commission so that the environmental effects of the proposed heliport along with the proposed use, purpose and need of the heliport can serve as the basis for the

Planning Commission's recommendation to City Council concerning approval of the proposed heliport. In evaluating the impact of the environmental categories, the reviewing authority shall adopt and use for helicopter landing areas the regulations and descriptions of the specific impact categories contained in the Federal Aviation Administration Order 5050.4A. Airport Environmental Handbook as may be amended. The ~~sixteen (16)~~ 16 categories are:

- (1) Noise in terms of Ldn via analysis utilizing the FAA helicopter noise model;
- (2) Compatible land use within ~~four hundred (400)~~ 400 feet of the heliport and under approach/departure paths and associated transition zones;
- (3) Social impacts;
- (4) Induced socioeconomic impacts;
- (5) Air quality;
- (6) Water quality;
- (7) Department of Transportation Section 4(f) lands involving public parks and recreation areas;
- (8) Historical, architectural, archaeological and cultural resources;
- (9) Biotic communities, wildlife refuges or Greenways;
- (10) Flora and fauna;
- (11) Wetlands;
- (12) Floodplains;
- (13) Energy supply and natural resources;
- (14) Light emissions;
- (15) Solid waste impacts; and
- (16) Construction impacts.

The report shall also address the heliport's effect on ground transportation, parking, steep slopes, stormwater management, utilities and zoning compliance. In addition to identifying project effects the report shall identify potential mitigation measures for any significant effect and shall address project alternatives (no project, another site or another scale). The environmental report submission is in addition to site plan requirements and other pertinent information requested by the Zoning Administrator.

911.04.A.31 Helistops

Helistops shall be subject to the following standards:

(a) Helistops shall comply with the Helicopter Landing Facility requirements of Sec. 911.04.A.28;

(b) Applicants shall submit a noise analysis demonstrating the noise impact in terms of Ldn. If this analysis demonstrates a +3 dBLdn increase due to the helistop and this increase results in noise levels exceeding seventy-five (75) dBLdn at residential uses in residential zoning districts, the application shall be denied.

(c) An environmental report addressing the pertinent ~~sixteen (16)~~ 16 specific environmental categories (out of ~~twenty-920~~ 20 categories) outlined by the Federal Aviation Administration in Order 5050.4A. Airport Environmental Handbook (as may be amended), shall be submitted by the applicant to the City Planning Commission so that the environmental effects of the proposed heliport along with the proposed use, purpose and need of the heliport can serve as the basis for the Planning Commission's recommendation to City Council concerning approval of the proposed heliport. In evaluating the impact of the environmental categories, the reviewing authority shall adopt and use for helicopter landing areas the regulations and descriptions of the specific impact categories contained in the Federal Aviation Administration Order 5050.4A. Airport Environmental Handbook as may be amended. The ~~sixteen (16)~~ 16 categories are:

- (1) Noise in terms of Ldn via analysis utilizing the FAA helicopter noise model;
- (2) Compatible land use within ~~four hundred (400)~~ 400 feet of the heliport and under approach/departure paths and associated transition zones;
- (3) Social impacts;
- (4) Induced socioeconomic impacts;
- (5) Air quality;
- (6) Water quality;
- (7) Department of Transportation Section 4(f) lands involving public parks and recreation areas;
- (8) Historical, architectural, archaeological and cultural resources;
- (9) Biotic communities, wildlife refuges or Greenways;
- (10) Flora and fauna;
- (11) Wetlands;
- (12) Floodplains;
- (13) Energy supply and natural resources;
- (14) Light emissions;

- (15) Solid waste impacts; and
- (16) Construction impacts.

911.04.A.32 Helistops in GT, ~~DR~~, CP, SP, UI, GI, RIV-IMU, RIV-NS, and EMI Districts:

The following standards shall apply to all Helistops in GT, ~~DR~~, CP, SP, UI, GI, RIV-IMU, RIV-NS, and EMI Districts:

- (a) The applicant shall submit a noise analysis demonstrating the noise impact in terms of Ldn. If this analysis demonstrates a +3 dBLdn increase due to the helistop and this increase results in noise levels exceeding ~~seventy five (75)~~ 75 dBLdn at residential uses in R, RP, AP, SP, UNC or LNC Districts, the application shall be denied.
- (b) The applicant shall submit an environmental report addressing environmental categories listed in subsection 911.04.A.30, entitled Heliports in GI and RIV-GI Districts.

911.04.A.33 Hotel/Motel (Limited)

- (a) In LNC, UNC, and NDI Districts

Hotel/Motel (Limited) uses shall be subject to the following standards in the LNC, UNC, and NDI Districts:

- (1) The design of the structure shall follow the development standards for commercial uses in the UNC and NDI Districts; and
- (2) Parking demand shall be addressed so as to meet parking needs for both normal and event use, and to discourage parking on nearby residential streets.

- (b) In EMI Districts

Hotel/Motel (Limited) uses shall be subject to the following standards:

- (1) The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking needs, generation of noise and the hours of operation; and
- (2) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

- (c) In RIV Districts

Hotel/Motel (Limited) uses shall be subject to the following standards:

- (1) The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the

probable traffic generation, parking needs, generation of noise and the hours of operation; and

(2) Parking demand shall be addressed so as to meet parking needs for both normal and event use, and to discourage parking on nearby residential streets.

911.04.A.34 Hotel/Motel (General)

(a) In UNC, LNC and NDI Districts

Hotel/Motel (General) uses shall be subject to the following standards:

- (1) The design of the structure shall follow the development standards for commercial uses in the UNC Districts;
- (2) Parking demand shall be addressed so as to meet parking needs for both normal and event use, and to discourage parking on nearby residential streets;
- (3) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the emission of noise or glaring light, and proposed accessory uses such as restaurants and meeting facilities; and
- (4) The Approving Body shall request a recommendation from the Planning Director on the Planning aspects of the proposed use and structures.

(b) In EMI Districts

Hotel/Motel (General) uses shall be subject to the following standards:

- (1) The height and bulk of the proposed structure shall be designed as to minimize blocking of views from adjacent residential properties;
- (2) The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking needs, generation of noise and the hours of operation; and
- (3) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

(c) In the RIV-MU District

Hotel/Motel (General) uses shall be subject to the following standards:

- (1) Parking demand shall be addressed so as to meet parking needs for both normal and event use, and to discourage parking on nearby residential streets; and

(2) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the emission of noise or glaring light, and proposed accessory uses such as restaurants and meeting facilities.

911.04.A.35 Housing for the Elderly

(a) In all Districts except RIV

Housing for the Elderly (Limited and General) shall be subject to the following standards in all districts:

- (1) Certain special features shall be permitted, usually associated with group living needs for comfort, health, safety and welfare of elderly persons such as dispensaries, medical facilities, common dining facilities, group recreation facilities and similar or related facilities;
- (2) The development should be located in an area of determined need for such housing, but should not be of such a scale as to create a demographic imbalance with the neighborhood;
- (3) The site should be in an area of relatively flat terrain;
- (4) The site should be reasonably accessible to food markets, drug stores, medical facilities and social services;
- (5) The site shall have reasonable access to public transit;
- (6) The development shall provide common dining and social rooms;
- (7) The site shall not be immediately adjacent to noise and pollution producing activities;
- (8) Not less than forty (40) percent of the required lot shall be in usable open space at ground level, not less than eight (8) feet in width, located, arranged and oriented to provide optimal exposure to fresh air and sunlight, and developed and maintained to suit the needs of elderly people. Equivalent open space, not on the same zoning lot but easily accessible for elderly people located on public land in public control or under contractual agreement with the applicant, may be considered as meeting this requirement; and
- (9) The Approving Body may require additional parking beyond that required in Chapter 914, if it determines that the particular programs or residents of the facility will require such additional parking;

(b) In Residential Districts and RIV-RM

Housing for the Elderly shall be subject to the following standards in all residential zoning districts:

(1) The building shall be designed to be in keeping with the residential character of the surrounding area;

(2) The Approving Body may permit additional density beyond that permitted in the district, but not to exceed ~~four hundred fifty (450)~~ 450 square feet per unit, if it finds that the additional density will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, and the design and location of parking facilities relative to surrounding properties;

(c) In the UI District

Housing for the Elderly uses in the UI District shall be subject to the Site Plan Review procedures of Sec. 922.04.

(d) In RIV-MU, RIV-NS and RIV-IMU

Housing for the Elderly (Limited and General) shall be subject to the following standards:

(1) Certain special features shall be permitted, usually associated with group living needs for comfort, health, safety and welfare of elderly persons such as dispensaries, medical facilities, common dining facilities, group recreation facilities and similar or related facilities;

(2) The site should be reasonably accessible to food markets, drug stores, medical facilities and social services;

(3) The site shall have reasonable access to public transit; and

(4) The Approving Body may require additional parking beyond that required in Chapter 914, if it determines that the particular programs or residents of the facility will require such additional parking;

911.04.A.36 Incinerator, Solid Waste

Incinerator, Solid Waste uses shall be subject to the following standards:

(a) Technical analysis shall be submitted attesting to the level of emissions of the facility; and

(b) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable hours of operation, traffic generation, and the emission of odors, fumes, dust, noise, vibration and glaring light.

911.04.A.37 Laboratory, Research Services (Limited and General)

(a) In NDI and UNC Districts

Laboratory, Research Services (General) uses shall be subject to the following standards in the NDI and UNC Districts:

- (1) The design of the structure shall follow the development standards for commercial uses in the UNC Districts.

(b) In EMI Districts

Laboratory, Research Services (Limited and General) uses shall be subject to the following standards:

- (1) The height and bulk of the proposed structure shall be designed as to minimize blocking of views from adjacent residential properties;
- (2) The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking needs, generation of noise and the hours of operation; and
- (3) The proposed use shall be in compliance with an approved Institutional Master Plan; and
- (4) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

911.04.A.38 Library (Limited and General)

(a) In R1D, R1A, R2, R3, ~~and RM~~, and RIV-RM Subdistricts

Library (Limited) uses shall be subject to the following standards in the R1D, R1A, R2, R3, ~~and RM~~, and RIV-RM Subdistricts:

- (1) The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking needs, and hours of operation; and
- (2) The residential Compatibility Standards of Chapter 916 shall apply.

(b) In NDO District

Library (Limited) uses shall be subject to the following standards in the NDO District:

- (1) The Residential Compatibility Standards of Chapter 916 shall apply; and
- (2) The Site Plan Review Procedures of the Section 922.04 shall apply.

(c) In EMI Districts

Library (Limited and General) uses shall be subject to the following standards:

- (1) The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the emission of noise or glaring light, and proposed accessory uses, such as meeting facilities;
- (2) The proposed use shall be in compliance with an approved Institutional Master Plan; and
- (3) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

911.04.A.39 Manufacturing and Assembly (Limited and General)

(a) In GT and ~~DR~~ Districts

Manufacturing and Assembly (Limited and General) uses shall be subject to the following standards in the GT and ~~DR~~ Districts:

- (1) Manufacturing and Assembly uses shall be limited to the following:
 - (i) Laboratories: experimental, photo or motion picture, film or testing;
 - (ii) Manufacture of musical and small precision instruments, watches and clocks, jewelry, toys, novelties, rubber and metal hand stamps, candy and bakery products;
 - (iii) Manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas; and
 - (iv) Printing, lithographing, type composition, ruling and binding establishment.
- (2) Manufacturing and Assembly uses shall only be permitted when conducted within a completely enclosed building, and when located above the ground floor.

(b) In NDI and UNC Districts

Manufacturing and Assembly (Limited) uses shall be subject to the following standards in the NDI and UNC Districts:

- (1) All uses shall be conducted within a completely enclosed building and shall create no external visible sign of the operation, such as noise, smoke, vibration or other factor;
- (2) The design of the structure shall follow the development standards for commercial uses in the UNC District; and

(3) In UNC District, the Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, hours of operation, and the emission of odors, fumes, dust, noise, vibration, and glaring light.

(c) In the RIV-MU District

Manufacturing and Assembly (Limited) uses shall be subject to the following standards:

(1) All uses shall be conducted within a completely enclosed building and shall create no external visible sign of the operation, such as noise, smoke, vibration or other factor; and

(2) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, hours of operation, and the emission of odors, fumes, dust, noise, vibration, and glaring light.

911.04.A.40 Manufacturing and Assembly (General)

(a) In NDI, UI, RIV and HC Districts

Manufacturing and Assembly (General) uses shall be subject to the following standards in the NDI, UI, RIV and HC Districts:

(1) All uses shall be conducted within a completely enclosed building and shall create no external visible sign of the operation, such as noise, smoke, vibration or other factor; and

(2) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, hours of operation, and the emission of odors, fumes, dust, noise, vibration, and glaring light.

911.04.A.41 Multi-Suite Residential

Multi-Suite Residential (Limited and General) uses shall be subject to the following standards:

(a) Multi-Suite Residential (Limited)

(1) In the RM and Grandview Public Realm Districts

a. The Approving Body shall determine that the proposed use will not create detrimental impacts on the surrounding properties, taking into consideration probable traffic generation, the physical relationship of the

proposed use and structure to surrounding uses and structures, the hours of operation, the impacts of parking on surrounding residential uses, and the size and bulk of the building;

b. The building shall be designed to be in keeping with the residential character of the surrounding area;

c. Certain special features shall be permitted, usually associated with shared living arrangements, such as common dining facilities, shared laundry facilities, lounge areas and similar or related facilities;

d. Parking will be provided at a minimum of one (1) space per two (2) sleeping rooms;

e. The Approving Body may require additional parking beyond that required in Chapter 914, if it determines that the particular use of the facility will require such additional parking.

(2) In the LNC District

Multi-Suite Residential (Limited and General) uses shall be subject to the following standards:

a. The proposed use shall be subject to the Site Plan Review procedures of Section 922.04;

b. The building shall be designed to be in keeping with the character of the surrounding area;

c. Certain special features shall be permitted, usually associated with shared living arrangements, such as common dining facilities, shared laundry facilities, lounge areas and similar or related facilities; and

d. Parking will be provided at a minimum of one (1) space per two (2) sleeping rooms.

(3) In EMI Districts

Multi-Suite Residential (Limited) shall be subject to the following standards:

a. The building shall be designed to be in keeping with the character of the surrounding area;

b. Certain special features shall be permitted, usually associated with shared living arrangements, such as common dining facilities, shared laundry facilities, lounge areas and similar or related facilities;

c. The Approving Body may require additional parking beyond that required in Chapter 914, if it determines that the particular use of the facility will require such additional parking;

d. The Approving Body shall determine that the proposed use will not create detrimental impacts on the surrounding properties, taking into consideration probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the hours of operation, the impacts of parking on surrounding residential uses, and the size and bulk of the building;

e. Parking will be provided at a minimum of one (1) space per two (2) sleeping rooms; and

f. The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

(b) Multi-Suite Residential (General)

(1) In the LNC District

a. The building shall be designed to be in keeping with the character of the surrounding area;

b. Certain special features shall be permitted, usually associated with shared living arrangements, such as common dining facilities, shared laundry facilities, lounge areas and similar or related facilities;

c. Parking will be provided at a minimum of one (1) space per two (2) sleeping rooms;

d. The Approving Body may require additional parking beyond that required in Chapter 914, if it determines that the particular use of the facility will require such additional parking;

e. The Approving Body shall determine that the proposed use will not create detrimental impacts on the surrounding properties, taking into consideration probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the hours of operation, the impacts of parking on surrounding residential uses, and the size and bulk of the building.

(2) In the UI District

a. The proposed use shall be subject to Site Plan Review;

b. The building shall be designed to be in keeping with the character of the surrounding area;

c. Certain special features shall be permitted, usually associated with shared living arrangements, such as common dining facilities, shared laundry facilities, lounge areas and similar or related facilities; and

d. Parking will be provided at a minimum of one (1) space per two (2) sleeping rooms.

(3) In Grandview Public Realm Districts

a. The Approving Body shall determine that the proposed use will not create detrimental impacts on the surrounding properties, taking into consideration probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the hours of operation, the impacts of parking on surrounding residential uses, and the size and bulk of the building;

b. The building shall be designed to be in keeping with the residential character of the surrounding area;

c. Certain special features shall be permitted, usually associated with shared living arrangements, such as common dining facilities, shared laundry facilities, lounge areas and similar or related facilities;

d. Parking will be provided at a minimum of one (1) space per two (2) sleeping rooms;

e. The Approving Body may require additional parking beyond that required in Chapter 914, if it determines that the particular use of the facility will require such additional parking.

(4) In EMI Districts

Multi-Suite Residential uses shall be subject to the following standards:

a. The building shall be designed to be in keeping with the character of the surrounding area;

b. Certain special features shall be permitted, usually associated with shared living arrangements, such as common dining facilities, shared laundry facilities, lounge areas and similar or related facilities;

c. The Approving Body may require additional parking beyond that required in Chapter 914, if it determines that the particular use of the facility will require such additional parking;

d. The Approving Body shall determine that the proposed use will not create detrimental impacts on the surrounding properties, taking into consideration probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the hours of operation, the impacts of parking on surrounding residential uses, and the size and bulk of the building;

e. Parking will be provided at a minimum of one (1) space per two (2) sleeping rooms; and

f. The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

911.04.A.42 Office (Limited) in the NDO and EMI Districts:

(a) In NDO District

Office (Limited) uses shall be subject to the following standards:

- (1) The proposed use shall be subject to the Residential Compatibility Standards of Chapter 916;
- (2) The proposed use shall be subject to the Landscaping and Screening Standards of Chapter 918;
- (3) The design of any structure in an NDO District used for non-residential purposes that does not occupy a structure originally designed as a residence shall be of a scale and character that is consistent with the scale and character of adjacent residential neighborhoods;
- (4) The gross floor area of any non-residential development, or any portion of any development which is non-residential in use shall not exceed eight thousand (8,000) square feet;
- (5) Parking shall be provided in a location and manner that allows for all parking required by the facility, and all traffic created by the facility, to be located outside of residential districts; and
- (6) For Office (General) uses, the Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking needs, noise generation, and the hours of operation.

(b) In EMI Districts

Office (limited) uses shall be subject to the following standards:

- (1) The proposed use shall be in compliance with an approved Institutional Master Plan; and
- (2) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

911.04.A.43 Office (General) in LNC, NDI, GI, NDO, RIV and EMI Districts

(a) In the LNC, RIV and NDI Districts Office (General) uses shall be subject to the following standards:

(1) The approving body shall determine that the proposed use will not create detrimental impacts on the surrounding properties and district, taking into consideration the probable traffic generation, hours of operation, noise and light.

(b) In the GI District Office (General) uses shall be subject to the following standards:

(1) The use shall be allowed only in buildings that were in existence prior to the effective date specified by the provisions of Section 901.05 and only when located above the ground floor.

(c) In the NDO District Office (General) uses shall be subject to the following standards:

(1) The proposed use shall be subject to the Residential Compatibility Standards of Chapter 916;

(2) The proposed use shall be subject to the Landscaping and Screening Standards of Chapter 918;

(3) The design of any structure in an NDO District used for non-residential purposes that does not occupy a structure originally designed as a residence shall be of a scale and character that is consistent with the scale and character of adjacent residential neighborhoods;

(4) Parking shall be provided in a location and manner that allows for all parking requirements by the facility, and all traffic created by the facility, to be located outside of residential districts; and

(5) For office (General) uses, the approving body shall determine that such use will not create detrimental impacts on the surrounding properties taking into consideration the probable traffic generation, parking needs, noise generation, and the hours of operation.

(d) In EMI Districts

Office (General) uses shall be subject to the following standards:

(1) The proposed use shall be in compliance with an approved Institutional Master Plan;

(2) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

911.04.A.44 Parking, Commercial (Limited)

(a) In NDI, UNC, and GI Districts:

Parking, Commercial (Limited) uses shall be subject to the following standards in NDI, UNC, and GI districts:

(1) The use shall be located to minimize disruption to pedestrian movements;
and

(2) Curb cuts shall be located a minimum of ~~sixty (60)~~ 60 feet from an intersection and ~~sixty (60)~~ 60 feet from other curb cuts.

(b) In LNC and RIV Districts:

Parking, Commercial (limited) uses shall be subject to the following standards in the LNC and RIV Districts:

(1) The use shall be located to minimize disruption to pedestrian movements;

(2) Curb cuts shall be located a minimum of ~~sixty (60)~~ 60 feet from an intersection and ~~sixty (60)~~ 60 feet from other curb cuts; and

(3) The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, hours of operation, noise, and light.

(c) In EMI districts

Parking, Commercial (Limited) uses shall be subject to the following standards:

(1) The use shall be located to minimize disruption to pedestrian movements;

(2) Curb cuts shall be located a minimum of ~~sixty (60)~~ 60 feet from an intersection and ~~sixty (60)~~ 60 feet from other curb cuts;

(3) The proposed use shall be in compliance with an approved Institutional Master Plan; and

(4) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

911.04.A.45 Parking, Commercial (General)

(a) In all non-EMI Districts

Parking, Commercial (General) uses shall be subject to the following standards:

(1) The use shall be located to minimize disruption to pedestrian movements;

(2) Curb cuts shall be located a minimum of ~~sixty (60)~~ 60 feet from an intersection and ~~sixty (60)~~ 60 feet from other curb cuts; and

(3) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, hours of operation, noise, and light.

(4) The lot containing the Parking, Commercial (General) use shall not be located within ~~one thousand (1,000)~~ 1,000 feet from a Gaming Enterprise as measured from the lot lines of the subject properties.

(b) In EMI Districts

Parking, Commercial (Limited) uses shall be subject to the following standards:

- (1) The use shall be located to minimize disruption to pedestrian movements;
- (2) Curb cuts shall be located a minimum of ~~sixty (60)~~ 60 feet from an intersection and ~~sixty (60)~~ 60 feet from other curb cuts;
- (3) The proposed use shall be in compliance with an approved Institutional Master Plan; and
- (4) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

(c) In RIV-NS District

Parking, Commercial (Limited) uses shall be subject to the following standards:

- (1) Commercial parking lots shall be permitted only when they also serve as accessory or shared parking for on-site or adjacent uses at different peak parking demands.

911.04.A.46 Parks and Recreation (Limited and General)

(a) In Residential, Grandview Public Realm and EMI Districts.

Parks and Recreation (Limited and General) uses shall be subject to the following standards in residential and Grandview Public Realm districts:

- (1) Parking shall be screened from view from adjacent residential properties;
- (2) Buildings shall be designed to be compatible with surrounding residential structures and landscape; and
- (3) The Approving Body shall determine that the proposed use will not create detrimental impacts taking into consideration potential noise generation, traffic generation, and the physical relationship of the proposed use to surrounding structures.

(b) In H Districts

Parks and Recreation (Limited) uses shall be subject to the following standards in H districts:

- (1) No more than ~~twenty five (25)~~ 25 percent of the lot shall be graded.

(2) Site Plan Review shall be required in accordance with Sec. 922.04.

(c) In GI Districts

Parks and Recreation (Limited and General) uses shall be subject to the following standards in the GI District:

(1) The proposed use shall be part of an approved plan adopted by the City of Pittsburgh.

911.04.A.47 Recreation and Entertainment, Indoor (General)

(a) In UNC District

Recreation and Entertainment, Indoor (General) uses shall be subject to the following standards in the UNC District:

(1) The design of the structure shall follow the development standards for commercial uses in the UNC District; and

(2) Parking demand shall be addressed so as to meet parking needs for both normal and event use, and to discourage parking on nearby residential streets.

(b) In P Districts

Recreation and Entertainment, Outdoor (General) uses shall be subject to the following standards in the P District:

(1) Parking demand shall be addressed so as to meet parking needs for both normal and event use, and to discourage parking on nearby residential streets; and

(2) All facilities shall be designed to be compatible with the surrounding landscape, such that the minimum possible grading will be required and the minimum disturbance and removal of existing vegetation will be required.

(c) In LNC and NDI Districts

(1) The design of the structure shall follow the development standards for commercial uses in the LNC and NDI Districts; and

(2) Parking demand shall be addressed so as to meet parking needs for both normal and event use, and to discourage parking on nearby residential streets.

(d) In GI Districts

Recreation and Entertainment, Indoor (General) uses shall be subject to the following standards in the GI District:

(1) Parking facilities shall be designed and located to avoid disruption of industrial facilities in the area;

(2) Parking demand shall be addressed so as to meet parking needs for both normal and event use, and to discourage parking on nearby streets;

(3) A traffic study in a form approved by the Zoning Administrator shall be submitted with the application, and shall address parking and traffic impacts of the proposed development. The transportation study shall illustrate that the proposed development will not create traffic congestion on the surrounding streets;

(4) The Approving Body shall determine that the proposed use will not create detrimental impacts on the surrounding district, taking into consideration potential traffic generation, pedestrian access, and hours of operation.

(e) In EMI Districts

Recreational and Entertainment, Indoor (General) uses shall be subject to the following standards:

(1) The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking needs, generation of noise and the hours of operation;

(2) A traffic study, in a form approved by the Zoning Administrator, shall be submitted with the application, and shall address parking and traffic impacts of the development;

(3) The height and bulk of the proposed structure shall be designed as to minimize blocking of views from adjacent residential properties;

(4) The proposed use shall be in compliance with an approved Institutional Master Plan; and

(5) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

911.04.A.48 Recreation and Entertainment, Indoor (Limited)

(a) In the P District

Recreation and Entertainment, Indoor (Limited) uses shall be subject to the following standards in the P District:

(1) Parking demand shall be addressed so as to meet parking needs for both normal and event use, and to discourage parking on nearby residential streets; and

(2) All facilities shall be designed to be compatible with the surrounding landscape, such that the minimum possible grading will be required and the minimum disturbance and removal of existing vegetation will be required.

(b) In EMI Districts

Recreational and Entertainment, Indoor (Limited) uses shall be subject to the following standards:

- (1) The proposed use shall be in compliance with an approved Institutional Master Plan; and
- (2) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

911.04.A.49 Recreation and Entertainment, Outdoor (Limited)

(a) In LNC, NDI and UNC Districts

Recreation and Entertainment, Outdoor (Limited) uses shall be subject to the following standards in the LNC, NDI and UNC Districts:

- (1) All facilities shall be designed to be compatible with the surrounding landscape, such that the minimum possible grading will be required and the minimum disturbance and removal of existing vegetation will be required;
- (2) Parking demand shall be addressed so as to meet parking needs for both normal and event use, and to discourage parking on nearby residential streets; and
- (3) Any enclosure, such as fences and walls, shall be designed to be compatible with surrounding structures and shall not include the use of barbed or razor wire.

(b) In P Districts

Recreation and Entertainment, Outdoor (Limited) uses shall be subject to the following standards in the P District:

- (1) The design of the structure shall follow the development standards for commercial uses in the UNC District;
- (2) Parking demand shall be addressed so as to meet parking needs for both normal and event use, and to discourage parking on nearby residential streets;
- (3) Any enclosure, such as fences and walls, shall be designed to be compatible with surrounding structures and shall not include the use of barbed or razor wire; and
- (4) All facilities shall be designed to be compatible with the surrounding landscape, such that the minimum possible grading will be required and the minimum disturbance and removal of existing vegetation will be required.

(c) In EMI Districts

Recreational and Entertainment, Outdoor (Limited) uses shall be subject to the following standards:

- (1) The proposed use shall be in compliance with an approved Institutional Master Plan; and
- (2) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

911.04.A.50 Recreation and Entertainment, Outdoor (General)

(a) In GI District

Recreation and Entertainment, Outdoor (General) uses shall be subject to the following standards in the GI District:

- (1) Parking facilities shall be designed and located to avoid disruption of industrial facilities in the area; and
- (2) Parking demand shall be addressed so as to meet parking needs for both normal and event use, and to discourage parking on nearby streets;
- (3) A traffic study in a form approved by the Zoning Administrator shall be submitted with the application, and shall address parking and traffic impacts of the proposed development. The transportation study shall illustrate that the proposed development will not create traffic congestion on the surrounding streets; and
- (4) The Approving Body shall determine that the proposed use will not create detrimental impacts on the surrounding district, taking into consideration potential traffic generation, pedestrian access, and hours of operation.

(b) In P District

Recreation and Entertainment, Outdoor (General) uses shall be subject to the following standards in the P District:

- (1) The design of the structure shall follow the development standards for commercial uses in the UNC District;
- (2) Parking demand shall be addressed so as to meet parking needs for both normal and event use, and to discourage parking on nearby residential streets;
- (3) Any enclosure, such as fences and walls, shall be designed to be compatible with surrounding structures and shall not include the use of barbed or razor wire; and
- (4) All facilities shall be designed to be compatible with the surrounding landscape, such that the minimum possible grading will be required and the minimum disturbance and removal of existing vegetation will be required.

(c) In EMI Districts

Recreational and Entertainment, Outdoor (General) uses shall be subject to the following standards:

- (1) The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking needs, generation of noise and the hours of operation;
- (2) Parking demand shall be addressed so as to meet parking needs for both normal and event use, and to discourage parking on nearby residential streets;
- (3) Any enclosure, such as fences and walls, shall be designed to be compatible with surrounding structures and shall not include the use of barbed or razor wire;
- (4) The proposed use shall be in compliance with an approved Institutional Master Plan; and
- (5) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

911.04.A.51 Recycling Collection Station

Recycling Collection Stations shall be subject to the following standards:

- (a) Recycling storage containers shall be completely enclosed; and
- (b) Vehicular drop-off areas shall be located a minimum of ~~sixty (60)~~ 60 feet from any intersection or driveway and shall not conflict with residential parking.

911.04.A.52 Recycling Processing Center

(a) In NDI, RIV, and HC Districts

Recycling Processing Centers shall be subject to the following standards in the NDI and HC Districts:

- (1) The use shall be conducted within a completely enclosed building;
- (2) Vehicular access shall not be from the primary commercial frontage if access from the rear or side is possible; and
- (3) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration probable traffic generation, truck routes, hours of operation, and noise generation.

911.04.A.53 Religious Assembly (Limited and General)

Religious Assembly (Limited and General) uses shall be subject to the following standards:

- (a) Parking demand shall be addressed so as to meet parking needs for both normal and event use, and to discourage parking on nearby residential streets;
- (b) In residential zoning districts, the Approving Body shall request a report and recommendation from the Planning Director on the planning aspects of the application; and
- (c) Where recommended by the Planning Director, the Approving Body may modify the height, yard, open space, area, and parking requirements;
- (d) The Residential Compatibility Standards of Chapter 916 shall apply; and
- (e) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking needs, and hours of operation.

911.04.A.54 Restaurant, Fast Food (Limited)

- (a) In LNC, NDI, UI, UNC, RIV and EMI Districts.

Restaurant, Fast Food (Limited) uses shall be subject to the following standards in LNC, NDI, UI and UNC Districts:

- (1) Sufficient trash receptacles shall be provided within and outside of the primary structures to accommodate waste from the facility;
- (2) The entrances, parking, and circulation patterns of the facility shall be located and designed so as to minimize the disruption of pedestrian patterns in the district; and
- (3) The proposed use shall be subject to the Site Plan Review procedures of Sec. 922.04.

- (b) In GI Districts

Restaurant, Fast Food (Limited) uses shall be subject to the following standards in GI Districts:

- (1) Off street parking, loading and hours of operation shall be conducted in a manner that does not interfere with any industrial operations in the vicinity.

- (c) In P District

Restaurant, Fast Food (Limited) uses shall be subject to the following standards in the P District:

- (1) The use shall be located in a building existing on February 26, 1999;

- (2) Parking for the use shall not be provided;
- (3) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable generation of traffic and the location of the use; and
- (4) All facilities shall be designed to be compatible with the surrounding landscape, such that the minimum possible grading will be required and the minimum disturbance and removal of existing vegetation will be required.

911.04.A.55 Restaurant, Fast Food (General)

(a) In GI Districts

Restaurant, Fast Food (General) uses shall be subject to the following standards in the GI District:

- (1) Off street parking, loading and hours of operation shall be conducted in a manner that does not interfere with any industrial operations in the vicinity; and
- (2) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking needs, and hours of operation.

(b) In UNC and RIV Districts

Restaurants, Fast Food (General) uses shall be subject to the following standards in UNC Districts:

- (1) The drive-through facility shall be designed to minimize disruptions to pedestrian movements, and shall provide for safe sight distances; and
- (2) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, noise, hours of operation and glaring light.

(c) In the UI District

Restaurant, Fast Food (General) uses shall be subject to the following standards in the UI District:

- (1) Sufficient trash receptacles shall be provided within and outside of the primary structures to accommodate waste from the facility;
- (2) The entrances, parking and circulation patterns of the facility shall be designed so as to minimize the disruption of pedestrian patterns in the district;
- (3) The vehicular entrance and approach to the drive-up window and/or drive-through use shall be clearly delineated by markings, striping and/or signage as determined necessary by the Zoning Administrator; and

- (4) The proposed use shall be subject to the Site Plan Review procedures of Sec. 922.04.

911.04.A.56 Restaurant (Limited)

(a) In GI District

Restaurant (Limited) uses shall be subject to the following standards in the GI District:

- (1) Parking shall be located in such a way as to avoid conflicts with industrial operations; and
- (2) The Approving Body shall determine that such use will not create detrimental impacts on surrounding properties, taking into consideration the probable traffic generation, parking needs and hours of operation.

(b) In P District

Restaurant (Limited) uses shall be subject to the following standards in the P District:

- (1) The use shall be located in a building existing on February 26, 1999;
- (2) Parking for the use shall not be provided;
- (3) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable generation of traffic and the location of the use; and
- (4) All facilities shall be designed to be compatible with the surrounding landscape, such that the minimum possible grading will be required and the minimum disturbance and removal of existing vegetation will be required.

(c) In EMI Districts

Restaurant (Limited) uses shall be subject to the following:

- (1) Parking facilities and access shall be designed and located to clearly meet the demand of the facility in a way which does not interfere with parking spaces required for surrounding residential uses; and
- (2) The proposed use shall be subject to the Site Plan Review procedures of Section 922.04.

911.04.A.57 Restaurant (General)

(a) In LNC, NDI, UNC, RIV and EMI Districts.

Restaurant (General) uses shall be subject to the following standards in the LNC, NDI and UNC Districts:

- (1) Parking facilities and access shall be designed and located to clearly meet the demand of the facility in a way which does not interfere with parking spaces required for surrounding residential uses;
- (2) Off-site impacts of the use, which are directly attributed to activities occurring on-site, shall be controlled to avoid conflicts with surrounding residential use; and
- (3) The proposed use shall be subject to the Site Plan Review procedures of Section 922.04.

(b) In GI District

Restaurant (General) uses shall be subject to the following standards in the GI District:

- (1) Parking shall be located in such a way as to avoid conflicts with industrial operations; and
- (2) The Approving Body shall determine that such use will not create detrimental impacts on surrounding properties, taking into consideration the probable traffic generation, parking needs and hours of operation.

(c) In P District

Restaurant (General) uses shall be subject to the following standards in the P District:

- (1) The use shall be located in a building existing on February 26, 1999;
- (2) Parking for the use shall not be provided;
- (3) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable generation of traffic and the location of the use; and
- (4) All facilities shall be designed to be compatible with the surrounding landscape, such that the minimum possible grading will be required and the minimum disturbance and removal of existing vegetation will be required.

911.04.A.58 Retail Sales and Service (Limited)

(a) In GI Districts

Retail Sales and Service (Limited) uses shall be subject to the following standards in GI District:

- (1) Off-street parking, loading and hours of operation shall be conducted in a manner that does not interfere with any industrial operations in the vicinity.

911.04.A.59 Retail Sales and Services (General)

(a) In GI Districts

Retail Sales and Service (General) uses shall be subject to the following standards in GI District:

- (1) Off-street parking, loading and hours of operation shall be conducted in a manner that does not interfere with any industrial operations in the vicinity.

(b) In UNC District

Retail Sales and Service (General) shall be subject to the following standards in the UNC District:

- (1) Parking facilities and access shall be designed and located to clearly meet the demand of the facility in a way which does not interfere with parking spaces required for surrounding residential uses

(c) In LNC and NDI Districts

Retail Sales and Services (General) shall be subject to the following standards in the LNC and NDI Districts:

- (1) Parking and access facilities shall be designed and located to clearly meet the demand of the facility in a way that does not interfere with parking spaces required for the surrounding residential uses.

(d) In EMI Districts

Retail Sales and Services (General) shall be subject to the following standards:

- (1) The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking needs, generation of noise and the hours of operation;
- (2) A traffic study, in a form approved by the Zoning Administrator, shall be submitted with the application, and shall address parking and traffic impacts of the development;
- (3) Off-street parking, loading and hours of operation shall be conducted in a manner that does not interfere with institutional operations in the vicinity;
- (4) The proposed use shall be subject to the Site Plan Review procedures of Section 922.04.

911.04.A.60 Retail Sales and Service, Residential Convenience except in RIV Districts

Retail Sales and Service, Residential Convenience uses shall be subject to the following standards:

- (a) The use shall be located on the ground-floor a building containing at least ~~forty~~ 50 dwelling units;
- (b) No direct, exterior entrance to the street or sidewalk shall be permitted;
- (c) The gross floor area of all such uses within a single building shall not exceed ~~forty~~ 50 percent of the gross floor area of the first level of the building; and
- (d) The proposed use shall be subject to the Site Plan Review procedures of Section 922.04.

911.04.A.61 Safety Service

Safety Service uses shall be subject to the following standards:

- (a) In all Districts

Curb cuts, driveways, and other vehicular areas shall be designed and located to minimize detrimental impacts on the surrounding residential properties.

- (b) In Residential Districts

Safety Service uses shall be subject to the following standards in all residential zoning districts:

- (1) Height, yard, and area requirements shall be those of the residential district in which the facility is located; and
- (2) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking needs, truck routes, on-site storage, and noise generation.

- (c) In LNC, NDI and UNC Districts

Safety Service uses shall be subject to the following standards in the LNC, NDI and UNC Districts:

- (1) Curb cuts and vehicular drives shall be designed according to the Parking Area Location and Design Standards of Sec. 914.09; and
- (2) The design of the structure shall follow the development standards for commercial uses in the UNC District.

- (d) In NDO and P Districts

- (1) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking needs, truck routes, on-site storage, and noise generation.

(2) A maximum of ~~fifty (50)~~ 50 percent of the lot shall contain impervious surfaces.

(3) Parking and driveway area shall be screened from view from adjacent streets and residential uses.

(e) In EMI Districts

Safety Service uses shall be subject to the following standards:

(1) The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking needs, generation of noise and the hours of operation;

(2) The proposed use shall be subject to the Site Plan Review procedures of Section 922.04.

911.04.A.62 Salvage Yard

(a) In GI and RIV Districts

Salvage Yard uses shall be subject to the following standards in the GI and RIV Districts:

(1) The proposed use shall be fully enclosed;

(2) The proposed use shall be subject to the Screening Standards of Sec. 918.03; and

(3) The proposed use shall be subject to the Site Plan Review procedures of Sec. 922.04.

911.04.A.63 School, Elementary or Secondary (Limited)

School, Elementary or Secondary (Limited) uses shall be subject the following standards:

(a) In Residential and Grandview Public Realm Districts

(1) The Residential Compatibility Standards of Chapter 916 shall apply;

(2) A traffic study in a form approved by the Zoning Administrator shall be submitted with the application, and shall address parking and traffic impacts of the proposed development;

(3) Parking and access shall be provided in such a way as to protect children from any external impacts of traffic in the vicinity; and

(4) The Approving Body shall determine that such use will not create detrimental impacts on surrounding properties, taking in to consideration

probable traffic generation, parking needs, the size and bulk of the building, and the impacts of uses other than normal hours.

(b) In NDO, LNC, NDI, UI, RIV and EMI Districts.

(1) The Approving Body shall determine that such use shall not create detrimental impacts on surrounding properties, taking into consideration probable traffic generation, parking needs, the size and bulk of the building, and the impacts of uses outside of normal hours of operation;

(2) A traffic study in a form approved by the Zoning Administrator shall be submitted with the application, and shall address parking and traffic impacts of the proposed development; and

(3) Parking and access shall be provided in such a way as to protect children from any external impacts of traffic in the vicinity.

(c) In UNC and HC Districts

(1) Site Plan Review shall be required; and

(2) Parking and access shall be provided in such a way as to protect children from any external impacts of traffic in the vicinity.

911.04.A.64 School, Elementary or Secondary (General)

School, Elementary or Secondary (General) uses shall be subject the following standards:

(a) In Residential and Grandview Public Realm Districts

(1) The Residential Compatibility Standards of Chapter 916 shall apply;

(2) A traffic study in a form approved by the Zoning Administrator shall be submitted with the application, and shall address parking and traffic impacts of the proposed development;

(3) Parking and access shall be provided in such a way as to protect children from any external impacts of traffic in the vicinity; and

(4) The Approving Body shall determine that such use will not create detrimental impacts on surrounding properties, taking in to consideration probable traffic generation, parking needs, the size and bulk of the building, and the impacts of uses other than normal hours.

(b) In NDO, LNC, RIV and EMI Districts.

(1) The Approving Body shall determine that such use will not create detrimental impacts on surrounding properties, taking into consideration probable traffic generation, parking needs, the size and bulk of the building, and the impacts of uses outside of normal hours of operation;

(2) A traffic study in a form approved by the Zoning Administrator shall be submitted with the application, and shall address parking and traffic impacts of the proposed development;

(3) Parking and access shall be provided in such a way as to protect children from any external impacts of traffic in the vicinity.

(c) In NDI and UI Districts

(1) The Approving Body shall determine that such use will not create detrimental impacts on surrounding properties, taking into consideration probable traffic generation, parking needs, the size and bulk of the building, and the impacts of uses outside of normal hours of operation;

(2) A traffic study in a form approved by the Zoning Administrator shall be submitted with the application, and shall address parking and traffic impacts of the proposed development; and

(3) Parking and access shall be provided in such a way as to protect students from any external impacts of traffic in the vicinity.

(d) In the UNC and HC Districts

(1) Site Plan Review shall be required;

(2) Parking and access shall be provided in such a way as to protect children from any external impacts of traffic in the vicinity.

911.04.A.65 Service Station

Service Station uses shall be subject to the following standards:

(a) Gasoline pumps shall be setback at least 20 feet from any right-of-way. All stands, racks and other features shall be setback at least ~~thirty-five (35)~~ 35 feet from any right-of-way;

(b) Curb cuts shall be located at least ~~sixty (60)~~ 60 feet from the tangent points of the curb radius at any street intersection;

(c) Service stations may have a sign on each pump identifying the pumps in addition to business signs located as permitted under Chapter 919;

(d) Activities such as car washing, oil changing and greasing must be conducted within a completely enclosed building;

(e) In the NDI, UNC, RIV and LNC Districts, the Approving Body shall determine that such use will be controlled against detrimental impact to surrounding properties, taking into consideration among other things, the probable traffic generation, the physical relationship of the proposed use to the surrounding structures, the probable

hours of operation, the distance from places of public assembly and the emission of fumes, odors, dust, noise, vibration or glaring light; and

(f) Any lot containing a Service Station use shall be located at least one hundred fifty (150) feet from any residential zoning district.

(g) In the LNC and RIV-MU Districts, a maximum of two (2) curb cuts shall be provided, and shall be a minimum of ~~sixty (60)~~ 60 feet apart;

(h) In the LNC, NDI and UNC districts, the building shall be placed along the same frontage, with the same setbacks, as the abutting buildings, and the parking and driveway areas shall be placed at the back of the building, unless the Approving Body determines that such an arrangement will create security problems or congestion or other operational problems on the site;

(i) In the LNC, NDI and UNC districts, the Approving Body shall require that the site and any structures form a compatible relationship with the surrounding sites and structures, taking into consideration the building materials, shape of the structures, size of buildings and signs, locations of the structures on the site, and the amount and location of landscaping. The Approving Body shall impose additional conditions as may be necessary for the site and structures to form a compatible relationship with the adjacent and surrounding sites and structures.

911.04.A.66 Assisted Living Facility

(a) Class A

(1) In all Districts

Assisted Living Facility (Class A) uses shall be subject to the following standards in all districts:

(i) Lot area shall be provided at the rate of ~~five thousand (5,000)~~ 5,000 square feet plus ~~five hundred (500)~~ 500 square feet for each sleeping room in excess of three (3). Every unit of two (2) beds, or fraction thereof, in a sleeping room shall be counted as a separate sleeping room. This provision may be reduced by the Board when the facility is to be located in a building that has been constructed prior to May 10, 1958;

(ii) Any Assisted Living Facility use shall be limited to no more than one (1) per building, shall not be located in a building that is occupied by any other residential type of use; and shall be spaced no closer than ~~eight hundred (800)~~ 800 feet from any other authorized Assisted Living Facility, group residence facility or group care facility. This distance shall be measured imposing a circular area on an accurate plan by locating a point on the center of the subject building and by extending a radius of ~~than eight hundred (800)~~ 800 feet. Any other building occupied as an authorized Assisted Living Facility that is located totally within this circular space shall be cause for rejection of the application;

(iii) Supervision shall be provided in accord with the regulations of the certifying agency(ies) by at least one (1) responsible non-client adult available on the premises on a 24 hour-a-day basis while any of the clients are on the premises;

(iv) Sleeping rooms shall not be located in any basement or cellar and shall comply with all applicable life-safety codes;

(v) New buildings shall be situated within the buildable area of the lots as determined by the zoning district regulations; however, the minimum interior side yard setback in residential districts shall be not less than ten (10) feet; and

(vi) On-site parking facilities shall be provided at a ratio of one (1) stall for every two (2) full-time staff members and an additional stall for every three (3) non-staff residents who are eligible and are permitted by the operator to operate a motor vehicle.

(2) In Residential and Grandview Public Realm Districts

Assisted Living Facility (Class A) uses shall be subject to the following standards in Residential and Grandview Public Realm Districts:

(i) The Approving Body shall determine that the proposed use shall not create detrimental impacts to the community taking into consideration the relationship of the proposed use with the surrounding structures, the arrangement, illumination and enclosure of parking facilities, the location and enclosure of trash facilities, the type of signage and that adequate provisions are made for continuing maintenance of the buildings and grounds.

(3) In NDO, LNC and NDI Districts

Assisted Living Facility (Class A) uses shall be subject to the following standards in NDO, LNC and NDI Districts:

(i) The proposed use shall be subject to the Site Plan Review procedures in accordance with the provisions of Sec. 922.04.

(b) Class B

Assisted Living (Class B) uses shall be subject to the following standards:

(1) Lot area shall be provided at the rate of ~~five thousand (5,000)~~ 5,000 square feet plus ~~three hundred (300)~~ 300 square feet for each sleeping room in excess of three (3). Every unit of two (2) beds, or fraction thereof, in a sleeping room shall be counted as a separate sleeping room. This provision may be reduced by the Board when the facility is to be located in a building that has been constructed prior to May 10, 1958;

(2) Any Assisted Living Facility use shall be limited to no more than one (1) per building, shall not be located in a building that is occupied by any other residential type of use; and shall be spaced no closer than ~~eight hundred (800)~~ 800 feet from any other authorized Assisted Living Facility, group residence facility or group care facility. This distance shall be measured imposing a circular area on an accurate plan by locating a point on the center of the subject building and by extending a radius of ~~than eight hundred (800)~~ 800 feet. Any other building occupied as an authorized Assisted Living Facility that is located totally within this circular space shall be cause for rejection the application;

(3) Supervision shall be provided in accord with the regulations of the certifying agency(ies) by at least one (1) responsible non-client adult available on the premises on a 24 hour-a-day basis while any of the clients are on the premises;

(4) Sleeping rooms shall not be located in any basement or cellar and shall comply with all applicable life-safety codes;

(5) New buildings shall be situated within the buildable area of the lots as determined by the zoning district regulations; however, the minimum interior side yard setback in residential districts shall be not less than ten (10) feet;

(6) On-site parking facilities shall be provided at a ratio of one (1) stall for every two (2) full-time staff members and an additional stall for every three (3) non-staff residents who are eligible and are permitted by the operator to operate a motor vehicle; and

(7) The Approving Body shall determine that the proposed use shall not create detrimental impacts to the community taking into consideration the relationship of the proposed use with the surrounding structures, the arrangement, illumination and enclosure of parking facilities, the location and enclosure of trash facilities, the type of signage and that adequate provisions are made for continuing maintenance of the buildings and grounds.

(c) Class C

(1) In all Districts

Assisted Living Facility (Class C) uses shall be subject to the following standards in all districts:

(i) Lot area shall be provided at the rate of ~~five thousand (5,000)~~ 5,000 square feet plus ~~three hundred (300)~~ 300 square feet for each sleeping room in excess of three (3). Every unit of two (2) beds, or fraction thereof, in a sleeping room shall be counted as a separate sleeping room. This provision may be reduced by the Board when the facility is to be located in a building that has been constructed prior to May 10, 1958;

(ii) Any Assisted Living Facility use shall be limited to no more than one (1) per building, shall not be located in a building that is occupied by any other residential type of use; and shall be spaced no closer than ~~than-eight hundred (800)~~ 800 feet from any other authorized Assisted Living Facility, group residence facility or group care facility. This distance shall be measured imposing a circular area on an accurate plan by locating a point on the center of the subject building and by extending a radius of ~~than-eight hundred (800)~~ 800 feet. Any other building occupied as an authorized Assisted Living Facility that is located totally within this circular space shall be cause for rejection of this application;

(iii) Supervision shall be provided in accord with the regulations of the certifying agency(ies) by at least one (1) responsible non-client adult available on the premises on a 24 hour-a-day basis while any of the clients are on the premises;

(iv) Sleeping rooms shall not be located in any basement or cellar and shall comply with all applicable life-safety codes;

(v) New buildings shall be situated within the buildable area of the lots as determined by the zoning district regulations; however, the minimum interior side yard setback in residential districts shall be not less than ten (10) feet; and

(vi) On-site parking facilities shall be provided at a ratio of one (1) stall for every two (2) full-time staff members and an additional stall for every three (3) non-staff residents who are eligible and are permitted by the operator to operate a motor vehicle.

(2) In RM and Grandview Public Realm Districts

In addition to the standards listed above, Assisted Living Facility (Class C) uses shall be subject to the following standards in the RM and Grandview Public Realm Districts:

(i) The facility shall be designed to appear as a residential structure, and parking shall be located and screened so as to not be visible from adjacent properties or right-of-way;

(ii) The required lot area shall be determined using the lot area requirements for residential dwelling units, allowing two (2) beds for each dwelling unit; and

(iii) The Approving Body shall determine that the proposed use shall not create detrimental impacts to the community taking into consideration the relationship of the proposed use with the surrounding structures, the arrangement, illumination and enclosure of parking facilities, the location and enclosure of trash facilities, the type of signage and that adequate

provisions are made for continuing maintenance of the buildings and grounds.

(3) In NDO, LNC, NDI, and UNC Districts

Assisted Living Facility (Class C) uses shall be subject to the following standards in the NDO, LNC, NDI, and UNC District:

(i) The Approving Body shall determine that the proposed use shall not create detrimental impacts to the community taking into consideration the relationship of the proposed use with the surrounding structures, the arrangement, illumination and enclosure of parking facilities, the location and enclosure of trash facilities, the type of signage and that adequate provisions are made for continuing maintenance of the buildings and grounds.

911.04.A.67 Laundry Services

Laundry Service uses shall be subject to the following standards:

(1) All uses shall be conducted within a completely enclosed building and shall be designed to minimize external signs of the operation, such as noise, odor, smoke, vibration or other factors; and

(2) The Approving Body shall determine that the proposed use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, loading and unloading, hours of operation, and the emission of odors, fumes, dust, noise, vibration, and glaring light;

911.04.A.68 Sidewalk Cafe

Sidewalk Cafe uses shall be subject to the following standards:

(a) The public sidewalk shall be used for tables and chairs only, for use by customers; service equipment shall not be placed on the public sidewalk;

(b) The use shall be permitted provided that such use is accessory to an existing functioning restaurant which directly abuts the sidewalk or right-of-way to be utilized and is within the same frontage as the restaurant with which it is to be associated;

(c) The portion of the sidewalk or right-of-way to be used shall be no greater than one-half (1/2) of the space measured between the outside face of the curb and the property line. An unobstructed pedestrian passageway of no less than five (5) feet shall be provided between the curb and the cafe area.

(d) The sidewalk cafe area shall be separated from the designated pedestrian passageway by a removable barrier surrounding the perimeter. The height of the barrier shall be approximately three (3) feet and removed when the cafe is closed.

The hole in the sidewalk shall be capped when the barrier is not in place. The barrier shall be of material and design in keeping with the character of the neighborhood;

(e) No obstruction shall be placed within ~~eighteen (18)~~ 18 inches of the face of any curb, within five (5) feet of any fire exit, fire hydrant, or building corner;

(f) It shall be determined that the proposed cafe service will in no way endanger the health, safety or welfare of the public or be detrimental to surrounding property values; and

(g) The Certificate of Occupancy shall not be issued until a sidewalk encroachment document has been approved by the Department of Public Works.

911.04.A.69 Single-Unit Detached and Attached Residential

(a) In H Districts

Single-Unit Detached and Attached Residential uses shall be subject to the following conditions in the H District.

(1) Topography. Primary structure must be located on buildable land defined as a contiguous area of the lot less than ~~thirty (30)~~ 30 percent in existing slope.

(2) Soils. Any site proposed for development in the H District shall be investigated to determine the soil characteristics. A soils engineering report may be required at the discretion of the Zoning Administrator. Factors to be considered by the Zoning Administrator when determining whether an engineering report will be required include the following (any one (1) factor may warrant an engineer's report):

a. Nature, distribution, and strength of existing soils as described in the County Soils Survey;

b. Any development proposed on natural slopes greater than 20%;

c. Areas that are landslide-prone;

d. Areas with soils that have a high shrink-swell potential;

(3) Vegetation. The proposed development shall be designed to minimize the incidence of erosion. The Zoning Administrator will be reviewing the application to determine how the applicant uses the vegetation to reduce erosion. The application must show the Administrator how:

a. Any deep-rooted woody vegetation reduces storm runoff volume over the slope;

b. Existing and proposed foliage reduces the velocity of raindrops by reducing their energy when they strike the ground;

- c. Existing and proposed vegetation increases the roughness of the ground surface which slows the velocity of surface water flow; and
- d. Existing root networks will be protected to bind the soil.

(4) Access. For any new construction of a dwelling, or dwellings, on a lot fronting on a substandard hillside street, the Zoning Administrator will be reviewing the application to determine how the applicant accesses the street and will be making recommendations to improve any substandard conditions that will be conditions of any approval for a building and occupancy permit. The Zoning Administrator will consider the following existing conditions in the review: road width and slope, road surface condition, drainage, sight distance, availability of on-street and off-street parking, and presence of retaining walls.

(5) Infrastructure. Public water and sewer must be available for connection at the lot line.

If the lot in which the owner/applicant is requesting to build upon is determined to meet these five (5) conditions, the Zoning Administrator will then review the plot plan for compliance with the Development Standards in Section 905.02.C, 905.02.D, and 905.02.E.

(b) Existing vegetation shall be cleared only to the extent needed for the structure, driveway, and outdoor activities that are associated with the residential use. In no case shall more than ten (10) percent, or ~~two thousand four hundred (2,400)~~ 2,400 square feet, whichever is larger, be cleared.

(c) Single Unit Attached dwellings are permitted by Special Exception in the H District provided that no more than four (4) units are constructed in any cluster.

911.04.A.70 Transit Facility

Transit Facility uses shall be subject to the following standards:

- (a) Parking and vehicular storage areas shall be screened according to the Landscaping and Screening Standards of Chapter 918;
- (b) Pedestrian walkways and loading areas shall be designed to be an integral part of the surrounding street system, and to minimize conflicts with vehicles; and
- (c) Site development standards, off-street parking and loading requirements and landscaping and screening standards shall be established by the Planning Commission, based on an evaluation of the specific Transit Facility proposal.

911.04.A.71 Utility (Limited)

- (a) In all Districts

Utility (Limited) uses shall be subject to the following standards

- (1) Overhead lines shall be organized, designed and located to avoid conflict with existing trees and other existing landscape features;
- (2) Where wiring or cables are intended to serve new structures of more than ten (10) new residential units, or new structures of two (2) or more nonresidential buildings within a single development, lines and cables shall be located underground;
- (3) Accessory structures shall not be located in the street side yard; and
- (4) When located in an interior side yard, accessory equipment shall be completely screened from view except as needed for access, according to the Landscaping and Screening Standards of Chapter 918.

911.04.A.72 Utility (General)

Utility (General) uses shall be subject to the following standards:

- (a) In all districts, all facilities which can physically and technically be within an enclosed building shall be within a completely enclosed building;
- (b) In all districts other than GI or the RIV, the design of the structure shall follow the development standards for commercial uses in the UNC District;
- (c) The Approving Body shall require additional landscaping and screening of the facility if required to sufficiently screen the facility from surrounding properties; and
- (d) The Approving Body shall determine that such use will not create detrimental impacts on surrounding properties, taking into consideration the probable traffic generation, the physical relationship of the proposed use and structure to the surrounding uses and structures, the probable hours of operation, the design and location of areas for parking and maneuvering of vehicles, and the emission of odors, fumes, dust, noise, vibration, or glaring light.

911.04.A.73 Vehicle/Equipment Repair (Limited)

- (a) In the LNC, NDI and UNC Districts

Vehicle/Equipment Repair (Limited) uses shall be subject to the following standards in the LNC, NDI and UNC Districts:

- (1) The use shall be located within a completely enclosed structure;
- (2) The facility shall be designed according to the development standards for commercial uses in the district;
- (3) The building housing such use shall be located at least ~~thirty (30)~~ 30 feet from any right-of-way line and at least ~~sixty (60)~~ 60 feet from any lot in a residential zoning district; and

(4) Access to such use shall not be provided from a primary commercial frontage where access from the rear is possible.

(5) In the NDI and UNC Districts, the Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking, pedestrian safety, noise and hours of operation.

(b) In the GT, ~~DR~~ and EMI Districts.

Vehicle/Equipment Repair (Limited) uses shall be subject to the following standards in the GT and ~~DR~~ Districts:

(1) The uses shall be only permitted as accessory uses within a larger structure;

(2) Vehicular access shall not be provided from the primary commercial frontage where rear vehicular access is possible; and

(3) All repair and service work to vehicles shall be conducted within an entirely enclosed structure, and no such work shall be conducted in a location which is visible from adjacent properties or a right-of-way.

(c) In RIV Districts.

Vehicle/Equipment Repair (Limited) uses shall be subject to the following standards:

(1) The uses shall be only permitted as accessory uses within a larger structure;

(2) All repair and service work to vehicles shall be conducted within an entirely enclosed structure, and no such work shall be conducted in a location which is visible from adjacent properties or a right-of-way.

911.04.A.74 Vehicle/Equipment Repair (General)

Vehicle/Equipment Repair (General) uses shall be subject to the following standards:

(a) The building housing such use shall be located at least ~~thirty (30)~~ 30 feet from any right-of-way line and at least ~~sixty (60)~~ 60 feet from any lot in a residential zoning district;

(b) Access to such facility shall not be provided from a primary commercial frontage where access from the rear is possible; and

(c) In the NDI and UNC Districts, the Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking, pedestrian safety, noise and hours of operation.

911.04.A.75 Vehicle/Equipment Sales (Limited)

(a) In LNC, UNC, UI, RIV and NDI Districts

Vehicle/Equipment Sales (Limited) shall be subject to the following standards in the LNC, UNC, UI, RIV and NDI Districts:

- (1) The facility shall be designed according to the development standards for commercial uses in the district; and
- (2) Curb cuts and vehicular drives shall be designed according to the Parking Area Location and Design Standards of Section 914.09; and
- (3) The public right-of-way shall not be used for the storage of vehicles; and
- (4) Except as provided for in other regulations, no unregistered or uninspected motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepaired, or in the process of being stripped or dismantled; and
- (5) The Landscaping and Screening Standards of Chapter 918 shall apply regardless of the number of parking stalls provided.

(b) The definition of vehicle/equipment sales, Section 911.02, includes the retail, wholesale, or rental of motorized vehicle, etc.

(Ord. 30/November 11, 2000/Amend. U-27)

911.04.A.76 Vehicle/Equipment Sales (General)

Vehicle/Equipment Sales (General) shall be subject to the following standards:

(a) In the UNC, RIV and NDI Districts

- (1) The facility shall be designed according to the development standards for commercial uses in the district;
- (2) Curb cuts and vehicular drives shall be designed according to the Parking Area Location and Design Standards of Sec. 914.09;
- (3) The Approving Body shall determine that such use will not create detrimental impacts on surrounding properties, taking into consideration probable parking needs, traffic generation, and the design and location of areas for parking and maneuvering of vehicles.

(b) In the HC District

- (1) The facility shall be designed according to the development standards for commercial uses in the district;
- (2) Curb cuts and vehicular drives shall be designed in accordance to the Parking Area Location and Design Standards of Sec. 914.09;

- (3) The Landscaping and Screening Standards of Chapter 918 shall apply; and
- (4) Site Plan Review shall be required.
- (c) In the UI District
 - (1) The facility shall be designed according to the development standards for commercial uses in the district;
 - (2) Curb cuts and vehicular drives shall be designed in accordance to the Parking Area Location and Design Standards of Sec. 914.09;
 - (3) The Landscaping and Screening Standards of Chapter 918 shall apply; and
 - (4) Site Plan Review shall be required.

911.04.A.77 Vocational School (Limited and General)

- (a) Vocational School (Limited) uses shall be subject to the following standards:
 - (1) In EMI Districts
 - (i) The proposed use shall be in compliance with an approved Institutional Master Plan; and
 - (ii) The proposed use shall be subject to the Project Development Plan Procedures of Section 922.10.
- (b) Vocational School (General) uses shall be subject to the following standards:
 - (1) In all Districts

The facility shall be designed according to the development standards for commercial uses in the district.
 - (2) In NDI and RIV Districts
 - (i) The approving body shall determine that such use will not create detrimental impacts on surrounding properties, taking into consideration probable traffic generation, parking needs, the size and bulk of the building, and the impacts of uses outside of normal hours of operation; and
 - (ii) A traffic study in a form approved by the Zoning Administrator shall be submitted with the application, and shall address parking and traffic impacts of the proposed development.

- (3) In EMI Districts

Vocational School (General) uses shall be subject to the following standards:

(i) The proposed use shall be in compliance with an approved Institutional Master Plan; and

(ii) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

911.04.A.78 Warehouse (Limited and General)

(a) In EMI Districts

Warehouse (Limited) uses shall be subject to the following standards:

(1) Every portion of the property used for Warehouse (Limited) uses shall be located not closer than ~~two hundred (200)~~ 200 feet from any property in a R or H district and ~~one hundred (100)~~ 100 feet from any property in a NDI, UNC or LNC district;

(2) Any vehicular maneuvering shall be located on-site;

(3) Curb cuts shall be minimized to the maximum extent feasible in order to achieve access to the site;

(4) The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the emission of noise or glaring light, and proposed accessory uses, such as meeting facilities;

(5) The proposed use shall be subject to the Site Plan Review Procedures of Section 922.04.

(b) In the HC District

Warehouse (General) uses shall be subject to the following standards:

(1) Every portion of the property used for Warehouse (General) uses shall be located not closer than ~~two hundred (200)~~ 200 feet from any property in a R or H District, and ~~one hundred (100)~~ 100 feet from any property in a NDI, UNC or LNC District;

(2) All maneuvering of vehicle shall be on-site;

(3) Curb cuts shall be minimized to the maximum extent feasible in order to achieve access to the site; and

(4) The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable truck maneuvering, traffic generation, paved surfaces, glaring lights and hours of operation.

(c) In the UI District

Warehouse (General) uses shall be subject to the following standards:

- (1) Every portion of the property used for Warehouse (General) uses shall be located not closer than ~~two hundred (200)~~ 200 feet from any property in an R or H District, and ~~one hundred (100)~~ 100 feet from any property in an NDI, UNC, or LNC District;
- (2) All maneuvering of vehicles shall be on-site;
- (3) Curb cuts shall be minimized to the maximum extent feasible in order to achieve access to the site; and
- (4) The proposed use shall be subject to the Site Plan Review procedures of Section 922.04.

(d) In RIV Districts

Warehouse (Limited and General) uses shall be subject to the following standards:

- (1) Any vehicular maneuvering shall be located on-site; and
- (2) Curb cuts shall be minimized to the maximum extent feasible in order to achieve access to the site.

911.04.A.79 Welding or Machine Shop

Welding or Machine Shop uses shall be subject to the following standards:

(a) In the NDI and HC Districts

- (1) The use shall be conducted within a completely enclosed building and shall create no external visible sign of the operation, such as noise, smoke, vibration or other factor; and
- (2) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, hours of operation, and the emission of odors, fumes, dust, noise, vibration, and glaring light.

(b) In the UI District

- (1) The proposed use shall be subject to the Site Plan Review procedures of Sec. 922.04.

911.04.A.80 Nursery, Retail (Limited and General)

Nursery, Retail (Limited and General) uses shall be subject to the following standards:

(a) Nursery, Retail (Limited) in P districts

(1) Parking shall be provided in a location and manner that allows for all parking required by the facility, and all traffic created by the facility, to be located outside of residential districts;

(2) All facilities shall be designed to be compatible with the surrounding landscape, such that the minimum possible grading will be required and the minimum disturbance and removal of existing vegetation will be required.

(b) Nursery, Retail (Limited) in NDO and LNC districts

The proposed use shall be subject to the Landscaping and Screening Standards of Chapter 918.

(c) Nursery, Retail (General) in NDI District

(1) The proposed use shall be subject to the Site Plan Review procedures of Sec. 922.04;

(2) The proposed use shall be subject to the Landscaping and Screening Standards of Chapter 918; and

(3) Parking demand shall be addressed so as to meet parking needs and to discourage parking on nearby streets.

(d) Nursery, Retail (General) in GI Districts

(1) The proposed use shall be subject to the Site Plan Review procedures of Sec. 922.04; and

(2) Parking demand shall be addressed so as to meet parking needs and to discourage parking on nearby streets.

(e) Nursery, Retail (General) in RIV Districts

(1) Parking demand shall be addressed so as to meet parking needs and to discourage parking on nearby streets.

911.04.A.81 Medical Office (Limited and General)

(1) In the NDO District

Medical Office (Limited) uses shall be subject to the following standards in the NDO District:

(i) The proposed use shall be subject to the Residential Compatibility Standards of Chapter 916; and

(ii) The proposed use shall be subject to the Landscaping and Screening Standards of Chapter 918.

(iii) The design of any structure in an NDO District used for non-residential purposes that does not occupy a structure originally designed as a residence shall be of a scale and character that is consistent with the scale and character of adjacent residential neighborhoods;

(iv) Parking shall be provided in a location and manner that allows for all parking required by the facility, and all traffic created by the facility, to be located outside of residential districts;

(v) For Medical Office (General) uses, the Approving Body shall determine that the site is sufficiently separated from property zoned Residential and that the additional size of the use will not create a detrimental impact on such properties through consideration of the additional traffic impacts caused by additional height and density, the impacts on views from such residential properties, and the impacts of the bulk of the buildings on such residential properties and noise generation and the hours of operation; and

(vi) A traffic study in a form approved by the Zoning Administrator shall be submitted with the application, and shall address parking and traffic impacts of the proposed development. The transportation study shall illustrate that the proposed development will not create traffic congestion on the surrounding streets, and that residential streets in the vicinity shall not be used for parking for the proposed development.

(2) In the LNC and NDI Districts

Medical Office (Limited) uses shall be subject to the following standards in the LNC and NDI Districts:

(i) The proposed use shall be subject to the Site Plan Review procedures of Sec. 922.04.

(3) In GI Districts

Medical Office (Limited) uses shall be subject to the following standards in the GI District:

(i) The proposed use shall be subject to the Site Plan Review procedures of Sec. 922.04; and

(ii) The proposed use shall be located within an existing structure.

(4) In EMI Districts

Medical Office (Limited and General) uses shall be subject to the following standards:

(i) The proposed use shall be in compliance with an approved Institutional Master Plan; and

(ii) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

911.04.A.82 Grocery Store (Limited)

Grocery Store (Limited) uses shall be subject to the following standards:

- (a) In LNC, NDI, UNC and EMI Districts.
 - (1) Site Plan review shall be required;
 - (2) Parking facilities and access shall be designed and located to minimize impacts on the surrounding properties and the district as a whole.
- (b) In GI Districts

Grocery (Limited) uses shall be subject to the following standards in GI District:

- (1) Off street parking, loading and hours of operation shall be conducted in a manner that does not interfere with any industrial operations in the vicinity.

911.04.A.83 Grocery Store (General)

- (a) In GI Districts

Grocery Store (General) uses shall be subject to the following standards in GI District:

- (1) Off street parking, loading and hours of operation shall be conducted in a manner that does not interfere with any industrial operations in the vicinity.

- (b) In UNC, UI and EMI Districts.

Grocery Store (General) shall be subject to the following standards in the UNC and UI Districts:

- (1) Parking facilities and access shall be designed and located to clearly meet the demand of the facility in a way that does not interfere with parking spaces required for surrounding residential uses; and
- (2) The proposed use shall be subject to the Site Plan Review Procedures of Sec. 922.04.

- (c) In LNC and NDI Districts

Grocery Store (General) shall be subject to the following standards in the LNC and NDI Districts:

- (1) Parking and access facilities shall be designed and located to clearly meet the demand of the facility in a way that does not interfere with parking spaces required for the surrounding residential uses;

(2) The Approving Body shall determine that such use will not create detrimental impacts on surrounding residential properties, considering, among others, the following factors: the adequacy of parking and loading facilities, trash storage, traffic generation, pedestrian access, exhaust odors, vibration, dust, noise, outdoor lighting, signage, and landscape features.

(3) The Approving Body shall determine that such use will not create detrimental impacts on surrounding properties considering the compatibility of the proposed uses with the surrounding and adjacent uses.

911.04.A.84 Community Home

Community Home uses shall be subject to following standards in all districts:

(a) The dwelling unit shall have one (1) primary means of ingress/egress, a single outside mail box, single utility connections (except for telephone, computer and cable service), and common eating/cooking areas;

(b) The use shall not require alteration to the exterior structure except where otherwise permitted for single family residential dwellings or where required under health/safety codes;

(c) The number of unrelated disabled persons shall not exceed an average of one (1) per bedroom. The following persons shall not be included in determining the average number of persons per bedroom in the Community Home: persons with a permanent personal relationship choosing to share a bedroom with a disabled resident of the Community Home, parents or legal guardians of a resident of the Community Home who choose to live in said home. Further, the use shall not require substantial alterations to the interior of the structure for the purpose of creating additional bedrooms;

(d) On-site parking spaces shall be provided at the ratio of one (1) stall for every three (3) persons on duty;

(e) Any office located in the dwelling unit shall be limited to on-site program use only; and

(f) The Approving Body shall determine that the establishment of the Community Home will not detrimentally impact the neighborhood by contributing to the saturation of Community Homes or social service institutions.

911.04.A.85 Multi-Unit Residential

(a) In the UI District

Multi-Unit Residential uses in the UI District shall be subject to the following standards:

(1) All residential units may be limited to floors above the ground floor of the building when residential uses are not desirable on the ground floor.

(Ord. No. 10/July 8, 1999/Amend. U-10)

(b) In the EMI District

Multi-Unit Residential uses shall be subject to the following standards in the EMI District:

(1) The proposed use shall be subject to the Residential Compatibility Standards of Chapter 916; and

(2) The Approving Body shall determine that the proposed use will not create detrimental impacts on surrounding residential properties, taking into consideration the compatibility of the proposed use with the surrounding and adjacent properties; the generation of light and noise from the proposed use; parking, loading and access.

911.04.A.86 Warehouse, Residential Storage

(a) in the NDI District

Warehouse, Residential Storage uses shall be subject to the following standards in the NDI District:

(1) The Approving Body shall determine that the proposed use will not create detrimental impacts on surrounding properties, taking into consideration the probable traffic generation, the physical relationship of the proposed use and structure to the surrounding uses and structures, the probable hours of operation, and the design and location of parking and loading areas;

(2) The proposed use shall be subject to the Landscaping and Screening Standards of Chapter 918; and

(3) Curb-cuts shall be minimized to the maximum extent feasible in order to achieve access to the site.

911.04.A.87 Parking Structure (Limited and General)

(a) Parking Structure (Limited)

(1) In NDO, LNC, and NDI Districts

Parking Structure (Limited) uses shall be subject to the following standards:

(i) A needs assessment study shall be applied to the approving body by the applicant in order to demonstrate the necessity of the proposed use in the district;

- (ii) The approving body shall determine that such use shall not create detrimental impacts on the surrounding properties, taking into account the probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the impacts of traffic generation on surrounding residential and commercial uses, hours of operation, noise and light;
- (iii) The use shall be located to minimize disruption to pedestrian movements;
- (iv) The Residential Compatibility Standards of Chapter 916 shall apply;
- (v) Curb cuts shall be located a minimum of ~~sixty (60)~~ 60 feet from an intersection and ~~sixty (60)~~ 60 feet from other curb cuts;
- (vi) The vehicular entrance and approach to the parking structure shall be clearly delineated by markings, striping and/or signage as determined by the approving body;
- (vii) The design shall include devices which are intended to minimize noise associated with the mechanical systems of the facility from being heard on other properties in the vicinity;
- (viii) The proposed use shall be subject to the site plan review procedures of Section 922.04;
- (ix) The height and bulk of the proposed structure shall be designated to minimize blocking of views from adjacent residential properties; and
- (x) A traffic analysis shall be submitted demonstrating that the proposed development will not create traffic congestion in the district.

(2) In EMI Districts

Parking Structure (limited) uses shall be subject to the following standards:

- (i) The use shall be located to minimize disruption to pedestrian movements;
- (ii) Curb cuts shall be located a minimum of ~~sixty (60)~~ 60 feet from an intersection and ~~sixty (60)~~ 60 feet from other curb cuts;
- (iii) The vehicular entrance and approach to the Parking Structure shall be clearly delineated by markings, striping and/or signage as determined by the Zoning Administrator;
- (iv) The design shall include devices which are intended to minimize noise associated with the mechanical systems of the facility from being heard on other properties in the vicinity;

(v) The height and bulk of the proposed structure shall be designed as to minimize blocking of views from adjacent residential properties;

(vi) The proposed use shall be in compliance with an approved Institutional Master Plan; and

(vii) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

(3) In GT and ~~DR~~RIV Districts

Parking Structure (Limited) shall be subject to the following standards:

(i) The approving body shall determine that such use shall not create detrimental impacts on the surrounding properties, taking into account the probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the impacts of traffic generation on surrounding residential and commercial uses, hours of operation, noise and light;

(ii) The use shall be located to minimize disruption to pedestrian movements;

(iii) Curb cuts shall be located a minimum of ~~sixty (60)~~ 60 feet from an intersection and ~~sixty (60)~~ 60 feet from other curb cuts; and

(iv) The vehicular entrance and approach to the parking structure shall be clearly delineated by markings, striping and/or signage as determined by the approving body.

(b) Parking Structure (General)

(1) In LNC Districts

Parking Structure (General) uses shall be subject to the following standards:

(i) A needs assessment study shall be supplied to approving body by the applicant in order to demonstrate the necessity of the proposed use in the district;

(ii) The approving body shall determine that such use shall not create detrimental impacts on the surrounding properties, taking into account the probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the impacts of traffic generation on surrounding residential and commercial uses, hours of operation, noise and light;

(iii) The use shall be located to minimize disruption to pedestrian movements;

(iv) The Residential Compatibility Standards of Chapter 916 shall apply;

- (v) Curb cuts shall be located a minimum of ~~sixty (60)~~ 60 feet from an intersection and ~~sixty (60)~~ 60 feet from other curb cuts;
- (vi) The vehicular entrance and approach to the parking structure shall be clearly delineated by markings, striping and/or signage as determined by the approving body;
- (vii) The design shall include devices which are intended to minimize noise associated with the mechanical systems from being heard on other properties in the vicinity;
- (viii) The proposed use shall be subject to the Site Plan Review procedures of Section 922.04;
- (ix) The height and bulk of the proposed structure shall be designed as to minimize blocking of views from adjacent residential properties; and
- (x) A traffic analysis shall be submitted demonstrating that the proposed development will not create traffic congestion in the district.

(2) In EMI Districts

Parking Structure (general) uses shall be subject to the following standards:

- (i) The use shall be located to minimize disruption to pedestrian movements;
- (ii) Curb cuts shall be located a minimum of ~~sixty (60)~~ 60 feet from an intersection and ~~sixty (60)~~ 60 feet from other curb cuts;
- (iii) The vehicular entrance and approach to the Parking Structure shall be clearly delineated by markings, striping and/or signage as determined by the Zoning Administrator;
- (iv) The design shall include devices which are intended to minimize noise associated with the mechanical systems of the facility from being heard on other properties in the vicinity;
- (v) The height and bulk of the proposed structure shall be designed as to minimize blocking of views from adjacent residential properties;
- (vi) The proposed use shall be in compliance with an approved Institutional Master Plan; and
- (vii) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

(3) In the HC, GT and ~~DR~~-RIV Districts:

Parking Structure (General) uses shall be subject to the following standards:

- (i) The use shall be located to minimize disruption to pedestrian movements;
- (ii) Curb cuts shall be located a minimum of ~~sixty (60)~~ 60 feet from an intersection and ~~sixty (60)~~ 60 feet from other curb cuts;
- (iii) The vehicular entrance and approach to the parking structure shall be clearly delineated by markings, striping and/or signage as determined by the approving body.
- (iv) The design shall include devices which are designed to minimize noise associated with the mechanical systems of the facility from being heard on other properties in the vicinity; and
- (v) The height and bulk of the proposed structure shall be designed as to minimize blocking of views from adjacent residential properties.

911.04.A.88 Club: Social, Fraternal, Athletic, Business or Professional

- (i) Amount of required parking stalls shall be determined by the approving body based on the nature of the operation and the availability of off-site parking facilities.
- (ii) The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, parking needs, hours and days of operation.

(Ord. 28/November 17, 2000/Amend. U-25)

911.04.A.89 Hospital

- (a) In EMI Districts

Hospital uses shall be subject to the following standards:

- (1) The design shall include devices which prevent noise and emissions associated with the use of the facility from being impacted on other properties in the vicinity;
- (2) The height and bulk of the proposed structure shall be designed as to minimize blocking of views from adjacent residential properties;
- (3) Parking shall be provided in a location and manner that allows for all parking to be located outside of residential districts;
- (4) The proposed use shall be in compliance with an approved Institutional Master Plan; and
- (5) The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

(b) In RM, LNC, UNC, HC, and UI Districts

Hospital uses shall be subject to the following standards:

- (1) The buildable area of the lot shall not be nearer than ~~thirty (30)~~ 30 feet to any lot line which is not a street line;
- (2) The permissible height regulations of the district wherein such use is located shall apply, and may be exceeded provided any portion of a structure above the permissible height shall not exceed the height of inward-sloping planes; beginning at the rear lot line other than street line at the average grade level of the ground along such rear lot line opposite the structure concerned, and having a rise of one (1) foot for each two (2) feet of horizontal dimensions; and, beginning at the respective side lot lines other than street lines at the average grade level of the ground along such lot lines opposite the structure concerned, and having a rise of one (1) foot for each two (2) feet of horizontal dimension;
- (3) The total bulk of buildings upon the zoning lot shall not exceed the cubical contents of a prism having a base equal to the buildable area of the lot and height of ~~eighty five (85)~~ 85 feet;
- (4) Automobile parking area may encroach on yards not abutting a street, but not closer to a lot line than ~~fifteen (15)~~ 15 feet, provided it shall be visually screened from adjoining property in accordance with the screening provisions of Section 918.03.
- (5) An Institutional Muaster Plan must be approved by Planning Commission prior to the review of the Conditional Use Application.

911.04.A.90 College or University Campus

(a) In LNC, UNC, HC, UI and RM Districts: College or University Campus uses shall be subject to the following standards in LNC, UNC, HC, UI and RM Districts:

- (1) The buildable area of the lot shall not be nearer than ~~thirty (30)~~ 30 feet to any lot line which is not a street line;
- (2) The permissible height regulations of the district wherein such use is located shall apply, and may be exceeded provided any portion of a structure above the permissible height shall not exceed the height of inward-sloping planes; beginning at the rear lot line other than street line at the average grade level of the ground along such rear lot line opposite the structure concerned, and having a rise of one (1) foot for each two (2) feet of horizontal dimensions; and, beginning at the respective side lot lines other than street lines at the average grade level of the ground along such lot lines opposite the structure concerned, and having a rise of one (1) foot for each two (2) feet of horizontal dimension;

(3) The total bulk of buildings upon the zoning lot shall not exceed the cubical contents of a prism having a base equal to the buildable area of the lot and a height of ~~eighty-five (85)~~ 85 feet;

(4) Automobile parking area may encroach on yards not abutting a street, but not closer to a lot line than ~~fifteen (15)~~ 15 feet, provided it shall be visually screened from adjoining property in accordance with the screening provisions of Section 918.03.

(5) An Institutional Master Plan must be approved by Planning Commission prior to the review of the Conditional Use Application.

911.04.A.91 Outdoor Retail Sales and Service (Non-Accessory Use).

Outdoor Retail Sales and Service (Non-Accessory Use) shall be subject to the following standards:

(a) A lot containing outdoor retail sales and service shall not be located within one hundred (100) feet of a lot with a certificate of occupancy for the sale of similar goods and service or an approved vending location selling similar goods and service; and

(b) When applicable to the proposed type of goods and service being sold the applicant must present a letter of compliance from Fire Prevention, Allegheny County Health Department and any other appropriate agency or department; and

(c) Must provide and have available sufficient on-site area to accommodate a standing area for customers purchasing or attempting to purchase goods and service without encroaching on the public right-of-way or adjacent property; and

(d) Must provide sufficient trash receptacles for wrappers, containers and other disposable products associated with the sale of goods and service.

911.04.A.92 Firearms Business Establishment

Firearms Business Establishment shall be subject to the following standards in the NDI, UNC, HC, GI, UI, GT, and ~~DR-RIV~~ RIV Districts:

(a) Firearms Business Establishments shall not be located in a designated area that contains any of the following uses. The building shall not be located within a distance of ~~five hundred (500)~~ 500 feet, measured along a straight line projected from each pedestrian entrance or exit of the subject occupancy to the nearest building wall or boundary line for a park or playground of any of the following:

(1) Elementary or secondary school;

(2) Public playground;

(3) Public or non-profit operated recreation center;

- (4) Drug or alcohol rehabilitation center;
- (5) Church, synagogue, or temple;
- (6) Gaming enterprise.

(b) An adequate security system shall be provided as determined by the Board to be appropriate.

911.04.A.93 Check Cashing

The following standards shall apply to all Check Cashing uses:

- (a) Check Cashing facilities shall not be open for business to customers for more than nine (9) hours within any twenty-four-hour period and shall not be open for business on Sundays;
- (b) The building housing a Check Cashing facility shall not be located within ~~five hundred (500)~~ 500 feet from any residential use as measured from the center point of the subject building;
- (c) The building housing a Check Cashing facility shall not be located within ~~one thousand (1,000)~~ 1,000 feet from another Check Cashing facility, a Pawn Shop, Gaming Enterprise or a facility containing mechanical or electronic devices, machines, tables or apparatus of any kind used for playing games of skill or amusement, as a primary or accessory use, as measured from the center point of the subject building;
- (d) A Check Cashing use shall not be conducted as a unit of another business and shall be financed and conducted as a separate business unit, however, this shall not prevent a check cashing facility from leasing part of the premises of another business for the conduct of check cashing activities on the same premises;
- (e) A Check Cashing facility may not accept money or currency for deposit or act as agent for persons, firms, partnerships, associations or corporations to hold money or currency in escrow for others for any purpose, however, a check cashing facility may act as agent for the issuer of money orders or travelers checks;
- (f) The applicant is required to be licensed as a Check Cashier with the Commonwealth of Pennsylvania Department of Banking;
- (g) Not more than one (1) place of business may be operated under the same Commonwealth of Pennsylvania Department of Banking license;
- (h) A licensee may not contract with another individual or business entity to manage the Check Cashing facility, not including persons employed to operate the facility;
- (i) Check cashing facilities shall not issue tokens to be used in lieu of money for the purchase of goods or services from any enterprise;

(j) The use of bars, chains, or similar security devices that are visible from a public street or sidewalk shall be prohibited.

911.04.A.94 Custodial Care Facility

Custodial Care Facilities shall be subject to following standards in all districts:

- (a) An Operation Management Plan for the proposed use shall be submitted as part of the application for the Occupancy Permit. The Plan shall describe programs of operation and management including: Uses and activities that will occur in conjunction with the use, hours of operation of non-residential services, noise control, traffic generation, and methods to minimize loitering in the vicinity of the facility. In addition, a Communications Plan that describes how the provider will communicate with local community, neighborhood, and business organizations, and with adjacent neighbors on a regular basis, and how any community issues or concerns will be addressed
- (b) The dwelling unit shall have one (1) primary means of ingress/egress, a single outside mail box, single utility connections (except for telephone, computer and cable service), and common eating/cooking areas;
- (c) The use shall not require alteration to the exterior structure except where otherwise permitted for single-family residential dwellings or where required under health/safety codes;
- (d) Lot area shall be provided at the rate of ~~five thousand (5,000)~~ 5,000 square feet plus ~~five hundred (500)~~ 500 square feet for each sleeping room in excess of three (3) beds. Every unit of two (2) beds, or fraction hereof, in a sleeping room shall be counted as a separate sleeping room. The Board may reduce this provision when the use has been in existence since May 10, 1958;
- (e) Supervision shall be provided in accord with the regulations of the certifying agency(ies) by at least one (1) responsible non-client adult available on the premises on a twenty-four-hour a day basis while any of the clients are on premises;
- (f) Sleeping rooms shall not be located in any basement or cellar and shall comply with all applicable life-safety codes; and
- (g) On-site parking facilities shall be provided at the ratio of one (1) stall for every two (2) full-time staff members and an additional stall for every three (3) non-staff members who are eligible and permitted by the operator to operate a motor vehicle.

911.04.A.95A Personal Care Residence (Large)

Personal Care Residence (Large) uses shall be subject to the following standards:

- (a) Lot area shall be provided at the rate of ~~five thousand (5,000)~~ 5,000 square feet plus ~~three hundred (300)~~ 300 square feet for each sleeping room in excess of three (3). Every unit of two (2) beds, or fraction thereof, in a sleeping room shall be

counted as a separate sleeping room. This provision may be reduced by the Board when the facility is to be located in a building that has been constructed prior to May 10, 1958;

(b) Any Personal Care Residence shall be spaced no closer than ~~eight hundred (800)~~ 800 feet from any other authorized Personal Care Residence or health care related facility. This distance shall be measured imposing a circular area on an accurate plan by locating a point on the center of the subject building and by extending a radius of ~~eight hundred (800)~~ 800 feet. Any other building occupied as an authorized Personal Care Residence that is located totally within this circular space shall be cause for rejection the application;

(c) Supervision shall be provided in accord with the regulations of the certifying agency(ies) and by at least one (1) responsible non-client adult available on the premises on a twenty-four-hour-a-day basis while any of the clients are on the premises. Failure to abide by the certifying body's supervision regulations may result in revocation of an Occupancy Permit;

(d) Sleeping rooms shall not be located in any basement or cellar and shall comply with all applicable life-safety codes;

(e) New buildings shall be situated within the buildable area of the lots as determined by the zoning district regulations; however, the minimum interior side yard setback in residential districts shall be not less than ten (10) feet;

(f) On-site parking facilities shall be provided at a ratio of one (1) stall for every two (2) full-time staff members and an additional stall for every three (3) non-staff residents who are eligible and are permitted by the operator to operate a motor vehicle;

(g) The Approving Body shall determine that the proposed use shall not create detrimental impacts to the community taking into consideration the relationship of the proposed use with the surrounding structures, the arrangement, illumination and enclosure of parking facilities, the location and enclosure of trash facilities, the type of signage and that adequate provisions are made for continuing maintenance of the buildings and grounds; and

(h) ~~Eighty (80) percent~~ 80% of the clients shall be ~~sixty-two (62)~~ 62 or more years of age or disabled as defined by the Fair Housing Amendment Act of 1988.

911.04.A.95B Personal Care Residence (Small)

Personal Care Residence (Small) uses shall be subject to the following standards:

(a) In all Districts:

Personal Care Residences (Small) shall be subject to the following standards in all districts:

(i) Lot area shall be provided at the rate of ~~five thousand (5,000)~~ 5,000 square feet plus ~~three hundred (300)~~ 300 square feet for each sleeping room in excess of three (3). Every unit of two (2) beds, or fraction thereof, in a sleeping room shall be counted as a separate sleeping room. The Board may reduce this provision when the facility is to be located in a building that has been constructed prior to May 10, 1958;

(ii) Any Personal Care Residence shall be spaced no closer than ~~eight hundred (800)~~ 800 feet from any other authorized Personal Care Residence or health care related facility. This distance shall be measured imposing a circular area on an accurate plan by locating a point on the center of the subject building and by extending a radius of ~~eight hundred (800)~~ 800 feet. Any other building occupied as an authorized Personal Care Residence that is located totally within this circular space shall be cause for rejection of this application;

(iii) Supervision shall be provided in accord with the regulations of the certifying agency(ies) and by at least one (1) responsible non-client adult available on the premises on a twenty-four-hour-a-day basis while any of the clients are on the premises. Failure to abide by the certifying body's supervision regulations may result in revocation of an Occupancy Permit;

(iv) Sleeping rooms shall not be located in any basement or cellar and shall comply with all applicable life-safety codes;

(v) New buildings shall be situated within the buildable area of the lots as determined by the zoning district regulations; however, the minimum interior side yard setback in residential districts shall be not less than ten (10) feet;

(vi) On-site parking facilities shall be provided at a ratio of one (1) stall for every two (2) full-time staff members and an additional stall for every three (3) non-staff residents who are eligible and are permitted by the operator to operate a motor vehicle; and

(vii) ~~Eighty (80) percent~~ 80% of the clients shall be ~~sixty-two (62)~~ 62 or more years of age or disabled as defined by the Fair Housing Amendment Act of 1988.

(b) In RM and Grandview Public Realm Districts

In addition to the standards listed above, Personal Care Residences (Small) shall be subject to the following standards in the RM and Grandview Public Realm Districts:

(i) The facility shall be designed to appear as a residential structure, and parking shall be located and screened so as to not be visible from adjacent properties or right-of-way;

(ii) The required lot area shall be determined using the lot area requirements for residential dwelling units, allowing two (2) beds for each dwelling unit;

(iii) The Approving Body shall determine that the proposed use shall not create detrimental impacts to the community taking into consideration the relationship of the proposed use with the surrounding structures, the arrangement, illumination and enclosure of parking facilities, the location and enclosure of trash facilities, the type of signage and that adequate provisions are made for continuing maintenance of the buildings and grounds; and

(iv) ~~Eighty (80) percent~~ 80% of the clients shall be ~~sixty-two (62)~~ 62 or more years of age or disabled as defined by the Fair Housing Amendment Act of 1988.

(c) In NDO, LNC, NDI, and UNC Districts

Personal Care Residences (Small) shall be subject to the following standards in the NDO, LNC, NDI, and UNC District:

(i) The Approving Body shall determine that the proposed use shall not create detrimental impacts to the community taking into consideration the relationship of the proposed use with the surrounding structures, the arrangement, illumination and enclosure of parking facilities, the location and enclosure of trash facilities, the type of signage and that adequate provisions are made for continuing maintenance of the buildings and grounds, and

(ii) ~~Eighty (80) percent~~ 80% of the clients shall be ~~sixty-two (62)~~ 62 or more years of age or disabled as defined by the Fair Housing Amendment Act of 1988.

911.04.A.96 Bank or Financial Institutional (Limited and General)

(a) In EMI Districts

Bank or Financial Institution (Limited and General) uses shall be subject to the following standards:

(1) Parking demand shall be addressed so as to meet parking needs and to discourage parking in residential districts;

(2) The proposed use shall be subject to the Site Plan Review procedures of Section 922.04.

911.04.A.97 Pawn Shop

The following standards shall apply to all Pawn Shop uses:

(a) Pawn Shop facilities shall not be open for business to customers for more than nine (9) hours within any twenty-four-hour period and shall not be open for business on Sundays;

(b) The building housing a Pawn Shop facility shall not be located within ~~five hundred (500)~~ 500 feet from any residential use as measured from the center point of the subject building;

(c) The building housing a Pawn Shop facility shall not be located within ~~one thousand (1,000)~~ 1,000 feet from another Pawn Shop, a Check Cashing facility, Gaming Enterprise or a facility containing mechanical or electronic devices, machines, tables or apparatus of any kind used for playing games of skill or amusement, as a primary or accessory use, as measured from the center point of the subject building;

(d) The use of bars, chains, or similar security devices that are visible from a public street or sidewalk shall be prohibited.

911.04.A.98 Controlled Substance Dispensation Facility

Controlled Substance Dispensation Facility uses shall be subject to the following standards in all Zoning Districts:

(a) The building or structure housing or enclosing a Controlled Substance Dispensation Facility shall not be established or operated within ~~five hundred (500)~~ 500 feet from any of the following structures or use types, except when such facilities are within and interior to Hospitals in the EMI District, where Controlled Substance Dispensation Facility is a permitted use:

- (1) Residential uses;
- (2) School, Elementary or Secondary;
- (3) Parks and Recreation;
- (4) Child Care;
- (5) Dormitory;
- (6) Religious Assembly;
- (7) Public Destination Facility;
- (8) College or University campus;
- (9) Educational Classroom Space; and
- (10) Vocational School.
- (11) Libraries

(b) The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration probable traffic generation and the physical relationship of the proposed use and structure to surrounding uses and structures, the probable hours of operation, the impacts of parking and the number of people using the premises at any one (1) time.

(c) The facility shall include interior public lobbies or waiting areas sized to accommodate any and all individuals seeking treatment at any one (1) time.

911.04.A.99 Medical Marijuana Dispensary

Medical Marijuana Dispensary uses shall be subject to the following standards:

- (a) Off-street parking, loading, and hours of operation shall be conducted in a manner that does not interfere with other uses in the vicinity.

911.04.A.100 Medical Marijuana Growing and Processing

Medical Marijuana Growing and Processing uses shall be subject to the following standards:

- (a) All uses shall be conducted within a completely enclosed building and shall create no external visible sign of the operation, such as noise, smoke, vibration, or any other factor; and
- (b) Off-street parking, loading, and hours of operation shall be conducted in a manner that does not interfere with any industrial operations in the vicinity.

(Ord. 23-2001, § 2, eff. 11-30-01; Ord. 25-2001, §§ 1Y—1NNN, eff. 11-30-01; Ord. 21-2202, §7, eff. 6-18-02; Ord. 35-2002, § 1D, eff. 12-3-02; Ord. 31-2003, §§ 1A, 1B, eff. 11-10-03; Ord. 36-2003, § 1A, eff. 12-16-03; Ord. 45-2003, § 10, eff. 12-31-04; Ord. 23-2004, § 1C, eff. 12-20-04; Ord. 32-2005, §§ 1B—1AA, eff. 11-23-05; Ord. 38-2005, §§ 1A—1C, 1E—1G, eff. 12-30-05; Ord. 39-2005, § 1, eff. 12-30-05; Ord. 40-2005, § 1A, eff. 12-30-05; Ord. 42-2005, §§ 19—24, eff. 12-30-05; Ord. No. 2-2007, § 1(C), eff. 2-20-07; Ord. 13-2007, §§ 1C, 1D, eff. 8-3-07; Ord. No. 32-2009, § 2, eff. 12-11-09; Ord. No. 1-2011, § 2, eff. 2-14-11; Ord. No. 8-2013, §§ 1C, 1D, 1-31-13; Ord. No. 25-2015, § 2, eff. 7-9-15)

Section 11. The Pittsburgh Code, Title Nine, Zoning Code, Article V, Chapter 913, Use Exceptions and Conditions Not Listed in Use Table, is hereby amended as follows:

913.01. - General.

The purpose of this chapter is to provide a complete listing and reference to all Administrator Exceptions, Special Exceptions and Conditional Uses which are not found within the Use Table of Chapter 911.

913.02. - Administrator Exceptions.

The following uses shall be allowed as Administrator Exceptions in accordance with the Review Procedures of Sec. 922.08.

~~913.02.A—Riverfront Overlay District [Reserved]~~

- ~~1. Development Review Procedures (Sec. 906.03.D)~~
- ~~2. Riverfront Setbacks for Planned Unit Development Districts (Sec. 906.03.E.1)~~
- ~~3. Exception to Riverfront Setback Requirement (Sec. 906.03.E.2)~~

- ~~4. Water Enhanced or Water Oriented Uses and Structures (Sec. 906.03.E.3)~~
- ~~5. Water Oriented Uses in the Conservation Subdistrict (Sec. 906.03.F.2(b)(1))~~
- ~~6. Parks and Recreation Uses (General) in the Conservation Subdistrict (Sec. 906.03.F.2(b)(2))~~
- ~~7. Construction or Development in a Conservation Subdistrict of the Riverfront Overlay District (Sec. 906.03.F.2(b)(3))~~
- ~~8. Construction or Development in a Conservation Corridor (Sec. 906.03.F.2(b)(4))~~
- ~~9. Water Oriented Uses in the Development Subdistrict (Sec. 906.03.F.3(b)(1))~~
- ~~10. Parks and Recreation Uses (General) in the Development Subdistrict (Sec. 906.03.F.3(b)(2))~~
- ~~11. Construction or Development in a Development Subdistrict of the Riverfront Overlay District (Sec. Sec. 906.03.F.3(b)(3))~~

913.02.B Undermined Area Overlay District

1. Single-Unit Dwellings (Sec. 906.05.B.2)

913.02.C Golden Triangle District

1. Limited Enlargement on a Lot not Complying with Urban Open Space Requirements (Sec. 910.01.E.1)
2. Open Air Restaurant and Ice-Skating Rinks in Urban Open Space (Sec. 910.01.E.2)

913.02.D ~~Downtown Riverfront District~~ RIV North Shore District

1. Conversion of Existing Buildings to Museum Use (Sec. 910.02.E.1)
2. Structures which Penetrate the Inclined Height Plane (Sec. 910.02.E.2)

913.02.E Parking Loading and Access Regulations

1. Review and Approval Procedure for Small Facilities (Sec. 914.07.D.1)
2. Shared Parking (Sec. 914.07.G.1(a))
3. Valet Parking (Sec. 914.07.G.1(b))
4. Exceptions to Parking and Loading Area Dimensional Standards (Sec. 914.11.B.1)
5. Exceptions to Off-Street Loading Schedule (Sec. 914.11.B.2)
6. Shared and Off-Site Loading (Sec. 914.11.B.3)
7. Exception to Off-Street Parking Requirements for Infill Housing (Sec. 914.11.B.4)

913.02.F Other Administrator Exceptions

1. Alternative Compliance to Landscaping and Screening Requirements (Sec. 918.06)
2. Features Allowed Within Setbacks (Sec. 925.06.G)913.03. - Special Exceptions.

The following uses shall be allowed as Special Exceptions in accordance with the Review Procedures of Sec. 922.07.

913.03.A Urban Neighborhood Commercial District

1. Special Exception for Height (Sec. 904.04.C.4)

913.03.B Public Realm District

1. Height Exception in the Grandview Subdistrict B (Sec. 908.02.G.2(b))
2. Height Exception in the Grandview Subdistrict C (Sec. 908.02.G.3(b))
3. Special Exceptions in Grandview Public Realm District (Sec. 908.02.H)
4. Special Exception for Height in Oakland Subdistrict B/Craig Street (see Section 908.03.D.2(f)).
5. Special Exception for Height in Oakland Subdistrict C/Fifth/Forbes (see Section 908.03.D.3(f)).
6. Special Exception for Density (FAR) in Oakland Subdistrict C/Fifth/Forbes (see Section 908.03.D.3(g))
7. Special Exception for Height in Oakland Subdistrict D/Boulevard of the Allies (see Section 908.03.D.4.f).

913.03.C Accessory Uses

1. Special Exception for Employees to a Home Occupation (Sec. 912.05.B.1)
2. Reserved.

913.03.D Parking Loading and Access

1. Review and Approval Procedure for Large Facilities (Sec. 914.07.D.2)
2. Off-Site Parking (Sec. 914.07.G.2(a))
3. Bicycle Parking (Sec. 914.07.G.2(b))
4. Transportation Management Plan (Sec. 914.07.G.2(c))
5. Transit Stops (Sec. 914.07.G.2(d))

6. Exception to Off-Street Parking Schedule (Sec. 914.11.A.1)
7. Parking Areas Accessory to Non-Conforming Uses (Sec. 914.11.A.2)

913.03.E Special Exceptions

1. Special Exception for Waiver of Residential Compatibility Standards (Sec. 916.09)
2. Waiver of Operational Performance Standards (Sec. 917.06)

913.03.F Drive-Up Windows and Drive-Through Uses

Drive-up windows and drive-through uses shall be allowed by Special Exception in the LNC, NDI and UNC Districts in accordance with the Review Procedures of Section 922.07. The following standards shall apply:

- (1) The drive-up window and/or drive-through use shall not require an additional curb-cut in the pedestrian right-of-way;
- (2) The vehicular entrance and approach to the drive-up window and/or drive-through use shall be clearly delineated by markings, striping and/or signage as determined necessary by the Zoning Board of Adjustment;
- (3) The drive-up window and/or drive-through use shall be clearly incidental to a primary use; and
- (4) The Zoning Board of Adjustment shall determine that such use will not create detrimental impact on surrounding properties, taking into consideration probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the probable hours of operations, and the impacts of traffic generation on surrounding residential and commercial uses.

913.03.G SP-6 Palisades Park

- (a) Use Exceptions in SP-6 Palisades Park, Subdistrict A - Race Track (Sec. 909.01.K(a)(2))
- (b) Use Exceptions in SP-6 Palisades Park, Subdistrict B - Town Center (Sec. 909.01.K(b)(2))

913.03.H Electronic Signs

1. Electronic Advertising Signs (Sec. 919.02.C)
2. Electronic Non-Advertising Signs (Sec. 919.03.O)
3. Major Public Destination Facility Electronic Signs (Sec. 919.03.P.2(a))

(Ord. 16-2002, § 1, eff. 6-4-02; Ord. 44-2003, eff. 12-31-03; Ord. No. 1-2011, § 4, eff. 2-14-11; Ord. No. 31-2011, § 1, eff. 12-31-11; Ord. No. 25-2015, § 4, eff. 7-9-15) 913.04. - Conditional Uses.

The following uses shall be allowed as Conditional Uses in accordance with the Review Procedures of Sec. 922.06.

913.04.A Flood Plain Overlay District

1. Uses Classified as Conditional Uses in the Underlying Zoning Districts (Sec. 906.02.G.2(a))
2. Development that May Endanger Human Life (Sec. 906.02.G.2(b))
3. Special Hazards (Sec. 906.02.G.2(c))

~~913.04.B Riverfront Overlay District~~ [Reserved]

- ~~1. Water Enhanced Uses in the Conservation Subdistrict (Sec. 906.03.F.2(d)(1))~~
- ~~2. Launching Ramps in the Conservation Subdistrict (Sec. 906.03.F.2(d)(2))~~
- ~~3. Marinas in the Conservation Subdistrict (Sec. 906.03.F.2(d)(3))~~
- ~~4. Commercial Boat Operations that are Available for Public Admission Charge or Charter in the Conservation Subdistrict (Sec. 906.03.F.2(d)(4))~~
- ~~5. Public Utility and Mass Transportation Facilities (Sec. 906.03.F.2(d)(5))~~
- ~~6. Water Enhanced Uses in the Development Subdistrict (Sec. 906.03.F.3(d)(1))~~
- ~~7. Launching Ramps in the Development Subdistrict (Sec. 906.03.F.3(d)(2))~~
- ~~8. Marinas in the Development Subdistrict (Sec. 906.03.F.3(d)(3))~~
- ~~9. Commercial Boat Operations that are Available for Public Admission Charge or Charter in the Development Subdistrict (Sec. 906.03.F.3(d)(4))~~
- ~~10. Public Utility and Mass Transportation Facilities in the Development Subdistrict (Sec. 906.03.F.3(d)(5))~~

913.04.C Golden Triangle District

1. Density and Intensity Transfers (Sec. 910.01.D.1)
2. Electronic Sign Messages (Sec. 910.01.D.2)

913.04.D ~~Downtown Riverfront District~~ RIV North Shore District

1. Density and Intensity Transfers (Sec. 910.02.D.1)

2. Electronic Sign Messages (Sec. 910.02.D.2)

913.04.E Electronic Signs

1. Major Public Destination Facility Large Video Displays (Sec. 919.03.P.2(b))

(Ord. No. 31-2011, § 2, eff. 12-31-11)

Section 12. The Pittsburgh Code, Title Nine, Zoning Code, Article VI, Chapter 914, Parking Loading and Access, is hereby amended as follows:

914.02.A Schedule A

Off-street parking spaces shall be provided in accordance with the minimum and maximum standards included in Parking Schedule A. In lieu of complying with the standards of Parking Schedule A, an applicant may request approval of an Alternative Access and Parking Plan, pursuant to Sec. 914.07. The Zoning Administrator may require an Alternative Access and Parking Plan to be submitted for uses allowed in residential district. The parking schedule in this section shall not apply to the Bicycle Parking Requirement of Section 914.05.D.

914.04. - Off-Street Parking Exemption/Reduction Areas.

The minimum off-street parking requirements of Sec. 914.02.A shall be decreased as shown in the following table for uses located in districts designated on the Official Zoning Map as "Parking Exempt Areas." Uses located in Parking Exempt Areas shall provide no more than the otherwise required minimum parking ratio established in Sec. 914.02.A.

Area	Use Type	Percent Decrease
SP Districts & PUDs	Any use	Parking Demand Analysis Required, see Sec. 914.02.B
Downtown	Any use	100
East Liberty	Any use except residential	50
SP-11 Lower Hill Planned Development	Any use	100
North Shore	Any use except residential	25
North Side	Any use except residential	25
Oakland	Any use except residential	50

Uptown	Any use	100
<u>Riverfront Zoning Districts</u>	<u>Any use</u>	<u>50</u>

The parking reductions of this section shall not be applicable to the minimum Bicycle Parking requirements of Section 914.05.

(Ord. No. 7-2010, § 2, eff. 4-1-10; Ord. No. 1-2015, § 1.F., eff. 2-10-15)

914.09.G Parking Structure Design

914.09.G.1 Screening of Vehicles

Parked vehicles shall be screened from view of adjacent streets and residential zoning districts to the maximum extent feasible.

914.09.G.2 Ground-Floor Uses

~~(a) The street side, street level perimeter of parking garages that are adjacent to store-front commercial uses shall be lined by commercially leasable floor space. This requirement shall not apply when the ground floor frontage of the structure is less than one hundred fifty (150) feet in length.~~

(a) For parking structures greater than 150 feet in length that are adjacent to store-front commercial uses, active uses shall be located along a minimum of 50 percent of the length of the street-side, street-level perimeter. For the purposes of this Section, active uses shall include commercial, residential, and accessory uses and activities that typically have user-occupied areas that are expressed through building fenestration and articulation.

(b) Within the RIV District, any ground-level structured parking that has primary frontage along the riverfront or along a street or publicly accessible pedestrian easement shall be screened architecturally or be screened according to the provisions of Section 918.03.B.

Section 13. The Pittsburgh Code, Title Nine, Zoning Code, Article VI, Chapter 915, Environmental Performance Standards, is hereby amended as follows:

915.07.C Definitions

1. 1.5 inches of Rainfall in a 24-Hour Period shall mean the total volume of rainwater that falls on the site area at a depth of 1.5 inches in a single 24-hour period. This standards is based on PWSA analysis of events that have caused local flooding.
2. 95th Percentile Rain Event shall mean the measured precipitation depth accumulated over a 24-hour period for the period of record that ranks in the 95th percentile rainfall depth based on the range of all daily event occurrences during this period.
3. Affordable Housing shall mean housing with a gross cost, including utilities, that does not exceed thirty (30) percent of the occupant's income.
4. AIA 2030 Commitment Average Savings Level shall mean the average reported energy reduction of architecture firms that have committed to the AIA (American Institute of Architects) 2030 Challenge. Average savings levels can be found in the annual AIA 2030 Commitment Report.
5. Area Median Income (AMI) shall mean the average medium income of the metropolitan area (MSA) or Non-Metropolitan areas (counties) as established annually by the U.S. Department of Housing and Urban Development (HUD).
6. Building Energy Model (BEM) shall mean the use of a physics-based software simulation of building energy use. A BEM program takes as input a description of a building form and materials, the building's use and operation including schedules for occupancy, lighting, plug-loads, and thermostat settings, and combines these inputs with information about local weather and uses physics equations to calculate thermal loads, system response to those loads, and resulting energy use, along with related metrics like occupant comfort and energy costs.
7. Distributed Energy Systems shall mean a range of smaller-scale technologies designed to provide electricity and thermal energy closer to consumers. These approaches include fossil and renewable energy technologies, micro-grids, on-site energy storage, and combined heat and power systems. Technologies could include: existing district energy facilities combined heat and power systems, microgrids, fuel cells, and batteries.
8. Green Infrastructure shall mean a strategic network of vegetated areas and water retention techniques intended to mitigate stormwater problems. Examples of green infrastructure include: greenways, rain gardens, bioswales, green roofs, and rain barrels.
9. On-Site Renewable Energy shall mean renewable sources, such as wind, solar, and co-generation, that are generated on the project site, thereby relieving reliance on the grid and providing alternative sources of electricity.
10. National Median Site Energy Use Intensity shall mean the middle of the national population - half of buildings use more energy, half use less. The National median source EUI is published regularly by the U.S. Environmental Protection Agency's Energy Star program.
11. Native Plants shall mean plants indigenous to Western Pennsylvania. This includes plants that have developed or occurred naturally, excluding invasive species.

12. Networked Walkshed – The land area within a defined walking range, traversable on established streets or pathways.

13. Pittsburgh 2030 District shall mean the initiative led by the Green Building Alliance that supports business and building owners and managers in working toward 50% reductions in energy use, water consumption, and transportation emissions (below baselines) by the year 2030.

14. Rapid Services – All modes of transit which use an exclusive right of way or have at least 75% of route miles along a fixed guideway.

15. Site Energy Use Intensity (EUI) shall mean the total, annual building energy use normalized by its gross square footage. Site energy is the amount of energy consumed by a building or development on site, usually reflected on utility bills, but including heat and power generated and used on site. Site EUI is a building's total annual on-site energy usage in kBtu/ft² and can be determined by using an online calculator to aid in the assessment of energy performance of commercial building designs and existing buildings such as the U.S. Environmental Protection Agency's Target Finder.

915.07.D Bonus Goals and Points

Goal	Points
1. On-Site Energy Consumption - New Construction	
1.a	Site energy use intensity is at AIA 2030 Commitment average savings levels. 1
1.b	Site energy use intensity is at least 70% below national median. 2
1.c	Site energy use is 80% or more below national median. 3
2. On-Site Energy Consumption - Existing Buildings	
2.a	Site energy use intensity is at least 20% below national median. 1
2.b	Site energy use intensity is at least 35% below national median. 2
2.c	Site energy use is 50% or more below national median. 3
3. On-Site Energy Generation At least one (1) point from On-Site Energy Consumption required prior to using the On-Site Energy Generation points below.	
3.a	At least 25% of energy use is generated from on-site renewable sources. 1
3.b	At least 50% of energy use is generated from on-site renewable sources; or Connecting to distributed energy systems. 2
3.c	75% or more of energy use is generated from on-site renewable sources. 3
4. Affordable Housing Available only to projects where at least 50% of the gross floor area is used for residential units. Points for options 4.c and 4.d below will only be awarded to development projects providing at least 20 housing units.	
4.a	At least 5-14.9% of units for rent are affordable housing for persons at or below 80% AMI. 1
4.b	At least 5-14.9% of units for sale are affordable housing for persons at or below 80% AMI; or At least 5-14.9% of units for rent are affordable housing for persons at or below 60% AMI; or 2

	At least 15-19.9% of units for rent are affordable housing for persons at or below 80% AMI.	
4.c	At least 15-19.9% of units for sale are affordable housing for persons at or below 80% AMI; or At least 15-19.9% of units for rent are affordable housing for persons at or below 60% AMI; or At least 20% or more of units for rent are affordable housing for persons at or below 80% AMI.	3
4.d	20% or more of units for sale are affordable housing for persons at or below 80% AMI; or 20% or more of units for rent are affordable housing for persons at or below 60% AMI.	4
5. Rainwater All vegetated Green Infrastructure must use at least 50% Native Plants. The Zoning Administrator can update payment-in-lieu options as needed to remain consistent with Green Infrastructure construction costs.		
5.a	At least 50% of 1.5 inches of rainfall in a 24-hour period, including a peak of 1.05 inches in 15 minutes, or a 95th percentile rain event on-site, whichever is greater, is captured using Green Infrastructure installations; or At least 15% of total volume of rainfall in a 24-hour period, including peak of 1.05 inches in 15 minutes, or a 95th percentile rain event on-site, whichever is greater, can be captured and reused on-site; or For sites where retention, infiltration, or reuse strategies using Green Infrastructure are not possible at the levels above, a one-time payment-in-lieu of \$6 per gallon is provided to the Stormwater Trust Fund.	1
5.b	At least 75% of 1.5 inches of rainfall in a 24-hour period, including a peak of 1.05 inches in 15 minutes, or a 95th percentile rain event on-site, whichever is greater, is captured using Green Infrastructure installations; or At least 30% of total volume of rainfall in a 24-hour period, including peak of 1.05 in 15 minutes, or a 95th percentile rain event on-site, whichever is greater, can be captured and reused on-site. For sites where retention, infiltration, or reuse strategies using Green Infrastructure are not possible at the levels above, a one-time payment-in-lieu of \$9 per gallon is provided to the Stormwater Trust Fund.	2
5.c	100% or more of 1.5 inches of rainfall in a 24-hour period, including a peak of 1.05 inches in 15 minutes, or a 95th percentile rain event on-site, whichever is greater, is captured using Green Infrastructure installations; or 45% or more of total volume of rainfall in a 24-hour period, including peak of 1.05 in 15 minutes, or a 95th percentile rain event on-site, whichever is greater, can be captured and reused on-site. For sites where retention, infiltration, or reuse strategies using Green Infrastructure are not possible to the levels above, a one-time payment-in-lieu of \$12 per gallon is provided to the Stormwater Trust Fund.	3
6. Building Reuse		

6.a	Exterior design of new development is compatible with nearby structures more than 50 years old including the use of similar window and door sizes and materials, cladding materials, bays, cornices, and other primary structure elements.	1
6.b	At least 75% of street facing building facades from structures more than 50 years old are restored and integrated into new development.	2
6.c	Existing building shell is restored and retained.	3
7. Riverfront Public Access Easements, Trails & Amenities		
7.a	<u>For parcels that abut the riverfront and are not separated by a right-of-way, provision of a riverfront public access easement held by the City of Pittsburgh of at least 30 feet in width and runs the entire length of the parcel's riverfront boundary.</u>	<u>1</u>
7.b	<u>For sites where no trail exists and a public easement has been made, construction of a trail that meets all City standards as well as national standards of Manual on Uniform Traffic Control Devices (MUTCD), and that connects to existing adjacent trails when feasible.</u>	<u>2</u>
7.c	<u>For sites where an existing trail is present and a public easement has been made, improvement of trail to City standards as well as national standards of Manual on Uniform Traffic Control Devices (MUTCD), and that connects to existing adjacent trails when feasible.</u>	<u>1</u>
7.d	<u>For sites where a riverfront or riverfront-adjacent trail is not feasible, development provides public access that allows for or contributes to continuous mobility parallel the riverfront.</u>	<u>2</u>
7.e	<u>Provision of public restrooms accessible from the public riverfront trail, open during expected hours of trail use.</u>	<u>2</u>
7.f	<u>Provision of public access easement and passageway built in accordance with Section 905.04.G.5(a) and (b), providing connections from public rights of way to the riverfront.</u>	<u>1</u>
8. Neighborhood Ecology		
8.a	<u>Ground-level surface parking area is designed so that a minimum of 50% of the total paved area is shaded by solar panels.</u>	<u>1</u>
8.b	<u>The top level of a parking structure is designed so that a minimum of 50% of the total area is shaded by solar panels.</u>	<u>1</u>
9. Public Art		
<i>The percent of estimated gross construction cost applied to public art includes artist engagement; design, fabrication and placement of art; insurance; and funds dedicated for ongoing maintenance.</i>		
9.a	<u>At least 1% of the estimated gross construction cost is applied directly to the creation and maintenance of on-site public art as defined by the URA's Public Art Resource Guide for Developers, OR made as a one-time contribution to the City's Public Art Fund</u>	<u>1</u>

	<u>for use by the City for art on publicly owned lands within the same neighborhood.</u>	
<u>9.b</u>	<u>At least 2% of the estimated gross construction cost is applied directly to the creation and maintenance of on-site public art as defined by the URA’s Public Art Resource Guide for Developers, OR made as a one-time contribution to the City’s Public Art Fund for use by the City for art on publicly owned lands within the same neighborhood.</u>	<u>2</u>
<u>9.c</u>	<u>At least 3% of the estimated gross construction cost is applied directly to the creation and maintenance of on-site public art as defined by the URA’s Public Art Resource Guide for Developers, OR made as a one-time contribution to the City’s Public Art Fund for use by the City for art on publicly owned lands within the same neighborhood.</u>	<u>3</u>
10. Urban Fabric		
<u>10.a</u>	<u>Structured parking is designed to allow for conversion to other (non-parking) uses.</u>	<u>2</u>
11. Transit-Oriented Development		
<u>11.a</u>	<u>Site is within ½ mile networked walkshed of rapid service routes.</u>	<u>1</u>
<u>11.b</u>	<u>On-site transit station for rapid service routes, designed as an integral part of the development project and to meet Port Authority standards for transit stations.</u>	<u>3</u>

915.07.E Enforcement

1. If a project is awarded a height or riparian buffer bonus pursuant to this subsection, the Developer shall provide the Department of City Planning with satisfactory evidence of having completed the following steps in the process toward achieving the requirements of the bonus:

a. On-site energy consumption and production:

(1) **Application and predesign phase:**

Submission of the p4 Energy Declaration or other form as proscribed by the Zoning Administrator clearly indicating the EUI target of the building based upon percent reduction from the baseline. The baseline as determined by building use type, is based upon the 2003 Commercial Building Energy Consumption Survey (CBECS) data. In addition to EUI target of the building, the Declaration must also include the energy efficiency approaches and technologies that will be used to minimize demand, any on-site energy generation systems, and the amount of expected building demand that will be offset.

(2) **Design completion and prior to construction:**

Provide design narrative and construction documents. For projects with at least 20,000 square feet of gross floor area a BEM will be required showing that the building is designed to meet the desired site EUI reductions compared to national averages for the building type and size. All projects, including those with less than 20,000 square feet of gross floor area, are required to submit an updated p4 Energy Declaration or other form as proscribed by the Zoning Administrator.

(3) **Construction completion & building occupancy:**

Provide final performance-based commissioning report and/or applicable third party certification of energy performance (e.g., Passive House, Leadership in Energy and Environmental Design, Living Building Challenge).

(4) **Following first-year operations completion:**

Provide proof of whole building energy consumption, verified with utility invoices or digital meter data for energy consumed and produced or third party verified by Professional Engineer or equivalent. This requirement may be satisfied by ongoing participation in the Pittsburgh 2030 District.

b. Affordable housing

(1) **Application and predesign phase:**

Provide a matrix that documents the unit count and includes AMI of occupants. Identify in writing all subsidies and/or financing programs the project will utilize in the provision of affordable housing. Provide letters of commitment for any subsidies and/or financing secured.

(2) **Design completion and prior to construction:**

Provide floor plans that identify housing unit types and location of amenities, entrances, and lobbies with American Disabilities Act (ADA) accessibility. Provide letters of commitment for any subsidies and/or financing secured. Where letters of commitment are forthcoming, this requirement can be met by submitting the project for review by the Housing Department of the Urban Redevelopment Authority which will provide a memo to the Department of City Planning identifying how the project satisfies the p4 Affordability component.

c. Rainwater

(1) **Application and predesign phase:**

Provide a preliminary stormwater management plan clearly identifying how the project will satisfy the bonus.

(2) **Design completion and prior to construction:**

Provide a Stormwater Management Site Plan clearly identifying how the project will satisfy the bonus.

(3) **Construction completion & building occupancy:**

Register the project with the Pittsburgh Water and Sewer Authority (PWSA).

(4) **Following first-year operations completion:**

Provide a performance-based report following one (1) year of operation that shows Green Infrastructure is performing as specified in the project's Stormwater Management Site Plan.

d. On-Site Public Art:

(1) **Application and predesign phase:**

Provide a preliminary public art plan that clearly identifies how the project will satisfy the bonus, including estimated gross construction cost, opportunities for inclusion of public art, and a plan for artist engagement.

(2) **Design completion and prior to construction:**

The Department of City Planning will approve final plan for public art including a final budget, design of public art element(s), and proof of establishment of fund for ongoing maintenance.

(3) **Construction completion & building occupancy:**

Provide Department of City Planning with verification that art was installed as designed along with breakdowns and receipts of final project costs. If art was not installed as designed, provide narrative explanation of what alterations were made and why.

2. If the project does not provide satisfactory evidence of achieving the performance standards of each used bonus within three (3) years of receiving its initial certificate of occupancy, then the developer shall be subject to a fine equal to one (1) percent of the construction costs. If the fine is not paid within 30 days of the date it is imposed, then the City shall have the authority to revoke the certificate of occupancy for the building.

Section 14. The Pittsburgh Code, Title Nine, Zoning Code, Article VI, Chapter 916, Residential Compatibility Standards, is hereby amended as follows:

916.01.C Exemptions

Notwithstanding the applicability statement of Sec. 916.01.B, the following shall be exempt from the Residential Compatibility Standards to the extent indicated:

1. Residential Compatibility Standards shall not be triggered by property that is public right-of-way, railroad track, roadway, median, or utility easement in an R1D, R1A, R2, R3, RM, or H.
2. The following shall specifically be exempt from compliance with Residential Compatibility Standards:
 - (a) Development within the GT, Golden Triangle, ~~DR, Downtown Riverfront zoning districts~~ Riverfront and Planned Development Districts;
 - (b) Structural alteration of an existing building when such alteration does not increase the building's square footage or height;
 - (c) A change in use that does not increase the number of off-street parking spaces required (as shown in the Schedule of Off-Street Parking Standards, Sec. 914.02.A.

Section 15. The Pittsburgh Code, Title Nine, Zoning Code, Article VI, Chapter 919, Signs, is hereby amended as follows:

919.02. - Advertising Signs.

Advertising signs shall be permitted only in the AS-O District, subject to the regulations of this section.

919.02.A General Location

Advertising signs shall be situated so as to be entirely within the boundaries of the subject zoning lot; shall not extend above the roof line or parapet wall, whichever is higher, of any building to which it may be attached; and shall not be located within the boundary lines of any railroad right-of-way or upon any zoning lot on which a railroad passenger station or other railroad building is located.

919.02.B Subdistricts

There shall be two (2) subdistricts established within the AS-O District - Subdistrict A and Subdistrict B, as indicated on the Zoning District Map. Regulations applying to these subdistricts are indicated below.

	Subdistrict A		Subdistrict B
Districts (permitted)	UI	GI	UNC
Max. Size (sq. ft.)	750	750	378
Max. Height (feet)	45	45	35

919.02.C Electronic Advertising Signs

1. *General* Electronic advertising signs may be erected, maintained, and replaced according to the standards set forth below relating to motion, dwell time, brightness, location, and operational controls as applicable. All electronic advertising signs shall also comply with all requirements for signs set forth in Article VI, Section 919 of the zoning ordinance.

2. *Conflicts* The provisions of this section shall take precedence over any conflicting provisions in Section 919 relating to advertising signs unless the conflicting provisions result in greater limitations on electronic advertising signs.

3. *New Electronic Advertising Signs* Electronic Signs as defined in Section 919.01.C.3 shall be permitted within AS-O - Subdistrict A only, and shall be approved by the Zoning Board of Adjustment as Special Exceptions, according to the Special Exception Review Standards of 922.07, and subject to the following criteria:

(a) *Motion* All motion is prohibited on an electronic advertising sign face. Electronic advertising signs shall have only static text and graphics.

(b) *Dwell Time* The text, image, or display on an electronic advertising sign may not change more than once every ~~thirty (30)~~ 30 seconds. Twirl time between subsequent text, images, or display shall not exceed twenty-five hundredths (0.25) of a second.

(c) *Brightness* During daylight hours between sunrise and sunset, luminance shall be no greater than ~~two thousand five hundred (2,500)~~ 2,500 nits. At all other times, luminance shall be no greater than ~~two hundred fifty (250)~~ 250 nits.

(d) *Location*

i. New electronic advertising signs are prohibited in City Designated Historic Districts and the RIV Zoning District ~~Riverfront Overlay District as defined in 906.03.E.~~

ii. No electronic advertising sign shall be erected or maintained in such a manner as to obscure or otherwise physically interfere with an official traffic sign, signal or device, or to obstruct or physically interfere with the driver's view of approaching, merging or intersecting traffic.

(e) *Controls/Testing/Annual Certification*

i. All electronic advertising signs shall be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness as provided above.

ii. Prior to approval of any permit to operate an electronic advertising sign, the applicant shall certify that the sign has been tested and complies with the motion, dwell time, brightness, and other requirements herein.

iii. The owner and/or operator of an electronic advertising sign shall submit an annual report to the City certifying that the sign complies with the motion, dwell time, brightness, and other requirements herein.

(f) *Maintenance* Routine maintenance of electronic advertising signs is permitted including the replacement of solid state electronic components, subject to compliance with regulations set forth in Section 919.02.C relating to motion, brightness, and dwell time.

4. *Existing Electronic Advertising Signs* Existing electronic advertising signs that do not meet the standards set forth above for new electronic advertising signs shall become non-conforming uses and structures subject to the provisions of Article VII, Chapter 921, Nonconformities. Should an existing electronic advertising sign be reconstructed then it shall be subject to review and approval as a new Electronic Advertising Sign in accordance with 919.02.C.

5. *Conversion of Existing Non-Electronic Advertising Signs* An existing non-electronic advertising sign may be converted to an Electronic Advertising Sign if the proposed Electronic Advertising Sign meets all requirements of Section 919.02. Applications for conversion shall be subject to review and approval as new Electronic Advertising Signs in accordance with 919.02.C.

6. *Conversion of Existing Nonadvertising Signs* An existing Nonadvertising sign may be converted to an Electronic Advertising Sign if the proposed Electronic Advertising Sign meets all requirements of Section 919.02. Applications for conversion shall be subject to review and approval as new Electronic Advertising Signs in accordance with 919.02.C.

919.03.F Real Estate and Political Signs

Temporary real estate signs pertaining to the sale or lease of the premises and temporary political campaign signs or posters relating to the election of a person to public office, to a political party or to a matter to be voted upon at an election called by a public body shall be subject to the following regulations.

919.03.F.1 General

(a) Such signs may be attached to a building wall and no part of the sign shall project more than four (4) inches at a height below ~~eighty (80)~~ 80 inches from the grade beneath the sign. Signs attached to the building at a height above ~~eighty (80)~~ 80 inches from the bottom of the sign to the grade beneath the sign shall not project more than three (3) feet from the building.

(b) Such signs shall be removed within ~~thirty (30)~~ 30 days following the sale or election. An elected candidate in a primary election may maintain the sign until thirty (30) days following the general election.

919.03.F.2 Residential, LNC, UNC, GT, ~~DR~~, RIV-RM and EMI Districts

In the Residential, LNC, UNC, HC, GT, RIV-RM ~~DR~~ and EMI Zoning Districts such signs:

- (a) Shall not exceed ~~twelve (12)~~ 12 square feet in face area;
- (b) Shall be nonilluminated and limited to one (1) along each street frontage.

919.03.F.3 HC, NDI, RIV-IMU, RIV-GI, RIV-MU, RIV-NS, UI and GI Districts

In the HC, GI, UI, RIV-IMU, RIV-GI, RIV-MU, RIV-NS and NDI Zoning Districts, such signs:

- (a) Shall not exceed ~~thirty-two (32)~~ 32 square feet in face area;
- (b) Shall be limited to two (2) along each street frontage and may be illuminated.

919.03.M.5 LNC, UNC, RIV-MU, RIV-IMU, CP, and AP

In the LNC, UNC, RIV-MU, RIV-IMU, CP, and AP Districts:

- (a) Wall mounted signs are permitted provided that the total face area shall not exceed two (2) square feet of sign face area for each lineal foot of building wall width to a maximum of ~~eighty (80)~~ 80 square feet and shall be mounted no higher than ~~twenty (20)~~ 20 feet above grade except where expressly permitted. For buildings with multi-commercial tenants on the first and second floors one (1) additional tenant business or identification sign shall be permitted per tenant

identifying the name of the tenant or business, the total face area of which shall not exceed two (2) square feet of sign face area for each lineal foot of tenant frontage to a maximum of ~~eighty (80)~~ 80 square feet per sign on each wall or façade and shall be mounted no higher than the second floor above grade. Tenant signs are to be located within the façade area of the tenant. Maximum letter height on all wall signs below ~~twenty (20)~~ 20 feet above grade shall be four (4) feet.

(b) Ground signs shall be limited to one (1) along each street frontage when the property frontage measures ~~one hundred (100)~~ 100 feet or less, otherwise ground signs shall not be spaced within ~~one hundred (100)~~ 100 feet of each other when located on the same zoning lot. Ground signs shall not extend more than ~~forty (40)~~ 40 feet from the top of the sign to the grade beneath the sign and shall not exceed a total face area of ~~one hundred fifty (150)~~ 150 square feet;

(c) Marquee or canopy sign is a sign attached to, painted on or inscribed upon a marquee or canopy that otherwise complies with any other governmental regulation; the face of such sign shall not project above or below the marquee or canopy, shall not exceed eight (8) inches in height, shall not project more than six (6) inches horizontally from the surface of such marquee or canopy, shall not contain flashing lights or animation and shall not contain any advertising except for the name of the owner, name of the building or name of the business.

(d) Wall mounted signs mounted between ~~twenty (20)~~ 20 above grade and no higher than ~~forty (40)~~ 40 feet above grade are permitted by Administrator's Exception provided that the following conditions are met:

1. The sign does not exceed two (2) square feet of sign face area for each lineal foot of building wall width.
2. The letters of the sign do not exceed three (3) feet in height.
3. The sign is architecturally compatible with the building and surrounding buildings.
4. Zoning Administrator approval is in accordance with PDP review procedures as outlined in the Zoning Ordinance.
5. The sign is limited to the business and identification exclusively and does not repeat itself or include extraneous identifying information.

(e) Wall mounted signs exceeding ~~eighty (80)~~ 80 square feet may be approved by Administrator's Exception if the following conditions are met:

1. The sign does not exceed two (2) square feet of sign face area for each lineal foot of building wall width.
2. The letters of the sign do not exceed three (3) feet in height.

3. The sign is architecturally compatible with the building and surrounding buildings.
4. Zoning Administrator approval is in accordance with PDP review procedures as outlined in the Zoning Ordinance.
5. The sign is limited to the business and identification exclusively and does not repeat itself or include extraneous identifying information.

919.03.M.6 NDI, RIV-GI, GI and UI Districts

In the NDI, RIV-GI, GI and UI Zoning Districts:

- (a) Wall mounted signs are permitted provided that the total face area shall not exceed two (2) square feet of sign face area for each lineal foot of building wall width, to a maximum of ~~eighty (80)~~ 80 square feet and shall be mounted no higher than ~~forty (40)~~ 40 feet above grade. For buildings with multi-commercial tenants on the first and second floors one (1) additional tenant business or identification sign shall be permitted per tenant identifying the name of the tenant or business, the total face area of which shall not exceed two (2) square feet of sign face area for each lineal foot of tenant frontage to a maximum of ~~eighty (80)~~ 80 square feet per sign, and shall not extend higher than the second floor. Tenant signs are to be located within the façade area of the tenant. Maximum letter height on all wall signs below ~~forty (40)~~ 40 feet above grade shall be four (4) feet.
- (b) Ground signs shall not extend more than ~~forty five (45)~~ 45 from the top of the sign to the grade beneath the sign provided that no sign shall exceed ~~two hundred (200)~~ 200 square feet in face area or a vertical measurement of ~~twenty (20)~~ 20 feet;
- (c) Marquee or canopy sign is a sign attached to, painted on or inscribed upon a marquee or canopy that otherwise complies with any other governmental regulation; the face of such sign shall not project above or below the marquee or canopy, shall not exceed eight (8) inches in height, shall not project more than six (6) inches horizontally from the surface of such marquee or canopy, shall not contain flashing lights or animation and shall not contain any advertising except for the name of the owner, name of the building or name of the business.

919.03.M.7 GT and ~~DR~~ RIV-NS Zoning Districts

In the GT and ~~DR~~ RIV-NS Zoning Districts:

- (a) Wall mounted signs, except for public destination facilities, are permitted provided that;
 - (i) The total face area shall not exceed two (2) square feet of sign face area for each lineal foot of building wall width to a maximum of ~~eighty (80)~~ 80

square feet and shall be mounted no higher than ~~forty (40)~~ 40 feet above grade except where expressly permitted.

(ii) For buildings with multi-commercial tenants on the first and second floors one (1) additional tenant business or identification sign shall be permitted per tenant identifying the name of the tenant or business, the total face area of which shall not exceed two (2) square feet of sign face area for each lineal foot of tenant frontage to a maximum of ~~eighty (80)~~ 80 square feet per sign on each wall or façade and shall be mounted no higher than the second floor above grade.

(iii) Tenant signs are to be located within the façade area of the tenant. Maximum letter height on all wall signs below ~~forty (40)~~ 40 feet above grade shall be four (4) feet.

(b) For public destination facilities, the total face area of wall mounted signs below ~~forty (40)~~ 40 feet shall not exceed a total of three (3) percent of exposed building façade area or a maximum of ~~two hundred (200)~~ 200 square feet per façade, whichever is smaller, shall permit electronic identification signs with no motion or animation, and shall be subject to design review and approval by the City Planning Commission.

(c) Only the name of the building or business shall be mounted higher than ~~forty (40)~~ 40 feet above grade and may face in all directions but shall not be roof mounted nor project above the roof peak or parapet wall, shall not exceed in face area ~~forty (40)~~ 40 square feet or two (2) percent of exposed façade area whichever is larger, shall be limited to four (4) per building, shall include no motion or animation, shall not exceed a luminance of ~~two thousand five hundred (2,500)~~ 2,500 nits during daylight hours between sunrise and sunset, shall not exceed a luminance of ~~two hundred fifty (250)~~ 250 nits at all other times, shall permit electronic illumination with no motion or animation, and shall be subject to design review and approval by the City Planning Commission. All applications shall include certification that the sign will comply with luminance level standards at the time of application and must certify again that the sign is operating in compliance with the standards prior to issuance of an occupancy permit.

(d) Ground signs shall be limited to one (1) along each street frontage when the property frontage measures ~~one hundred (100)~~ 100 feet or less, otherwise ground signs shall not be spaced within ~~one hundred (100)~~ 100 feet of each other when located on the same zoning lot. Ground signs shall not extend more than ~~forty (40)~~ 40 feet from the top of the sign to the grade beneath the sign and shall not exceed a total face area of ~~one hundred fifty (150)~~ 150 square feet;

(e) Marquee or canopy sign is a sign attached to, painted on or inscribed upon a marquee or canopy that otherwise complies with any other governmental regulation; the face of such sign shall not project above or below the marquee or canopy, shall not exceed eight (8) inches in height, shall not project more than

six (6) inches horizontally from the surface of such marquee or canopy, shall not contain flashing lights or animation and shall meet the definition of business or identification sign; provided that a marquee or canopy sign attached to a Public Assembly (general) facility which shall otherwise be subject to this provision, may be up to eight (8) feet in height and subject to review by the Planning Commission under the Project Development Plan criteria put forth in Section 922.10.

919.03.M.8 Projecting Signs

(a) Purpose

The purpose of these regulations is to permit and regulate the installation of projecting signs in commercial areas of the City.

(b) Definition

Projecting sign means any business or identification sign which sole means of support is by attachment to a legal structure on a zoning lot and which projects more than ~~twelve (12)~~ 12 inches into a public right-of-way. A projecting sign shall contain no more than two (2) sign faces which include lettering, and these signs faces shall be back-to-back.

(c) Applicability

These regulations shall apply in the following districts:

- (i) NDO/Neighborhood Office
- (ii) LNC/Local Neighborhood Commercial
- (iii) NDI/Neighborhood Industrial
- (iv) UNC/Urban Neighborhood Commercial
- (v) HC/Highway Commercial
- (vi) UI/Urban Industrial
- (vii) EMI/Educational/Medical Institute
- (viii) GPR-C Grandview Public Realm Subdistrict C
- (ix) OPR/Oakland Public Realm (Subdistricts A-D)
- (x) SP-4/Station Square
- (xi) SP-5/South Side Works
- (xii) CP/Commercial Planned Unit Development

(xiii) AP/Mixed Use Planned Unit Development

(xiv) GT/Golden Triangle

(xv) RIV/ Riverfront

~~(xv) DR/Downtown Riverfront~~

(Ord. 33-2001, § 1, eff. 12-31-01; Ord. 16-2002, § 1, eff. 6-4-02; Ord. 21-2002, §§ 17—22, eff. 6-18-02; Ord. 22-2002, §§ 1D—1K, eff. 6-25-02; Ord. No. 31-2011, § 3, eff. 12-31-11)

Section 16. The Pittsburgh Code, Title Nine, Zoning Code, Article VI, Chapter 920, Child Care Regulations, is hereby amended as follows:

920.05. - Administrator Exceptions.

The following shall be Administrator Exceptions in accordance with the provisions of Sec. 922.08:

920.05.A Increase in Site Coverage/ Decrease in Yard Requirement

In all districts other than R or RP, increase in the permissible site coverage of a structure or the decrease in any yard requirement of a structure meeting the requirements of Sec. 920.01 Child Day Care Facilities provided:

1. The increase in permissible site coverage or the decrease in any yard requirement is less than or equal to the increase in GFA when divided by the total number of floors of the structure; and
2. Such increases in site coverage or decreases in yards shall not create a safety hazard by creating sight distance problems for vehicles entering or exiting a site; and
3. Such decrease in yards shall be limited to no greater than ten (10) percent of any specified yard.

920.05.B Day Care Location Exceptions

1. Provision of the required child day care facility or facilities for a subject structure in any Zoning District may be satisfied by the provision of a facility or facilities in one (1) or several of the following locations, provided that each of such facilities are of a minimum size of ~~one thousand two hundred sixty (1,260)~~ 1,260 square feet GFA:

- (a) On a zoning lot located no more than ~~two thousand five hundred (2,500)~~ 2,500 feet walking distance from the zoning lot of the subject structure, or in EMI districts no more than ~~two thousand five hundred (2,500)~~ 2,500 feet from an institutional campus boundary defined in that institution's Master Plan as duly approved by the Planning Commission;

(b) On a zoning lot more than ~~one thousand (1,000)~~ 1,000 feet walking distance from the subject structure upon which or adjacent to is located a major parking garage or a major parking area, provided that a portion of such parking garage or parking area is reserved for the exclusive use of tenants of the subject structure, and that regularly scheduled shuttle service is in operation between the parking garage or parking area and the subject structure.

2. Provision of the required child day care facility or facilities for a subject structure in a GT Golden Triangle ~~or DR Downtown Riverfront~~ District may be satisfied by the provision of a facility or facilities in one (1) or several of the following locations, provided that each of such facilities are of a minimum size of ~~one thousand two hundred sixty (1,260)~~ 1,260 square feet GFA:

(a) A public Intermodal Transportation Center located within any GT ~~or DR~~ District, or in any District adjacent to any GT ~~or DR~~ District;

(b) A major or minor parking garage, open to the general public and with a minimum size of ~~five hundred (500)~~ 500 stalls, located within any GT ~~or DR~~ District;

(c) A major or minor parking area, open to the general public and with a minimum size of ~~five hundred (500)~~ 500 stalls, located within any GT ~~or DR~~ District;

(d) A transit stop, engineered and completed to accommodate a projected peak hour travel of at least ~~four thousand (4,000)~~ 4,000 persons per weekday in all directions, located within any GT ~~or DR~~ District.

3. Provision of the required child day care facility or facilities for a subject structure in Oakland districts may be satisfied by the provision of a facility or facilities in one (1) or several of the following locations, provided that each of such facilities are of a minimum size of ~~one thousand two hundred sixty (1,260)~~ 1,260 square feet GFA:

(a) A public Intermodal Transportation Center located within any Oakland district;

(b) A major or minor parking garage, open to the general public and with a minimum size of ~~five hundred (500)~~ 500 stalls, located within an Oakland district;

(c) A major or minor parking area, open to the general public and with a minimum size of ~~five hundred (500)~~ 500 stalls, located within an Oakland district;

(d) A transit stop, engineered and completed to accommodate a projected peak hour travel of at least ~~four thousand (4,000)~~ 4,000 persons per weekday in all directions, located within an Oakland district.

Section 17. The Pittsburgh Code, Title Nine, Zoning Code, Article VII, Chapter 922, Development Review Procedures to establish the Riverfront Zoning District, is hereby amended as follows:

922.10. - Project Development Plans.

This section sets out the required review and approval procedures for Project Development Plans; ~~which are required for development in the Golden Triangle (GT), Downtown Riverfront (DR), and Public Realm (PR) zoning districts.~~

922.10.A Purpose

The Project Development Plan review procedures of this section are intended to provide a vehicle for evaluating individual development proposals within the broader context of development and plans for areas of regional significance, ~~including the Golden Triangle and Downtown Riverfront areas.~~ It is further the intent of these review and approval procedures to afford maximum design flexibility for individual development projects, consistent with planning objectives for the Golden Triangle, Riverfront, ~~Downtown Riverfront~~, and Public Realm areas.

922.10.B Applicability

In each ~~GT, DR and Public Realm~~ applicable district, ~~every new or changed use of land, and every structure hereafter erected, enlarged, demolished or externally altered, except structures involving external alterations not in excess of fifty thousand dollars (\$50,000.00), shall,~~ in addition to conforming to any and all regulations pertaining thereto that are specifically set forth in this Zoning Code, developments shall be in accord with a Project Development Plan approved by the Commission.

922.10.C Application

All applicants for Project Development Plan approval shall first file an application with the Zoning Administrator, along with a nonrefundable fee that has been established to defray the cost of processing development applications. No application shall be processed until the Zoning Administrator determines that the application is complete and the required fee has been paid.

922.10.D Preliminary Review

922.10.D.1 Procedure

As a part of the preliminary review, the Zoning Administrator shall prescribe the required form and content of the final Project Development Plan application, which may be submitted in schematic or preliminary form and which may include a site plan; building elevations; building and site perspective drawings; information on building size, height, proposed uses, traffic generation characteristics and other plans and information sufficient to illustrate the proposed development and its relation to adjacent buildings, streets and open spaces.

922.10.D.2 Development on sites of three (3) or more acres

Any development of a building or buildings that require Project Development Plan review on a site of three (3) or more acres is required to submit a Master Development Plan prior to the application for individual building or buildings review.

A complete application for a Master Development Plan shall be submitted to the Zoning Administrator in a form established by the Zoning Administrator. Upon determining that the Master Development Plan application is complete, the Zoning Administrator shall schedule a review by the Planning Commission.

The Planning Commission shall approve a Master Development Plan application only if it finds that the proposal meets all of the following criteria:

- (a) That the proposed development shall create an efficient, functional and attractive urban area which incorporates a high level of amenities;
- (b) That the proposed development shall create a favorable environmental, social and economic impact on the City;
- (c) That the proposed development shall not be injurious to other property in the immediate vicinity, nor substantially diminish or impair property values within adjacent zoning districts;
- (d) That adequate utilities, road, drainage and other necessary facilities have been or shall be provided;
- (e) That adequate measures have been or shall be taken to provide ingress and egress designated so as to minimize traffic congestion in the public streets; and
- (f) That the proposed development complies with plans and policy documents adopted from time to time by the City.

922.10.E Final Review

922.10.E.1 Action by the Planning Commission

The Zoning Administrator shall schedule a review by the Planning Commission when all the requirements established during the preliminary review have been fulfilled. The Planning Commission shall review the Project Development Plan application and act to approve, approve with conditions, or deny the application. The Planning Commission shall approve a Project Development Plan if it finds that the plan complies with the review criteria of Sec. 922.10.E.2 and if the proposal complies with all applicable Zoning Code requirements and adopted plans and policy documents, including all applicable standards of the ~~GT, DR and Public Realm~~ zoning districts. The Planning Commission shall deny approval of a Project Development Plan if it finds that the plan is not in conformance with this Zoning Code or with adopted plans and policy documents. In acting upon a Project Development Plan, the Planning Commission shall include a description of specific site improvements and development characteristics upon which its approval is conditioned. Such conditions shall be binding upon the applicant.

(a) Notice Requirement for Gaming Enterprise Developments

(1) Notice, Hearing and Action

Upon determining that a Project Development Plan that is specific to a gaming Enterprise is complete, the Zoning Administrator shall schedule a public hearing before the Planning Commission, notify the applicant of the hearing date and give at least ~~twenty one (21)~~ 21 days' notice of the hearing by posting in accordance with the notice requirements of Section 922.01.C.2 and by mail in accordance with the notice requirements of Section 922.01.C.1 to all property owners within a one hundred fifty-foot radius of the subject property. The Planning Commission shall hold a public hearing on the Project Development Plan application specific for Gaming Enterprises. After the public hearing, the Commission shall act to approve, approve with conditions or deny the application within ~~forty five (45)~~ 45 days of the public hearing.

922.10.E.2 Review Criteria

In reviewing applications for Project Development Plan approval, the Planning Commission shall consider the extent to which the Project Development Plan addresses the following criteria. The Planning Commission shall not approve any Project Development Plan that, in the determination of the Planning Commission, does not adequately address one (1) or more of these criteria in accordance with objectives contained in general or site-specific policy documents adopted by the Planning Commission.

- (a) The proposed development must include retail facilities, where such facilities would maintain and continue the existing retail patterns;
- (b) The proposed development must address compatibility with any existing residential area, including provision for maintenance of residential uses in existing residential areas;
- (c) The proposed development must make provision for adequate parking, considering available transit alternatives and support services, and make provision for adequate vehicle access and loading areas in relation to street capacity, functional classification, and land use patterns, such that any vehicular access points do not create congestion on public streets or create hazardous conditions for pedestrians;
- (d) The proposed development must adequately address traffic generation characteristics in relation to street capacity, intersection classification, and existing and projected traffic volumes and address reasonable alternatives that would enable increased traffic to be directed away from congested areas;
- (e) The proposed development must adequately address pedestrian traffic generation, proposed pedestrian circulation facilities and patterns, including, but not limited to, provision for adequate sidewalk capacity on and off site, provision for appropriate pedestrian safety on and off site, and provision for pedestrian circulation

patterns which do not substantially alter existing patterns and which enhance desired patterns where possible;

(f) The proposed development must adequately address access to public transportation facilities, including, but not limited to, provision for safe pedestrian access to and from transit stops, and pedestrian circulation patterns which encourage the use of public transit, and the provision of on site facilities for alternative means of transportation such as bicycles or van pools;

(g) The proposed development must adequately address the preservation of historic structures and significant features of existing buildings, including, if applicable, the retention and reuse of structures which are locally or federally designated historic structures; retention and reuse of significant structures, provided that such preservation requirements may be waived if the applicant shows that use of such structure is no longer economically or physically viable; and retention and reuse of structures which contribute to the character of an historically significant area;

(h) The proposed development must adequately address architectural relationships with surrounding buildings, including, but not limited to, provision for appropriate building siting, massing, facade treatment, materials, proportion, and scale;

(i) The proposed development must adequately address microclimate effects of proposed development, including, but not limited to, wind velocities, sun reflectance and sun access to streets, existing buildings, and public and private open space;

(j) The proposed development must adequately address protection of views and view corridors, including, if applicable, important views along major public streets, views from surrounding private properties, and views to and from significant public places, such as parks, open spaces, or riverfronts;

(k) The proposed development must adequately address the location, development and functions of open space, including, but not limited to, provision for additional open space where necessary for light and air to adjacent properties, provision for additional open space where desirable to lessen pedestrian impacts and increase safety, or maintenance of existing open spaces which serve these same purposes;

(l) The proposed development must address the project's compatibility and conformance with any overall master plans or comprehensive plans approved by the City Planning Commission and designated by the Department of City Planning, which address Downtown area development;

(m) If the proposed application includes a building(s) that exceeds fifty thousand (50,000) square feet of building footprint, the proposed development must adequately address large footprint building criteria of Section 922.04.E.6.

Section 18. The Pittsburgh Code, Title Nine – Zoning, Article IX – Measurements or Definitions, Chapter 925, Measurements, Section 925.06, Setbacks, is hereby amended to clarify contextual setback provisions in the Riverfront Zoning Districts as follows:

925.06. - Setbacks.

Setbacks refer to the required unoccupied open space between the furthestmost projection of a structure and the property line of the lot on which the structure is located, except as modified by the standards of this section. Required setbacks shall be unobstructed from the ground to the sky except as specified in this section.

925.06.A Features Allowed Within Setbacks

The following structures and features may be located within required setbacks:

1. Trees, shrubbery or other features of natural growth provided that they do not obstruct vehicular sight distances;
2. Open ornamental fences, hedges, landscape architectural features or guard railings around depressed ramps, in any required yard or court, if, except when in a closed court, maintained at a height of not more than four (4) feet above the ground level adjacent thereto;
3. Fences or lattice-work screens or walls not more than six and one-half (6½) feet in height, or hedges or thick growth of shrubs, maintained so as not to exceed such height, in any required side or rear yard or court, provided they do not extend closer to a street than the buildable area of the lot. Barbed wire and razor edge are not permitted.
4. Railings not more than three and one-half (3½) feet in height constructed on any balcony, stairway, porch or landing platform;
5. Driveways and sidewalks;
6. Signs, provided that they are specifically permitted by the sign regulations of this Code;
7. Bay windows, architectural design embellishments, and cantilevered floor areas of dwellings that do not project more than two (2) feet into the required setback;
8. Eaves that do not project more than two (2) feet into the required setback;
9. Entrance hoods, terraces, canopies and balconies that do not project more than five (5) feet into a required front or rear setback nor more than two (2) feet into a required side setback;
10. Chimneys, flues and ventilating ducts that do not project more than two (2) feet into a required setback and when placed so as not to obstruct light and ventilation;
11. Utility lines, wires and associated structures, such as power poles; and
12. Retaining walls, provided that they do not obstruct vehicular sight lines.

13. Open outside stairways or fire escapes that do not project more than four (4) feet into a required side or rear yard;
14. Open structures such as porches, decks or landing places which do not extend above the first floor of the building, with railing no more than ~~forty-two (42)~~ 42 inches high, and with no roof construction measuring more than four (4) feet from the under side of the supporting plate to the top of the roof, may be erected:
 1. In required front or rear yards, or side yard abutting a street, provided the structure is not more than nine (9) feet in depth and not nearer an abutting interior lot line than required width of the side yard; or the existing side wall setback whichever is the minimum amount;
 2. The space beneath the projecting porch, decks or landing place may serve as part of an interior minor garage, provided no portion of the garage extends above the adjoining ground level or farther into the yard than the open porch, deck or landing place and no garage doors open outward.
15. Access ramps and lifts for people with disabilities with review of the design, construction and location by the Zoning Administrator to insure appropriate context with the existing structure and neighborhood.

(Ord. 28/November 17, 2000/Amend. U-25; Ord. No. 27-2016, § 1, eff. 10-11-16)

925.06.B Contextual Front Setbacks

Regardless of the minimum front setback requirements imposed by the zoning district standards of this Code, applicants shall be allowed to use the Contextual Front Setback. The Contextual Front Setback shall apply only to primary uses and structures. A Contextual Front Setback for any lot with street frontage may fall at any point between the (zoning district) required front setback and the front setback that exists on a lot that is adjacent and oriented on the same side of the street as the subject lot or that of a build-to line established by at least fifty (50) percent of the primary structures within the same block as the subject property on the same side of the street as demonstrated by the applicant with plot plans, surveys, maps, and other evidence determined to be acceptable by the Zoning Administrator. This provision shall not be interpreted as requiring a greater front setback than imposed by the underlying zoning district, and it shall not be interpreted as allowing setbacks to be reduced to a level that results in right-of-way widths dropping below established minimums. Contextual Front Setbacks may not be applied to the Riparian Buffer Zone as established in Section 905.04.E.4.a, RIV Riverfront Zoning District.

925.06.C Contextual Side Setbacks

Regardless of the minimum side setback requirements imposed by the zoning standards of this Code, applicants shall be allowed to use a Contextual Side Setback. The Contextual Side Setback shall apply only to primary uses and structures. A Contextual Side Setback may fall at any point between the required side setback and the side setback that exists on a lot that is adjacent and oriented to the same street as the subject lot, but shall be a minimum of three (3)

feet. If the subject lot is a corner lot, the Contextual Side Setback may fall at any point between the required side setback required by the zoning district and the side setback that exists on the lot that is adjacent and oriented to the same street as the subject lot, but shall be a minimum of three (3) feet. If lots on either side of the subject lot are vacant, the setback that is required by the zoning district shall apply. This provision shall not be interpreted as requiring a greater side setback than imposed by the underlying zoning district, and it shall not be interpreted as allowing setbacks to be reduced to a level that results in right-of-way widths dropping below established minimums. Contextual Side Setbacks may not be applied to the Riparian Buffer Zone as established in Section 905.04.E.4.a, RIV Riverfront Zoning District.

Regardless of the setbacks of adjacent structures, for any single-unit house on a recorded zoning lot that is less than sixty (60) feet in width, the side yards may be reduced according to the following:

Lot Width	Required Interior Setback	Required Streetside Setback
59'	5'	29'
58'	5'	28'
57'	5'	27'
56'	5'	26'
55'	5'	25'
54'	5'	24'
53'	5'	23'
52'	5'	22'
51'	5'	21'
50'	5'	20'
49'	5'	20'
48'	5'	19'
47'	5'	19'

46'	5'	18'
45'	5'	18'
44'	4'	18'
43'	4'	17'
42'	4'	17'
41'	4'	16'
40'	4'	16'
39'	4'	15'
38'	4'	15'
37' and below	3'	15'

925.06.C.1 Reduced Setback on Both Sides

The applicant may reduce the side setback to three (3) feet on both sides only if adjacent properties have setbacks of three (3) feet or less on the sides abutting the applicant's property.

925.06.C.2 Zero Setback on One or Both Sides

The applicant may reduce the side setback to zero when the side of the abutting property has a zero side setback when both building walls abut each other.

925.06.D Front Setbacks on Corner and Irregular Lots

In the case of corner or irregular lots, the Zoning Administrator shall determine which frontages shall be considered the "front", "side", and "rear" setbacks. Criteria to be considered shall include but not be limited to orientation of the primary structure, orientation of the neighboring structures, and the location of the entrances to the structure.

925.06.E Setbacks Reduced for Public Purpose

When an existing setback is reduced as a result of conveyance to a federal, state or local government for a public purpose and the remaining setback is at least ~~seventy five (75)~~ 75 percent of the required minimum setback for the district in which it is located, then that

remaining setback shall be deemed to be in compliance with the minimum setback standards of this Code.

925.06.F Interior Side Setbacks When None Required

When no interior side setback is required and such a setback is provided it shall be a minimum of three (3) feet in depth. If an interior side setback is not provided the wall of the structure shall be on the interior side lot line.

925.06.G Features Allowed within Setbacks by Administrator's Exception

The Zoning Administrator shall be authorized, in accordance with the Administrator Exception procedures of Sec. 922.08, to permit features as per Sec. 925.06.G.1 within setbacks, according to the provisions of Sec. 925.06.G.2 below.

925.06.G.1 Permitted Features

The following features shall be permitted within setbacks in accordance with the standards of this section:

- (a) Swimming pool and deck in rear and side yards;
- (b) Garage, carport or parking stalls in rear and side yards;
- (c) Storage shed or gazebo in rear and side yards;
- (d) Decks in the side or rear yard;
- (e) HVAC units in side or rear yard;
- (f) HVAC units in front yard no closer to street than existing front porch or stoop;
- (g) Dumpsters;
- (h) Building additions to primary structures, where the existing primary structure is built within a setback, except for the Riparian Buffer as per 905.04.E.4;
- (i) Enclosures of existing decks and porches in side or rear yards;
- (j) Rooftop decks on detached garages; and
- (k) Accessory Structures not listed above, where the primary structure is built within a setback.

925.06.G.2 Standards

The applicant shall establish, by submittal of a plot plan, photograph(s) and other pertinent data such as written approval by abutting property owners that:

- (a) For features other than HVAC units, with respect to the front and side yard setback requirements, the proposed construction or erection will not place the accessory use, structures, or additions any closer to the front or neighboring property line than the building line of the applicant's existing, legally established, primary structure;
- (b) The establishment, maintenance, location and operation of the proposed use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;
- (c) Authorization of the proposed exception will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes permitted, nor substantially diminish or impair property values within the neighborhood;
- (d) The establishment of the proposed exception will not impede the normal and orderly development and improvement of surrounding property for uses permitted in that district;
- (e) Any mechanical equipment will be shielded from abutting properties with landscape plantings and/or decorative fencing as determined to be appropriate by the Administrator for visual screening and noise shielding;
- (f) Any illumination or drainage shall be contained on site and directed away from abutting properties; and
- (g) HVAC units shall be screened by parapets or other devices, so as not to be seen from streets or adjacent properties and shall be compliant with applicable noise and operational standards within the Zoning Code.

925.06.G.3 Administrator Action

Before approving an application, the Administrator shall recommend reasonable adjustments including, but not limited to, items concerning utilities, drainage, noise, landscaping and maintenance thereof, lighting, access, egress, screening of accessways to ensure that authorization of the proposed exception is consistent with the standards found in Sec. 925.06.G.2 above.

(Ord. No. 27-2016, § 2, eff. 10-11-16)

925.06.H Front Yard Parking

925.06.H.1 Authorization of Front Yard District

The City Planning Commission may designate a Front Yard District at the request of at least ~~sixty (60) percent~~ 60% of the property owners on the blockface of any specific street according to the procedure established by the Zoning Administrator. Blockface is defined as all properties on one (1) side of a given street existing between two (2) consecutive intersecting streets. Designation of a Front Yard Parking District allows individual

property owners to file for a Special Exception from the Board of Adjustment to park one (1) noncommercial automobile in the front yard of a residence, under certain conditions, as prescribed in Sec. 925.06.H.2. Designation of a Front Yard District shall be considered subject to the following criteria:

- (a) The cartway of the block shall be no wider than ~~eighteen (18)~~ 18 feet for a one-way street, or no wider than ~~twenty-seven (27)~~ 27 feet for a two-way street; and
- (b) A majority of the lots along the subject block shall not be accessible to the rear or side yard; or
- (c) Where the Planning Commission determines physical conditions warrant creation of a Front Yard Parking District, such as, but not limited to:
 - (1) Excessive topography which prevents parking on lot other than the front yard;
 - (2) Restriction on parking due to fire lane or no parking designation or narrow width of cartway;
 - (3) Location of underground utility lines which prevent access to rear or side yard.

925.06.H.2 Conditions of Special Exception

Installation of one (1) parking stall for a noncommercial automobile when accessory to a residential use shall be limited to RSD, Single-Unit Detached Residential, RSA, Single-Unit Attached Residential, and RT, Two-Unit Residential Use Subdistricts when located in an overlay Front Yard Parking District as designated by the Planning Commission, as specified under Sec. 925.06.H.1, provided:

- (a) The maximum dimensions of the stall shall not exceed ~~twenty (20)~~ 20 feet in depth and ten (10) feet in width or ~~fifty (50)~~ 50 percent of the property's frontage, whichever is less;
- (b) The stall shall be designed so that a vehicle parked on it shall not project onto any public right-of-way and will be accessed via a depressed-type cub cut, built according to city standards;
- (c) The stall shall be located so as to provide a minimum five-foot wide landscaped side yard;
- (d) The stall shall be paved with concrete, asphalt, or pavers, not including grass, slag, gravel, or mulch;
- (e) Each lot within the Front Yard Parking District shall be subject to the following criteria:
 - (1) The lot shall not be accessible to the rear or side yard; or

(2) The Zoning Board of Adjustment determines that physical conditions warrant inclusion such as but not limited to (1) excessive topography which prevents parking on lot other than the front yard, or (2) location of underground utility lines which prevent access to rear and side yard.

(f) The remainder of the front yard shall be landscaped to adequately screen the parking space from view by adjoining properties to the fullest extent possible. Landscaping shall include evergreen shrubs, trees, decorative walls, and other decorative elements to achieve the proper screening.

925.06.I Contextual Rear Setbacks

Regardless of the minimum rear setback requirements imposed by the zoning district standards of this Code, applicants shall be allowed to use a Contextual Rear Setback. The Contextual Rear Setback shall apply only to primary uses and structures. A Contextual Rear Setback may fall at any point between the required rear setback and the rear setback that exists on a lot that is adjacent to the subject lot and oriented to the same street as the subject lot. If the subject lot is a corner lot, the Contextual Setback may fall at any point between the rear setback required by the zoning district regulations and the rear setback that is adjacent to the subject lot and oriented to the same street as the subject lot. If lots on either side of the subject lot are vacant, the setback that is required by the zoning district shall apply. This provision shall not be interpreted as requiring a greater rear setback than imposed the zoning district, and it shall not be interpreted as allowing setbacks to be reduced to a level that results in right-of-way widths dropping below established minimums. Contextual Rear Setbacks may not be applied to the Riparian Buffer Zone as established in Section 905.04.E.4.a, Riverfront Zoning District.

(Ord. 16(99)/July 1, 1999/Amend. U-6; Ord. 21-2002, § 26, 6-18-02; Ord. 36-2005, § 1, eff. 12-14-05; Ord. 42-2005, § 39, eff. 12-30-05; Ord. No. 25-2011, § 2, eff. 12-22-11; Ord. No. 26-2011, § 1, eff. 12-22-11)

Section 18. The Pittsburgh Code, Title Nine – Zoning, Article IX – Measurements or Definitions, Chapter 925, Measurements, Section 925.07.D, Contextual Height, is hereby amended to clarify contextual height provisions in the Riverfront Zoning Districts as follows:

925.07.D Contextual Height

Regardless of the maximum height limit imposed by the zoning district standards of this Code, applicants shall be allowed to use a contextual height limit. The allowed contextual height may fall at any point between the (zoning district) maximum height limit and the average height of the buildings that exist on adjoining lots that are oriented on the same side of the street as the subject lot. If the subject lot is a corner lot, the contextual height may fall at any point between the (zoning district) maximum height limit and the building height that exists on the adjoining lot that is oriented on the same side of the street as the subject lot. If lots on either side of the subject lot are vacant, the height that "exists" on such vacant lots shall be

interpreted as the maximum height limit that applies to the vacant lot. Items listed in Section 925.07.C - Exemptions from Height Standards shall not be used to determine Contextual Height. This provision shall not be interpreted as requiring a greater minimum heights or lower maximum heights than imposed by the underlying zoning district, and it shall not be interpreted as allowing buildings heights that would conflict with Residential Compatibility Standard height limits of Chapter 916. Where bonus provisions of this code permit height that also qualifies as contextual height, the contextual height provisions of this section may only be used above the maximum allowable bonus height when the necessary requirements to achieve the bonus height have been met.