



Legislation Details (With Text)

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Title: An Ordinance amending the Pittsburgh Code of Ordinances, Title Nine Zoning, Article V-Use Regulations by adding Section 911.04.A.93-Custodial Care Facility and Section 911.04.A.94 (a) & (b)-Personal Care Residence in its entirety. (SPONSORED BY BARBARA BURNS)

Sponsors: Barbara Burns

Indexes: PGH. CODE ORDINANCES TITLE 09 - ZONING

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/24/2003	1	Mayor	Signed by the Mayor	
12/16/2003	1	City Council	Passed Finally	Pass
12/16/2003		City Council	Passed Finally	Pass
12/11/2003		Committee on Planning, Zoning & Land Use	AFFIRMATIVELY RECOMMENDED	Pass
12/9/2003	1	Committee on Hearings	Public Hearing Held	
11/18/2003	1	Committee on Hearings	Public Hearing Scheduled	
5/29/2003	1	Committee on Planning, Zoning & Land Use	Referred for Report and Recommendation	
5/22/2003	1	Committee on Planning, Zoning & Land Use	Referred for Report and Recommendation	Pass
5/22/2003	1	Committee on Planning, Zoning & Land Use	Held for Cablecast Public Hearing	Pass
5/13/2003	1	City Council	Read and referred	

Presented by Ms. Burns

An Ordinance amending the Pittsburgh Code of Ordinances, Title Nine Zoning, Article V-Use Regulations by adding Section 911.04.A.93-Custodial Care Facility and Section 911.04.A.94 (a) & (b)-Personal Care Residence in its entirety.

Be it resolved by the Council of the City of Pittsburgh as follows:

Section 1. Amending the Pittsburgh Code of Ordinances, Title Nine Zoning, Article V-Use Regulations by adding Section 911.04.A.93-Custodial Care Facility and Section 911.04.A.94 (a) & (b)-Personal Care Residence in its entirety.

A. Add Section 911.04.A.93 by adding this Section in its entirety as follows:

Custodial Care Facility

Custodial Care Facilities shall be subject to following standards in all districts:

- (a) An **Operation Management Plan** for the proposed use shall be submitted as part of the application for the Occupancy Permit. The Plan shall describe programs of operation and management including: Uses and activities that will occur in conjunction with the use, hours of operation of non-residential services, noise control, traffic generation, and methods to minimize loitering in the vicinity of the facility. In addition, a **Communications Plan** that describes how the provider will communicate with local community, neighborhood, and business organizations, and with adjacent neighbors on a regular basis, and how any community issues or concerns will be addressed
- (b) The dwelling unit shall have one primary means of ingress/egress, a single outside mail box, single utility connections (except for telephone, computer and cable service), and common eating/cooking areas;
- (c) The use shall not require alteration to the exterior structure except where otherwise permitted for single family residential dwellings or where required under health/safety codes;
- (d) Lot area shall be provided at the rate of five thousand (5000) square feet plus five hundred (500) square feet for each sleeping room in excess of three (3) beds. Every unit of two (2) beds, or fraction hereof, in a sleeping room shall be counted as a separate sleeping room. The Board may reduce this provision when the use has been in existence since 10 May 1958;
- (e) Supervision shall be provided in accord with the regulations of the certifying agency(ies) by at least one (1) responsible non-client adult available on the premises on a 24-hour a day basis while any of the clients are on premises;
- (f) Sleeping rooms shall not be located in any basement or cellar and shall comply with all applicable life-safety codes; and
- (g) On-site parking facilities shall be provided at the ratio of one (1) stall for every two (2) full-time staff members and an additional stall for every three (3) non-staff members who are eligible and permitted by the operator to operate a motor vehicle.

B. Add Section 911.04.A.94 (a) by adding the text of this Section in its entirety as follows:

Personal Care Residence (Large)

Personal Care Residence (Large) uses shall be subject to the following standards:

- (a) Lot area shall be provided at the rate of 5000 square feet plus 300 square feet for each sleeping room in excess of three. Every unit of two beds, or fraction thereof, in a sleeping room shall be counted as a separate sleeping room. This provision may be reduced by the Board when the facility is to be located in a building that has been constructed prior to May 10, 1958;

- (b) Any Personal Care Residence shall be spaced no closer than 800 feet from any other authorized Personal Care Residence or health care related facility. This distance shall be measured imposing a circular area on an accurate plan by locating a point on the center of the subject building and by extending a radius of 800 feet. Any other building occupied as an authorized Personal Care Residence that is located totally within this circular space shall be cause for rejection the application;
- (c) Supervision shall be provided in accord with the regulations of the certifying agency(ies) and by at least one responsible non-client adult available on the premises on a 24 hour-a-day basis while any of the clients are on the premises. Failure to abide by the certifying body's supervision regulations may result in revocation of an Occupancy Permit;
- (d) Sleeping rooms shall not be located in any basement or cellar and shall comply with all applicable life-safety codes;
- (e) New buildings shall be situated within the buildable area of the lots as determined by the zoning district regulations; however, the minimum interior side yard setback in residential districts shall be not less than 10 feet;
- (f) On-site parking facilities shall be provided at a ratio of one stall for every two full-time staff members and an additional stall for every three non-staff residents who are eligible and are permitted by the operator to operate a motor vehicle;
- (g) The Approving Body shall determine that the proposed use shall not create detrimental impacts to the community taking into consideration the relationship of the proposed use with the surrounding structures, the arrangement, illumination and enclosure of parking facilities, the location and enclosure of trash facilities, the type of signage and that adequate provisions are made for continuing maintenance of the buildings and grounds; and
- (h) Eighty percent (80%) of the clients shall be sixty-two (62) or more years of age or disabled as defined by the Fair Housing Amendment Act of 1988.

C. Add Section 911.04.A.94 (b) by adding the text of this Section in its entirety as follows:

Personal Care Residence (Small)

Personal Care Residence (Small) uses shall be subject to the following standards:

(a) In all Districts:

Personal Care Residences (Small) shall be subject to the following standards in all districts:

- (i) Lot area shall be provided at the rate of 5000 square feet plus 300 square feet for each sleeping room in excess of three. Every unit of two beds, or fraction thereof, in a sleeping room shall be counted as a separate sleeping room. The Board may reduce this provision when the facility is to be located in a building that has been constructed prior to May 10, 1958;

- (ii) Any Personal Care Residence shall be spaced no closer than 800 feet from any other authorized Personal Care Residence or health care related facility. This distance shall be measured imposing a circular area on an accurate plan by locating a point on the center of the subject building and by extending a radius of 800 feet. Any other building occupied as an authorized Personal Care Residence that is located totally within this circular space shall be cause for rejection of this application;
 - (iii) Supervision shall be provided in accord with the regulations of the certifying agency(ies) and by at least one responsible non-client adult available on the premises on a 24 hour-a-day basis while any of the clients are on the premises. Failure to abide by the certifying body's supervision regulations may result in revocation of an Occupancy Permit;
 - (iv) Sleeping rooms shall not be located in any basement or cellar and shall comply with all applicable life-safety codes;
 - (v) New buildings shall be situated within the buildable area of the lots as determined by the zoning district regulations; however, the minimum interior side yard setback in residential districts shall be not less than 10 feet;
 - (vi) On-site parking facilities shall be provided at a ratio of one stall for every two full-time staff members and an additional stall for every three non-staff residents who are eligible and are permitted by the operator to operate a motor vehicle; and
 - (vii) Eighty percent (80%) of the clients shall be sixty-two (62) or more years of age or disabled as defined by the Fair Housing Amendment Act of 1988.
- (b) In RM and Grandview Public Realm Districts
- In addition to the standards listed above, Personal Care Residences (Small) shall be subject to the following standards in the RM and Grandview Public Realm Districts:
- (i) The facility shall be designed to appear as a residential structure, and parking shall be located and screened so as to not be visible from adjacent properties or right-of-way;
 - (ii) The required lot area shall be determined using the lot area requirements for residential dwelling units, allowing two beds for each dwelling unit;
 - (iii) The Approving Body shall determine that the proposed use shall not create detrimental impacts to the community taking into consideration the relationship of the proposed use with the surrounding structures, the arrangement, illumination and enclosure of parking facilities, the location and enclosure of trash facilities, the type of signage and that adequate provisions are made for continuing maintenance of the buildings and grounds; and
 - (iv) Eighty percent (80%) of the clients shall be sixty-two (62) or more years of age or disabled as defined by the Fair Housing Amendment Act of 1988.
- (c) In NDO, LNC, NDI, and UNC Districts

Personal Care Residences (Small) shall be subject to the following standards in the NDO, LNC, NDI, and UNC District:

- (i) The Approving Body shall determine that the proposed use shall not create detrimental impacts to the community taking into consideration the relationship of the proposed use with the surrounding structures, the arrangement, illumination and enclosure of parking facilities, the location and enclosure of trash facilities, the type of signage and that adequate provisions are made for continuing maintenance of the buildings and grounds, and
- (ii) Eighty percent (80%) of the clients shall be sixty-two (62) or more years of age or disabled as defined by the Fair Housing Amendment Act of 1988.