Zoning Text Amendment

ZONING:	**Zoning Code Text Amendments related to Accessory Dwelling Units, Inclusionary Zoning, Parking, and Minimum Lot Size/Lot Size Per Unit**
NEIGHBORHOODS:	City-wide
ACTION REQUIRED:	Report and Recommendation to City Council
DATE:	January 28, 2024
SUBMITTED TO:	The Planning Commission of the City of Pittsburgh
FROM:	The Zoning Administrator

FINDINGS OF FACT

1. The City of Pittsburgh engaged HR&A Consultants to conduct a comprehensive Housing Needs Assessment to gain a deeper understanding of the city's current and future housing demands. The assessment involved evaluating the existing housing stock and analyzing demographic trends to identify key areas for improvement and growth. The findings, published in January 2022, highlighted critical opportunities to guide future policy decisions focused on both the creation of new housing and the preservation of existing units.

2. In response to recent findings, the Department of City Planning is proposing a series of zoning updates designed to reduce barriers to new housing development, lower housing costs, and expand affordable housing options. These changes will diversify the housing stock, enabling more households to live in vibrant, mixed-income neighborhoods. In addition to supporting housing development, these updates will also deliver broader community benefits, such as improvements to multi-modal infrastructure and streetscapes.

3. The City has been working on a comprehensive package of zoning text amendments, including those related to Accessory Dwelling Units, city-wide Inclusionary Housing, Parking, and Minimum Lot Size requirements.

4. The City published and shared all the resources and meeting presentations on EngagePGH on September 5, 2024, with a dedicated webpage for each of the zoning amendments. It also featured a public comment portal where feedback was collected and addressed. The webpages were regularly updated throughout the process, with the final version of the proposed changes posted on November 19, 2024, incorporating feedback from additional meetings and public comments. The comment period for EngagePGH closed on December 3, 2024.

5. Since July 2024, the City has been actively engaging with a wide range of stakeholders and community groups to share the proposed zoning changes and gather feedback. The City has held meetings with multiple Registered Community Organizations (RCOs) across various neighborhoods, including Beltzhoover, Squirrel Hill, Oakland, Polish Hill, the North Side, and Pittsburgh Downtown Partnership, among others. Additionally, the City has collaborated with organizations such as the Housing Justice Table and Housing Opportunity Fund to ensure these changes align with both community needs and the City’s broader goals.

6. The zoning code text amendments were initially briefed to the Planning Commission at the September 17, 2024, October 1, 2024, and November 26, 2024 meetings.

7. The proposed legislation amends several sections of the Zoning Code. The main topics addressed in this round of zoning text updates include Accessory Dwelling Units, City-wide Inclusionary Zoning, Parking Requirements, and Minimum Lot Size requirements, briefly described below.

8. **Accessory Dwelling Units (ADU).** The zoning code update will amend Title Nine, Article V. Chapter 912, Accessory Uses and Structures Accessory Dwelling Units to allow ADUs by-right on any lot where a primary use is a residential use, Community Center or Religious Assembly. The update allows a maximum of two ADUs per zoning lot containing a residential use, with each ADU permitted to be up to two stories or 30 feet in height. For lots with a community center or religious assembly use, there is no limit to the number of ADUs, although developments with more than 10 units will be subject to Site Plan Review. Additionally, the update revises Section 15, Chapter 925 (Measurements – Permitted Features and Standards) to include specific provisions related to ADUs.

9. **City-wide Inclusionary Zoning.** The zoning code update will amend Title Nine, Zoning Code, Article 1, Introduction and Establishment to create a new section **902.04 Inclusionary Housing.** This section will require that a minimum of 10% of units in all new construction or substantial improvement projects containing 20 or more dwelling units, sleeping rooms, or a combination of both, be designated as inclusionary units. This requirement will apply to projects anywhere within the city.

   The update includes provisions for both on-site and off-site inclusionary units, applicable to both rental and for-sale developments. Projects that provide inclusionary housing and are not eligible to use the Performance Points System (as outlined in Section 915.07) will qualify for two development bonus points. Each bonus point will grant 15 feet of additional height and 1 Floor Area Ratio (FAR). Developments that are eligible for bonuses under the Performance Points System (Section 915.07) will not be eligible for additional density incentives but will be exempt from applicable upper-story stepback requirements. Additionally, this update will remove Chapter 907.04, the Inclusionary Housing Overlay District (IZ-O), which applied only to certain neighborhoods.

10. **Parking Requirement.** The proposed zoning code update will amend Title Nine, Zoning Code, Article II, Base Zoning, Chapter 914 (Parking, Loading, and Access) to introduce several key changes:
    a) Maximum Parking Requirements: Parking requirements will be adjusted based on the PRT (Pittsburgh Regional Transit) Frequent Service Walkshed, establishing maximum parking limits.
    b) Bicycle Parking: The minimum number of required bicycle parking spaces will be increased for multi-unit residential, commercial, low-occupancy facilities, and hotels/motels.
    c) Transportation Demand Management (TDM): New TDM requirements will be implemented to manage transportation demand, ensuring no adverse impacts on surrounding residential areas. The updated Chapter 911 (Primary Uses) will ensure facilities manage transportation demand in line with Section 914.10.

   Additionally, Chapter 912 (Accessory Uses and Structures) will be amended to create a new Section 912.09, dedicated to parking carousels and mechanized parking lift systems. This update will also remove all references to mandatory parking and off-street parking requirements for residential, commercial, and industrial uses throughout the zoning code.

11. **Minimum Lot Size Requirement.** The zoning code update will amend Title Nine, Zoning Code, Article II, Base Zoning District, Chapter 903, Residential Zoning Districts to reduce the minimum lot sizes to reduce the minimum lot size requirements for various zoning districts:
    - Very Low-Density: reduced from 8,000 sq. ft. to 6,000 sq. ft.
    - Low-Density: reduced from 5,000 sq. ft. to 3,000 sq. ft.
    - Moderate Density: reduced from 3,200 sq. ft. to 2,400 sq. ft.
    - High Density: reduced from 1,800 sq. ft. to 1,200 sq. ft.
    - Very High Density: no minimum lot size requirement.

Additionally, the update removes the minimum lot size per unit requirement for all zoning designations.

12. The final updated draft legislations were completed and posted on the City website 21 days prior to the hearing.

13. In accordance with Section 922.05.F, the Planning Commission and City Council shall reviewZoning Code text and map amendments based on the following criteria:

    - The consistency of the proposal with adopted plans and policies of the City;
    - The convenience and welfare of the public;
    - The intent and purpose of the Zoning Code;
    - Compatibility of the proposal with the zoning, uses and character of the neighborhood;
    - The suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;
    - The extent to which approval of the proposed zoning map amendment will detrimentally affect nearby property;
    - The length of time the subject property has remained vacant as zoned;
    - Impact of the proposed development on community facilities and services; and
    - The recommendations of staff.

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

RECOMMENDED MOTION

1. That the Planning Commission of the City of Pittsburgh makes a **positive recommendation** to City Council on the zoning code text amendment proposal related to Accessory Dwelling Units, Inclusionary Zoning, Parking, and Minimum Lot Size/Lot Size Per Unit, as outlined in the attached documents, with the following conditions to be amended at the time of introduction at City Council:
    a. That City Planning staff shall prepare an amendment that exempts Golden Triangle Zoning District, Subdistricts A, B, C, and D that are eligible for the Downtown LERTA program from the requirements of Inclusionary Zoning.
    b. That City Planning staff shall prepare an amendment to increase the allowable height for parking carousels from 60 feet to 65 feet as part of the Parking Requirements.
    c. That City Planning staff shall include a provision in the Traffic Demand Management (TDM) ordinance specifying that its effective date will be six (6) months from enactment.
    d. That City Planning staff shall study options for keeping some portion of the building stepbacks to ensure an appropriate urban form and amend the text as recommended.
    e. That City Planning staff shall prepare an amendment adding a new subsection to the Applicability Section which states the following: "The standards of Inclusionary Housing shall not be construed as reducing, conflicting with, or superseding any affordability incentives, goals, or requirements included elsewhere within the Zoning Code, or in any plans or policy documents adopted by the City."

SUBMITTED BY:

Corey Layman, Chief Zoning Officer