

ED GAINEY
MAYOR



JAMIL BEY
DIRECTOR

CITY OF PITTSBURGH
DEPARTMENT OF CITY PLANNING

January 16, 2025

Honorable President and Members
City Council
City of Pittsburgh
510 City County Building
Pittsburgh, Pennsylvania 15219

Re: Zoning Amendments – Council Bill 2024-1214

Dear President and Members:

Zoning legislation was introduced at City Council (Bill 2024-1214) to create a new use – Interim Housing – in the Zoning Code Primary Use Table. The City Council referred this legislation to the Planning Commission for report and recommendation.

The Planning Commission, at its meeting on January 14, 2024, made the following recommendation to City Council:

1. *The Planning Commission recommends that the City Council approve the Zoning Code Text Amendment with the following condition:
The Zoning Code text shall be amended at City Council by:*
 - a. *Removing the language from the Use conditions “Interim Housing Uses shall not exceed four (4) years at any one location and may only be used for additional Interim Housing Uses when a period of time equal to or greater than the length of the previous Interim Housing Use has passed.”; and*
 - b. *Adding “Wrap-around services” as a program to report on in the operations and management plan.*

If the City Council votes on the legislation with the above conditions, approval by the City Council shall require a simple majority, with affirmative votes of no fewer than five (5) members. However, if the City Council votes on the legislation without incorporating these conditions, it will be considered a negative recommendation of the Planning Commission. In that scenario, approval of such an amendment by the City Council shall require an affirmative vote of no fewer than seven (7) members.

In accordance with Section 922.05.E of the Zoning Code, City Council shall hold a public hearing on the Zoning Text or Map Amendment within one hundred twenty (120) days of the Planning Commission's action on the application. For reference, 120 days from January 14, 2025, will be May 14, 2025. After the

public hearing, Council shall act to approve or deny the application, within ninety (90) days of the Council hearing.

The minutes of the hearing held on January 14, 2025 will be forwarded when they have been officially accepted by the Planning Commission.

Yours truly,

s/ Corey Layman

Corey Layman, AICP

Zoning Administrator

cc: Jamil Bey, Director
Andrew Dash, AICP, Deputy Director
Jake Wheatley, Mayor's Office
Felicity Williams, Esq., Mayor's Office
Anthony Coghill, City Council
Deb Gross, City Council
Bobby Wilson, City Council
File

ZONING TEXT AMENDMENT REPORT

ZONING TEXT AMENDMENT

Council Bill 2024-1214

Interim Housing

ZONING:	Interim Housing Use
PROPOSAL:	Ordinance amending Pittsburgh Code, Title Nine, Zoning
ACTION REQUIRED:	A report and recommendation on a proposed Zoning Text Amendment
DATE:	January 14, 2025
SUBMITTED TO:	The Planning Commission of the City of Pittsburgh
FROM:	The Zoning Administrator

FINDINGS OF FACT

1. A Zoning Code text amendment was introduced at City Council by Councilmembers Anthony Coghill and Deborah Gross to create a new use – Interim Housing – in the Zoning Code Primary Use Table. It was referred to Planning Commission for report and recommendation on November 19, 2024.
2. The intent statement of the legislation includes a history of Council Bill 2023-2197 for Temporary Managed Uses which was withdrawn when the Interim Housing Use concept was developed.
3. On September 3, 2024, Planning Commission made an affirmative recommendation to City Council on a package of Zoning Code amendments that are intended to address Fair Housing deficiencies within the Zoning Code, to correct vague and confusing definitions and categories for group housing uses, and to create flexibility and expand options for creative solutions to temporary housing for individuals facing homelessness.
4. This package of Zoning Code amendments is awaiting introduction to the City Council, and it includes a similar provision to create an Interim Housing use. It will be Council Bill 2024-0984.
5. Both pieces of legislation define Interim Housing as “facilities, in one or more structures, that provide housing for homeless or those facing homelessness, excluding the definition of Custodial Care Facility and Personal Care Residence. Shelter and support are provided for individuals to facilitate the transition to more permanent housing. The Approving Body may provide a waiver of underlying zoning district standards to allow for flexibility so long as the use standards of 911.04.A.101 are met.”
6. Both pieces of legislation allow Interim Housing as Special Exceptions in the LNC, NDI, UNC, HC, UI, UC-MU, UC-E, R-MU, EMI, GT, RIV-MU, RIV-NS, and RIV-IMU. However, Council Bill 2024-0984 includes Grandview Public Realm – C, Specially Planned District 1 – Pittsburgh Technology Center, Specially Planned District – 4, Station Square, Specially Planned District – 5, South Side Works, Specially Planned District – 9, Bakery Square, and Specially Planned District – 10, Hazelwood Green. Council Bill 2024-1214 excludes these districts. The intent of the 2024-0984 was to allow these uses in all areas where Hotel/Motel (General) is permitted. These districts will be added as part of 2024-0984.
7. Both pieces of legislation have standards for Interim Housing, however, Council Bill 2024-1214 adds an additional condition: Interim Housing Uses shall not exceed four (4) years at any one location and may only be used for additional Interim Housing Uses when a period of time equal to or greater than the length of the previous Interim Housing Use has passed. The Zoning Code and Building Code do not allow these types of restriction. Occupancy can be temporary for 6 months

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or permanent, an Occupancy Permits run with the property, not the owner or operator.

8. Both pieces of legislation have standards for Interim Housing, including the requirement for an operational management plan. A condition of a positive recommendation on Council Bill 2024-0984 was to add “wrap around services” as an item to be included this plan.
9. In accordance with Section 922.05.F, the Planning Commission shall review Zoning District Map or Zoning Code text amendments based on the following criteria:
 - a. The consistency of the proposal with adopted plans and policies of the City;
 - b. The convenience and welfare of the public;
 - c. The intent and purpose of the Zoning Code;
 - d. Compatibility of the proposal with the zoning, uses and character of the neighborhood;
 - e. The suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;
 - f. The extent to which approval of the proposed zoning map amendment will detrimentally affect nearby property;
 - g. The length of time the subject property has remained vacant as zoned;
 - h. Impact of the proposed development on community facilities and services; and
 - i. The recommendations of staff.

Not all of the criteria must be given equal consideration by the Planning Commission or City Council in reaching a decision.

RECOMMENDED MOTION:

The Planning Commission makes a **positive** recommendation to City Council on the Zoning Code Text Amendment with the following condition:

The Zoning Code text shall be amended by substitute upon introduction at City Council by:

1. Removing the language from the Use conditions “Interim Housing Uses shall not exceed four (4) years at any one location and may only be used for additional Interim Housing Uses when a period of time equal to or greater than the length of the previous Interim Housing Use has passed.”; and
2. Adding “Wrap-around services” as a program to report on in the operations and management plan.

SUBMITTED BY: Corey Layman, Chief Zoning Officer



THE CITY OF PITTSBURGH

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File #: 2024-1214 Version: 1

Type: Ordinance

Status: Held in Standing Committee

File created: 11/19/2024

In control: Commission - Planning Commission

On agenda: 11/19/2024

Final action:

Enactment date:

Enactment #:

Effective date:

Title: Ordinance amending and supplementing the Pittsburgh Code of Ordinances, Title Nine, Zoning Code, Article V, Use Regulations, Chapter 911, Primary Uses, Section 911.02, Use Table, by adding a new use, "Interim Housing", and supplementing Section 911.04, "Use Standards", by adding standards for the same. (Sent to the Planning Commission for a Report and Recommendation on 11/25/24)

Sponsors: Anthony Coghill, Deborah L. Gross

Attachments: 1. [2024-1214 Use Table Interim Housing.Revised BP](#)

[History \(1\)](#) [Text](#)

Title

Ordinance amending and supplementing the Pittsburgh Code of Ordinances, Title Nine, Zoning Code, Article V, Use Regulations, Chapter 911, Primary Uses, Section 911.02, Use Table, by adding a new use, "Interim Housing", and supplementing Section 911.04, "Use Standards", by adding standards for the same.

(Sent to the Planning Commission for a Report and Recommendation on 11/25/24)

Body

Whereas, in September of 2022 then Pittsburgh City Council President Theresa Kail-Smith established a Committee of City Councilmembers including Councilmembers Coghill, Gross, Strassburger, and Wilson to investigate solutions to the burgeoning homelessness crisis in the City of Pittsburgh; **and**,

Whereas, in May of 2023 the Committee shared its proposals publicly; **and**,

Whereas, in November of 2023, Councilmembers Coghill and Gross introduced Resolution 2023-2197 to establish rules regulating the permitting and supervision of Temporary Managed Communities to help individuals at risk of, or experiencing homelessness; **and**,

Whereas, on February 20th 2024, Councilmembers Coghill and Gross requested a hold on 2023-2197 to allow for a collaborative revision process with Planning Commission Members, Planning Department Staff, Administration Officials and other stakeholders; **and**,

Whereas, that work proceeded, resulting in amendments that strengthened and clarified the intent and application of the original bill resulting in a new use category called "Interim Housing"; **and**,

Whereas, on August 28th, 2024 Council Bill 2023-2197 was ultimately withdrawn; **and**,

Whereas, The City faces the prospect of a 3rd winter since City Council's Unhoused Committee was formed, and 2nd winter since its recommendations were made; **and**,

Whereas, this ordinance proposes changes to the Use Table and Use Standards which contains language that has already received a positive recommendation from the Planning Commission; **and**,

Whereas, City Council believes it is time to implement this critical portion of its Unhoused Committee's recommendations; **and**,

Therefore, be it resolved that the Council of the City of Pittsburgh hereby enacts as follows:

Section 1. The Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Regulations, Chapter 911, Primary Uses, Section 911.02, Use Table, is hereby supplemented as follows:

Interim Housing means facilities, in one or more structures, that provide housing for homeless or those facing homelessness, excluding the definition of Custodial Care Facility and Personal Care Residence. Shelter and support are provided for individuals to facilitate transition to more permanent housing. The Approving Body may provide a waiver of underlying zoning district standards to allow for flexibility so long as the use standards of 911.04.A.101 are met.

Local Neighborhood Commercial (LNC) - special exception

Neighborhood Industrial (NDI) - special exception

Urban Neighborhood Commercial (UNC) - special exception

Highway Commercial (HC) - special exception

Urban Industrial (UI) - special exception

Urban Center Mixed Use (UC-MU) - special exception

Urban Center Employment (UC-E) - special exception

Residential Mixed Use (R-MU) - special exception

Educational/Medical Institutional (EMI) - special exception

Golden Triangle (GT) - special exception

Riverfront Mixed Use (RIV-MU) - special exception

Riverfront North Shore (RIV-NS) - special exception

Riverfront Industrial Mixed Use (RIV-IMU) - special exception

Section 2. The Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Regulations, is hereby amended at Chapter 911, Section 911.04, Use Standards, as follows:

911.04.A.101 Interim Housing

Interim Housing uses shall be subject to the following standards in all permitted Zoning Districts:

- a. The applicant shall hold a Development Activities Meeting if the proposed project meets one or more of the criteria in Section 178E.08.
- b. Applications for Interim Housing uses shall describe programs of operation and management including but not limited to:
 - i. Site layout and access;
 - ii. Location and type(s) of living arrangements;
 - iii. Bathroom and dining facilities; and
 - iv. Storage areas.
- c. The Approving Body shall determine that the entity operating the Interim Housing use has the capability and plan to adequately address the items detailed in 911.04.A.101(b).
- d. The Approving Body may waive underlying zoning to allow for exceptions to underlying zoning standards provided that the use standards of this 911.04.A.101 are adequately addressed.
- e. Interim Housing Uses shall meet all applicable Fire, Building Code, Health Department, and Public Safety requirements.
- f. Interim Housing Uses shall not exceed four (4) years at any one location and may only be used for additional Interim Housing Uses when a period of time equal to or greater than the length of the previous Interim Housing Use has passed.

Section 3. Any Ordinance or Resolution inconsistent with this Ordinance is hereby repealed to the extent of the conflict or inconsistency.