

COREY O'CONNOR  
MAYOR



IVETTE MONGALO-WINSTON  
DIRECTOR

CITY OF PITTSBURGH  
DEPARTMENT OF CITY PLANNING

April 9, 2026

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

Re: Zoning Text Amendment, Council Bill 2025-2250

Dear President and Members:

Legislation amending the Pittsburgh Zoning Code to add a definition for Restricted Personal Goods Retail and associated use standards was introduced at City Council and referred to the City Planning Commission for its report and recommendation on October 15, 2025. The Planning Commission held a public hearing on the proposed legislation on April 7, 2026.

At the hearing, the Planning Commission made a positive recommendation to City Council on the proposed Zoning Text Amendment with one condition: that the legislation be amended by substitute at City Council. Planning Commission also made a motion asking City Planning staff to follow up with the Planning Commission on this legislation within one year.

A copy of the full corrected text to be amended by substitution is attached, along with the Planning Commission's report. The minutes from the hearing will be forwarded when they are accepted by the Planning Commission. Upon conclusion of the public hearing required to be held by City Council, the bill may be enacted with five affirmative votes.

As per 922.05.E (Hearing and Action by City Council), the City Council shall hold a public hearing on the application within one hundred twenty (120) days of the Planning Commission's action on the application. For your convenience, 120 days from April 7, 2026 is August 5, 2026.

Sincerely,

s/ Carolyn Ristau

Zoning Administrator

Cc: Ivette Mongalo-Winston, Director  
Andrew Dash, Deputy Director  
Bob Charland, City Council  
Dan Gilman, Mayor's Office  
Matt Singer, Mayor's Office  
Erika Strassburger, City Council  
Bobby Wilson, City Council



CITY OF PITTSBURGH, DEPARTMENT OF CITY PLANNING  
**PLANNING COMMISSION**

**APPLICATION:** Council Bill 2025-2250  
**PROPERTY:** City-wide  
**ZONING** All zoning districts  
**DISTRICT:**  
**PROPOSAL:** Zoning Code Text Amendment to add Restricted Personal Goods Retail as a primary use and specific standards  
**DATE:** April 9, 2026  
**DECISION DATE:** April 7, 2026

**DECISION:**

Motion 1:

That the Planning Commission of the City of Pittsburgh **makes a positive recommendation to City Council** on Council Bill 2025-2250, to amend the Pittsburgh Code, Title Nine - Zoning, Article V, Use Regulations, Chapter 911: Primary Uses, to add Restricted Personal Goods Retail, to add specific requirements and conditional use application requirements, subject to the version presented at Planning Commission be Amended by Substitution at City Council.

Motion 2:

That City Planning staff follow up with the Planning Commission on this legislation within one year.

S/Lashawn Burton-Faulk  
**LASHAWN BURTON-FAULK, CHAIRPERSON**

s/Bob Reppe  
**BOB REPPE, SECRETARY**

*Note: Decision issued with electronic signatures, with the Planning Commission review and approval.*

**LASHAWN BURTON-FAULK, CHAIRPERSON | RACHEL O'NEILL, VICE-CHAIRPERSON**

**BOB REPPE SECRETARY | JUSTIN HUNT | GERARDO INTERIANO | DARRIN KELLY**

**PETER QUINTANILLA | DAVID VATZ | DIAMONTE WALKER**

412 Boulevard of the Allies | Suite 201

# Planning Commission Hearing & Action Report



## Application Details

<b>Project Type</b>	Zoning Text Amendment
<b>Meeting Date</b>	April 07, 2026
<b>Application</b>	Council Bill 2025-2250
<b>Proposal</b>	Zoning Code Text Amendment to add Restricted Personal Goods Retail as a primary use and specific standards
<b>Neighborhood</b>	City-wide
<b>Action Required</b>	Report and Recommendation to City Council
<b>Council Sponsor</b>	Councilperson Bobby Wilson
<b>Council Co-Sponsors</b>	Councilpersons R. Daniel Lavelle, Robert Charland, Erika Strassburger, Theresa Kail-Smith

## Table of Contents

1. Review Criteria
2. Findings of Fact
3. Recommendation
4. Council Bill referred to Planning Commission
5. Council Bill to be amended at City Council

# Review Criteria

## Zoning Map and Text Amendments

### **922.05.F**

*The criteria for review of a proposed amendment to the Zoning District Map or the text of the Zoning Code are set out in this section. Not all of the criteria must be given equal consideration by the Planning Commission or City Council in reaching a decision. The criteria to be considered shall be as follows:*

- 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 this 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.

# Findings of Fact

1. Council Bill 2025-2250 was sent to Planning Commission for Report and Recommendation on October 15, 2025. The legislation amends Section 911: Primary Uses to add Restricted Personal Goods Retail and specific standards.
2. As per 922.05.D, Planning Commission has 90 days to make a recommendation to City Council, however City Council has introduced Resolutions 2025-2656 and 2026-0180 to extend the deadline for final action to June 5, 2026.
3. When Planning Commission makes a positive recommendation to City Council on Zoning Code Text amendments, Council needs a simple majority to approve. If Commission makes a negative recommendation, then super majority is required. The Mayor ultimately makes the decision on Zoning Code Text Amendments.
4. The legislation includes a new definition in the Primary Uses section, revisions to the Primary Use Table, and design and operational standards for Restricted Personal Goods Retail. However, the Department of City Planning (DCP) raised concerns about the enforceability of the proposed standards.
5. Council staff, the Pittsburgh Downtown Partnership, and DCP met to review and revise the proposal. The group collaborated and simplified the definition, use table, and standards to ensure they are clear and enforceable under zoning.
6. The revised version is being presented at Planning Commission to be amended by substitution at City Council.
7. The changes include-
  - a) Title Updated: Changed from “Restricted Personal Goods Retail” to “Retail: Tobacco, Inhalant, and Cannabinoids” to provide a broader, yet more direct description.
  - b) Definition Revised: Expanded and clarified the list of products included in this category. Removed the shelf space test, signage/branding test, and functional character test.
  - c) Use Table Updated: Simplified the approval framework. Previously, it was Permitted in UC-MU; Special Exception in LNC, NDI, GI, R-MU, RIV-NS, RIV-GI; and Conditional Use in UNC, HC, UI, UC-E, GT, RIV-MU, RIV-IMU. These have now been updated to Special Exception in NDI, UNC, HC, GI, UI, UC-MU, UC-E, RIV-MU, RIV-NS, RIV-GI, RIV-IMU
  - d) Design & Operational Standards Updated: Revised standards to better regulate business operations and site location.

# Recommendation

Staff recommends that the Planning Commission of the City of Pittsburgh makes a **POSITIVE RECOMMENDATION to City Council** on Council Bill 2025-2250 Ordinance amending the Pittsburgh Code, Title Nine - Zoning, Article V, Use Regulations, Chapter 911: Primary Uses, to add Restricted Personal Goods Retail, to add specific requirements and conditional use application requirements, subject to the version attached to this report be amended by substitution at City Council.

SUBMITTED BY: \_\_\_\_\_

Kate Rakus, Senior Planning Manager



Text File

Introduced: 9/15/2025

Bill No: 2025-2250, Version: 2

Committee: Commission - Planning Commission

Status: Held in Standing Committee

Ordinance amending the Pittsburgh Code, Title Nine - Zoning, Article V, Use Regulations, Chapter 911: Primary Uses, to add Restricted Personal Goods Retail, to add specific requirements and conditional use application requirements.

*(Sent to the Planning Commission for a report & recommendation on 10/15/25)*

*(Needs to be held for a Public Hearing)*

**WHEREAS**, per the Centers for Disease Control, electronic cigarette (“vape”) products often contain harmful substances, including nicotine (which is highly addictive and impairs adolescent brain development), heavy metals, volatile organic compounds, cancer-causing chemicals, and ultra-fine particles that can be inhaled deep into the lungs; and,

**WHEREAS**, per Johns Hopkins Medicine, exposure to e-cigarette or vapor aerosols, both first-hand and second-hand, has been associated in recent studies with elevated risks of lung disease, high blood pressure, and other adverse health outcomes in both youth and adults; and,

**WHEREAS**, per a recent review published in *Health & Place*, vape shops act as nodes in the built environment that increase visibility, accessibility, marketing exposure, and normalization of vaping behavior, especially among minors and socially-vulnerable populations; and,

**WHEREAS**, per a recent study published in the official journal of the Society for Research on Nicotine and Tobacco, vape shops are disproportionately clustered in urban areas and in neighborhoods with higher poverty rates, minority populations, and lower education levels, potentially exacerbating existing health disparities; and,

**WHEREAS**, the proximity of vape shops to child-centric uses such as schools, playgrounds, daycare centers, religious institutions, and places where children gather increases the likelihood of youth exposure, initiation, and experimentation with vaping; and,

**WHEREAS**, reducing retail density and increasing minimum separation distances between vape shops and between vape shops and child-centric uses is a critical tool by which the City of Pittsburgh can mitigate youth initiation to vaping, limit marketing exposure, and slow proliferation of vape shops while preserving commercial opportunity and fairness; and,

**WHEREAS**, the public interest in preventing youth nicotine addiction, shielding minors from persuasive advertising or indoor aerosol exposure, and ensuring that retail environments do not contribute disproportionately to health inequities justifies this proposed zoning ordinance under the City of Pittsburgh’s powers to promote the health, safety, and general welfare of the community.

***NOW, THEREFORE, the Council of the City of Pittsburgh ordains as follows:***

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

**Restricted Personal Goods Retail** means a retail establishment, not including a licensed medical marijuana dispensary, in which any of the following objective criteria are met:

1. ~~Floor Area Test~~ **Functional Character Test**

(a) ~~Greater than or equal to 15% of the total gross floor area is dedicated to on-site display or sale of:~~ **A business whose principal retail activity, based on product inventory, display, and marketing, is the sale of “Products”, regardless of its name, signage, or business license classification.**

(b) **Products are collectively defined as:**

- i. electronic nicotine delivery systems (vapes, ecigarettes, eliquids),
- ii. CBD, which shall mean any product, whether for ingestion, inhalation, topical application, or other use, including but not limited to oils, tinctures, edibles, vaporizable liquids, creams, or capsules, regardless of whether such products require a prescription or medical marijuana licensure under state law, containing or claiming to contain cannabidiol (CBD) or any compound derived from hemp or cannabis plants, including, without limitation, kratom, Delta-8 THC, Delta-10 THC, HHC, THCP, THCVCBG, CBN, other non-THC cannabinoids,
- iii. smoking-related accessories ~~(i-iii, collectively, the “Products”).~~

(c) Such measurement shall be conducted in the aggregate, regardless of how products are distributed or dispersed throughout the premises. These criteria apply to the entire premises, regardless of any sublease, concession, or shared-space arrangement. These thresholds apply irrespective of the business’s asserted primary use or purpose.

2. Shelf Space Test

(a) Greater than or equal to 10 linear feet of shelf space or greater than or equal to 2 display fixtures/cabinets are dedicated to such Products. Such measurement shall be conducted in the aggregate, regardless of how products are distributed or dispersed throughout the premises. These criteria apply to the entire premises, regardless of any sublease, concession, or shared-space arrangement. These thresholds apply irrespective of the business’s asserted primary use or purpose.

3. Signage/Branding Test

(a) Exterior or interior signage or branding comprises greater than or equal to 25% of visible display area referencing Products or Product brands.

4. Business Self-Identification Test

(a) The business name or trade name contains terms like “vape,” “smoke,” “CBD,” or “tobacco,” or the business license lists it as a “vape shop,” “smoke shop,” “CBD shop”, or similar.

5. Functional Character Test

(a) ~~A business whose principal retail activity, based on product inventory, display, and marketing, is the sale of Products, regardless of its name, signage, or business license classification.~~

<b>P = Permitted By Right A = Administrator Exception S = Special Exception</b> <b>C = Conditional Use</b>																										
Residential					Mixed Use										Special			DT		RIV						
R1	R1	R2	R3	RM	ND	DO	L	N	U	H	GI	UI	U	U	R-P		H	E	GT		RM	M	N	GI	I	
D	A						C	D	C	C			C	C	M			M				U	S		M	
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**Section 2.** The Pittsburgh Zoning Code, Title Nine, Article V: Use Regulations, Chapter 911 - Primary Uses, 911.04: Use Standards is hereby amended to include a new Section 911.04.A.101: Restricted Personal Goods Retail as follows:

**911.04.A.101 Restricted Personal Goods Retail**

Restricted Personal Goods Retail uses shall be subject to the following standards:

(a) Separation Requirements:

(1) Restricted Personal Goods Retail shall not be located within ~~1,500~~ **1,000** feet of:

- i. Any elementary or secondary school;
- ii. Any licensed daycare facility; **or,**
- iii. ~~Any religious institution;~~
- iv. ~~Any public park or playground; or,~~
- iii. ~~Another Restricted Personal Goods Retail use.~~

(2) Distances measured from parcel line to parcel line.

(b) Hours of Operation:

(1) Restricted Personal Goods Retail shall not operate between the hours of 11:00 p.m. and 9:00 a.m.

(c) Security and Display Requirements:

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**Introduced:** 9/15/2025

**Bill No:** 2025-2250, **Version:** 2

**Committee:** Commission - Planning Commission

**Status:** Held in Standing Committee

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- (1) All Products in Restricted Personal Goods Retail must be kept behind a counter or in locked display cases.
- (2) No self-service sales shall be permitted.

*..title*

Ordinance amending the Pittsburgh Code, Title Nine – Zoning, Article V, Use Regulations, Chapter 911: Primary Uses, to add Restricted Personal Goods Retail, to add specific requirements and conditional use application requirements.

*..body*

**WHEREAS**, per the Centers for Disease Control, electronic cigarette (“vape”) products often contain harmful substances, including nicotine (which is highly addictive and impairs adolescent brain development), heavy metals, volatile organic compounds, cancer-causing chemicals, and ultra-fine particles that can be inhaled deep into the lungs; and,

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**WHEREAS**, per a recent review published in *Health & Place*, vape shops act as nodes in the built environment that increase visibility, accessibility, marketing exposure, and normalization of vaping behavior, especially among minors and socially-vulnerable populations; and,

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**WHEREAS**, the proximity of vape shops to child-centric uses such as schools increases the likelihood of youth exposure, initiation, and experimentation with vaping; and,

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**NOW, THEREFORE, the Council of the City of Pittsburgh ordains as follows:**

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<b>P = Permitted By Right</b> <b>A = Administrator Exception</b> <b>S = Special Exception</b> <b>C = Conditional Use</b>																													
	Residential					Mixed Use								Special			DT	RIV											
	R1D	RIA	R2	R3	RM	NDO	LNC	NDI	UNC	HC	GI	UI	UC-MU	UC-E	R-MU	P	H	EMI	GT		RM	MU	NS	GI	IMU				
<b><u>Retail: Tobacco, Inhalant, and Cannabinoids</u></b> means a retail establishment, not including a licensed medical marijuana dispensary, whose principal retail activity, based on product inventory, display, and marketing is the sale of any combination of the following products or categories: <ol style="list-style-type: none"> <li><u>Any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipes, snuff, chewing tobacco, and dipping tobacco.</u></li> <li><u>Electronic cigarettes, vape pens, or similar inhalant devices.</u></li> <li><u>Smoking or inhalation accessories (e.g., pipes, rolling papers, hookahs).</u></li> <li><u>Hemp-derived or synthetic cannabinoids, including but not limited to Delta-8 THC, Delta-10 THC, HHC, or similar</u></li> </ol>								S	S	S	S	S	S													S	S	S	S

<p><u>psychoactive substances not regulated as controlled substances under state or federal law.</u></p> <p>5. <u>Other ingestible or inhalable supplements marketed for psychoactive or euphoric effects.</u></p> <p>6. <u>The business name or trade name contains terms like “vape,” “smoke,” “CBD,” or “tobacco,” or the business license lists it as a “vape shop,” “smoke shop,” “CBD shop”, or similar.</u></p>																									
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**Section 2.** The Pittsburgh Zoning Code, Title Nine, Article V: Use Regulations, Chapter 911 - Primary Uses, 911.04: Use Standards is hereby amended to include a new Section 911.04.A.102: Retail: Tobacco, Inhalant, and Cannabinoids as follows:

911.04.A.102 Retail: Tobacco, Inhalant, and Cannabinoids

Retail: Tobacco, Inhalant, and Cannabinoids use shall be subject to the following standards:

- (a) Shall not be located within 1,000 feet of any Elementary or Secondary School, measured from parcel line to parcel line.
- (b) Shall not operate between the hours of 11:00 p.m. and 9:00 a.m.
- (c) No self-service sales shall be permitted.