

# **ZONING TEXT AMENDMENT REPORT**

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## **ZONING TEXT AMENDMENT**

**ZONING:** All Base Zoning Districts  
**PROPOSAL:** Relocated the main stormwater provisions from the Zoning Code and other stormwater revisions  
**ACTION REQUIRED:** A report and recommendation to City Council  
**DATE:** July 13, 2021  
**SUBMITTED TO:** The Planning Commission of the City of Pittsburgh  
**FROM:** The Zoning Administrator

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### **FINDINGS OF FACT**

1. This is proposed zoning code text amendment to remove the majority of the stormwater regulations from the Zoning Code. These regulations will be relocated to Title 13, Stormwater Management, in the City code.
2. This legislation makes other smaller amendments to the Zoning Code, some of which are to better align with Title 13.
3. This legislation follows the Act 167-mandated code update adopted in 2019 for compliance with State and County Act 167 Model Ordinance.
4. There are certain stormwater provisions that regulated by mapped watershed areas. To relocate these sections to Title 13, mailed notice was sent to property owners and posted on the City's website, 21 days in advance of the public hearing.
5. The legislation proposes the following amendments to the Zoning Code.
  - a. Amends Chapter 905.03.D.4 related to Institutional Master Plans (IMP) to add a requirement that IMPs report on an institution's stormwater Best Management Practices.
  - b. Amends 905.04.E.4.related the Riverfront Zoning District (RIV) to make a technical clarification that the Riparian Buffer Zone requirements in the RIV district are separate from those in Title 13 Stormwater Management.
  - c. Amends Chapter 905.04.F for the RIV to remove the small stormwater plan requirements (for land disturbance between 200 square feet and 5,000 square feet).
  - d. Amends the RIV design standards to clarify that green roofs are a permissible roof type.
  - e. Amends 905.04.H.3 to reference the new Stormwater Design Manual for additional requirements for rooftop stormwater management systems.
  - f. Amends 906.02.G.2, the floodplain overlay, to include requirements for Special Permits to have stormwater compliance during floodplain review.
  - g. Removes the entirety of 906.07 SM-O Stormwater Management Overlay District. These provisions, some to remain the same and some to be modified, will be moved to Title 13 Stormwater Management of the City's Code.
  - h. Amends Chapter 908.04.A for the Uptown Public Realm to amend the definition of Green Infrastructure to match the new definition in Title 13.

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- i. Amends 908.04.C.2 for the Uptown Public Realm relating to Project Development Plans to clarify the new stormwater requirements in Title 13 and removing the small stormwater plan requirement.
  - j. Amends 908.04.D.1 for the Uptown Public Realm to clarify that the green infrastructure requirements for Parking Structures, General must also address the Title 13 Stormwater Chapter.
  - k. Amends 911.04.A.22 related to requires for the use Excavation/Grading/Fill, Major to reiterate that it is subject to the Title 13 Stormwater Chapter
  - l. Amends 914.09. - Parking Area Location and Design to reiterate that parking lot design shall take into account stormwater management features, among other features.
  - m. Amends 914.09.B regarding parking lot surfacing to reiterate that is subject to stormwater if applicable.
  - n. Amends 914.10.C.1 regarding off-street loading and circulation surfacing to reiterate that it is subject to stormwater if applicable.
  - o. Removes 915.03 Small Stormwater Standard requirements and process.
  - p. Amends the definition of Green Infrastructure under 915.07 Performance Points System.
  - q. Adds a definition of Preferred Stormwater Management Technologies under 915.07 Performance Points System.
  - r. Amends Performance Point System to create stormwater incentives that exceed the current stormwater requirements, including encouraging Preferred Stormwater Management Technology .
  - s. Amends review and enforcement under Performance Point systems for Stormwater to align with Title 13.
  - t. Corrects 918.02.C relating to street tree pit size to 30 feet to match Department of Public Works Forestry requirements.
  - u. Amends 922.04.E.6 to reiterate that Title 13 Stormwater Chapter applies to the parking areas for all properties and uses that contain a new structure with a footprint area in excess of fifty thousand (50,000) square feet and are specifically required by the Code to undergo site plan review.
  - v. Amends 924.02 to add Title Thirteen stormwater compliance to enforcement and violations.
  - w. Amends the definition section to clarify and supplement the definition of Impervious Surface.
6. 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 Councilin reaching a decision.

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### **MOTION**

That the Planning Commission makes a **positive recommendation** to City Council on the Stormwater Management Zoning Amendments.

### **SUBMITTED BY:**

Martina Battistone, Environmental Planner