

## **ZONING MAP CHANGE AND TEXT AMENDMENT REPORT**

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### **UPTOWN PUBLIC REALM DISTRICT AND PERFORMANCE POINTS SYSTEM LAND USE CONTROL FILE NO. C-817 ZONE CHANGE PETITION NO. 794**

**PROPERTY:** 990 parcels are in the proposed Uptown Public Realm District boundaries  
**NEIGHBORHOODS:** Bluff, West Oakland, Crawford-Roberts, Central Business District  
**PROPOSED ZONING:** Uptown Public Realm District and Performance Points System  
**ACTION REQUIRED:** Public Hearing and Recommendation to City Council on the Proposed Zone Change  
**COUNCIL DISTRICTS:** 6; Councilman R. Daniel Lavelle  
**DATE:** September 12, 2017  
**SUBMITTED TO:** The Planning Commission of the City of Pittsburgh  
**FROM:** The Zoning Administrator

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#### **FINDINGS OF FACT**

1. **Background:** In 2015, City Council adopted the Uptown Interim Planning Overlay District (Uptown IPOD) that applied to 105 acres of property within the Bluff (Uptown), Central Business District, Crawford-Roberts, and West Oakland neighborhoods. Consistent with the intent of Section 907.02.A, the Uptown IPOD area coincided with the study area of the Uptown / West Oakland Ecolnnovation District Plan (EID Plan) and primarily limited building demolition except where necessary to protect public safety, limited new surface parking lots, and required that all projects receive Planning Commission approvals during the period where the City was conducting planning studies that would inform the preparation of permanent controls appropriate for the area presented in this report. The Uptown IPOD was extended by 6 months in December 2016 and expired in May 2017. A temporary limitation on building demolition was adopted by City Council in May 2017 and is set to expire at the end of 2017 or when the Zoning Code amendments described in this report are adopted by City Council, whichever occurs first.
2. The Department of City Planning proposes Zoning Code amendments in this report have been developed through a thorough community planning process for the EID Plan. The project team held twenty focus groups and over 50 interviews with stakeholders in and near the district. A survey was completed by 700 residents, employees and students. The team held three public events with 500 attendees which included live music and local food truck operators in addition to activities and presentations. At one of these events, a collaborative mapping exercise resulted in over 160 location specific comments. The project team presented at many existing community meetings over the course of the two years and the project website had over 2,400 visitors and viewing webpages 7,500 times.
3. To implement the EID Plan the following zoning map and text amendments are proposed:
  - a. Section 908: Zoning Code text and map amendments to create a new Uptown Public Realm District (UPR), which is comprised of 61 acres of property within the Bluff, West Oakland, Crawford-Roberts, and Central Business District neighborhoods. A substantial majority of the rezoning will be in the Bluff neighborhood with very small areas of rezoning in the other neighborhoods.
  - b. Section 915: Zoning Code text amendment to create a new Performance Points System that would allow buildings additional building height if they meet certain targets that were identified during the EID Plan as important to the Uptown community. Also proposed for

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Section 195 is a Small Project Stormwater Standard designed to regulate stormwater management on smaller sites where the requirements of Chapter 1003 do not apply.

- c. Section 911: Zoning Code text amendment to eliminate minimum parking requirements for the UPR consistent with analyses and recommendations in the EID Plan.

### **4. Uptown Public Realm District (UPR):**

- a. The intent of the UPR is to: Implement the development vision of the Uptown / West Oakland Ecolnnovation District Plan; Allow denser development that better utilizes limited lands and supports a complete and healthy urban community; Encourage innovative new buildings that are highly energy efficient, produce energy on-site or connect to district energy systems, and/or capture and treat rainwater on-site using green infrastructure; Provide affordable housing in new buildings; Encourage sustainable development through adaptive reuse that also maintains the district's character.
- b. The UPR meets the intent of Section 908.01.A of the Zoning Code, Public Realm Districts, which is to "provide a framework to: 1. Identify significant Areas, Pathways and Places with unique and distinctive characteristics; 2. Preserve and enhance qualities that contribute to district identity and to its public nature; 3. Encourage development that is consistent with and enhances the distinctive characteristics of the district; 4. Address the impacts of larger scale development within the districts in the surrounding residential and commercial areas".
- c. The Uptown Public Realm District's two subdistricts, UPR-A Mixed-Use Urban Core and UPR-B Residential Core will serve as base zoning districts and replace all existing underlying zoning districts as prescribed in Section 908.01.B of the Zoning Code.

### **5. Performance Points System:**

- a. These provisions are intended to increase the provision of affordable housing, increase the environmental sustainability of buildings constructed, and incent the retention of existing structures that represent the city's built heritage consistent with the community's desires as expressed in the EID Plan. Points are awarded to projects that meet requirements for each goal with more points awarded to projects that do more in that area. Each point can be used to build an additional 15 feet of building height. The system is consistent with the p4 points system and is designed to be flexible so that many projects are able to meet the goals and thereby contribute to the vision of the EID Plan.
- b. Included with the new Performance Points System are amendments to the title of Section 915 which changes from "Environmental Performance Standards" to "Performance Standards" which updated purpose statement as follows: "The performance of the city's natural and built areas is key to the success of its communities. The provisions of this Section are intended to protect environmental areas and to support new development that will make Pittsburgh more livable and resilient".

### **6. Public comments on the Zoning Code proposals:**

- a. A summary document of the zoning proposal was released with the draft Uptown / West Oakland Ecolnnovation District Plan on July 11th and comments were received for 30 days via email, phone calls, further community meetings and an online comment form on the project website. All comments received were reviewed and addressed.

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- b. Property owners in and within 150 ft. of the proposed area for rezoning were then notified of the proposal and the hearing and City Planning staff posted 20+ notices in the area on August 14, 2017. The Department received 11 phone calls and 1 emailed response from residents and property owners. The majority of these comments (55%) were questions from property owners with no clear feelings for or against the proposal. 36% were in favor of the proposals and only one commenter seemed opposed to the changes.
  - c. The Department of City Planning presented the proposals at public meetings on April 30, 2017 and July 11, 2017, with approximately 50 and 75 attendees each, and presented the proposal in detail at a public meeting on August 29, 2017, with approximately 50 attendees.
7. There is no specific development associated with this zone change proposal.
8. 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.

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### **RECOMMENDED MOTION**

That the Planning Commission of the City of Pittsburgh **Recommends Approval** to City Council of Zone Change Petition No. 794, to rezone 61 acres of property in the Uptown area as the Uptown Public Realm District (UPR) and create the Performance Points System, with supplemental Zoning Code text amendments, as stated in the ordinance attached herein. Planning staff shall be directed to create new zoning line boundaries for UPR in accordance with the maps attached herein.

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

  
Derek Dauphin, Senior Planner

**APPROVED BY:** \_\_\_\_\_

  
Corey Layman, Zoning Administrator