



Legislation Details (With Text)

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Title: An Ordinance amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Article V, Section 911.02, Use Table, and Section 911.04, Use Standards, by amending the definition of Restaurant and providing new use standards for restaurants.

Sponsors: Bruce A. Kraus

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| Date | Ver. | Action By | Action | Result |
|-----------|------|--|---------------------|--------|
| 1/27/2010 | 1 | Committee on Land Use and Economic Development | Withdrawn | Pass |
| 1/13/2010 | 1 | Committee on Land Use and Economic Development | Held in Committee | Pass |
| 1/12/2010 | 1 | City Council | Waived under Rule 8 | Pass |
| 1/12/2010 | 1 | City Council | Read and referred | |

An Ordinance amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Article V, Section 911.02, Use Table, and Section 911.04, Use Standards, by amending the definition of Restaurant and providing new use standards for restaurants.

Be it resolved that the Council of the City of Pittsburgh hereby enacts as follows:

Section 1. The Pittsburgh Code, Title Nine, Zoning, Article V, Section 911.02, Use Table, and Section 911.04, Use Standards, is hereby amended as follows:

A. Amend Section 911.02 Use Table by changing the following definition:

Restaurant means an establishment other than "Fast-Food Restaurant" where the principal business is the sale of food and/or beverages in a ready to consume state, not including "Restaurant with Liquor License", where there is no service to a customer in an automobile, and where the design or principal methods of operation consist of one or more of the following:

1. A sit-down restaurant where customers are normally provided with an individual menu, are generally served food and/or beverages in non-disposable containers by a restaurant employee at the same table or counter at which the food and beverage items are consumed or
2. A cafeteria or cafeteria-type operation where food and /or beverage generally are served in non-

disposable containers and are consumed within the restaurant;

But not including Social Club.

B. Amend Section 911.02 Use Table by adding the following:

Restaurant with Liquor License means an establishment, other than "Fast Food Restaurant", where the principal business is the sale of food or beverages in a ready to consume state, including bars, where there is no service to a customer in a automobile, and that has received or intends to receive a Liquor License from the Pennsylvania Liquor Control Board, where the design or principal methods of operation consist of one or more of the following:

1. A sit-down restaurant where customers are normally provided with an individual menu, are generally served food or beverages in non-disposable containers by a restaurant employee at the same table or counter at which the food and beverage items are consumed or
2. A cafeteria or cafeteria-type operation where food or beverage generally are served in non-disposable containers and are consumed within the restaurant.

But not including Social Club.

Restaurant with Liquor License (Limited) means a Restaurant with Liquor License with a gross floor area of less than 2,400 square feet and that does not have live entertainment or dancing.

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|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|-------------|
| LNC | NDI | UNC | HC | GI | UI | P | EMI | GT | DR | |
| <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>A</u> | <u>P</u> | <u>C</u> | <u>A</u> | <u>P</u> | <u>P</u> | <u>A.98</u> |

Restaurant with Liquor License (General) means a Restaurant with Liquor License with a gross floor area of 2,400 square feet or more or one that has live entertainment or dancing.

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|----------|----------|----------|----------|----------|----------|----------|----------|----------|-------------|
| LNC | NDI | UNC | HC | UI | P | EMI | GT | DR | |
| <u>S</u> | <u>S</u> | <u>S</u> | <u>P</u> | <u>P</u> | <u>C</u> | <u>S</u> | <u>P</u> | <u>P</u> | <u>A.99</u> |

C. Amend Section 911.04.A. Standards That Apply to Uses Listed in the Use Table by adding the following:

911.04.A.98 **99** Restaurant with Liquor License (Limited)

(a) In LNC Districts **greater than 2 million square feet**

Restaurant with Liquor License (Limited) uses shall be subject to the following standard in LNC Districts greater than 2 million square feet.

(1) Saturation in an LNC District greater than 2 million square feet is determined by using the square footage of the entire district and the number of Restaurants with Liquor License (both Limited and General combined) within the entire district. Saturation is defined as 1 Restaurant with Liquor License (both Limited and General combined) per 50,000 total square feet in the district. The determination of saturation does not apply to any discreet portion of the district but rather to the district as a whole.

(2) Once saturation is reached, no new certificates of occupancy shall be granted. **all new**

applicants for Restaurants with Liquor License (Limited or General) must meet the standards set forth in this Code for a Conditional Use.

(b) In GI District

Restaurant with Liquor License (Limited) uses shall be subject to the following standards in the GI District:

- (1) Parking shall be located in such a way as to avoid conflicts with industrial operations; and
- (2) The Approving Body shall determine that such use will not create detrimental impacts on surrounding properties, taking into consideration the probable traffic generation, parking needs and hours of operation.

(c) In P District

Restaurant with Liquor License (Limited) uses shall be subject to the following standards in the P District:

- (1) The use shall be located in a building existing on February 26, 1999;
- (2) Parking for the use shall not be provided;
- (3) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable generation of traffic and the location of the use; and
- (4) All facilities shall be designed to be compatible with the surrounding landscape, such that the minimum possible grading will be required and the minimum disturbance and removal of existing vegetation will be required.

(d) In EMI Districts

Restaurant with Liquor License (Limited) Uses shall be subject to the following:

- (1) Parking facilities and access shall be designed and located to clearly meet the demand of the facility in a way which does not interfere with parking spaces required for surrounding residential uses; and
- (2) The proposed use shall be subject to the Site Plan Review procedures of Section 922.04.

D. Amend Section 911.04.A. Standards That Apply to Uses Listed in the Use Table by adding the following:

911.04.A.99 **100** Restaurant with Liquor License (General)

(a) In LNC Districts **greater than 2 million square feet**

Restaurant with Liquor License (General) uses shall be subject to the following standards in LNC

Districts greater than 2 million square feet:

(1) Saturation in an LNC District greater than 2 million square feet is determined by using the square footage of the entire district and the number of Restaurants with Liquor License (both Limited and General combined) within the entire district. Saturation is defined as 1 Restaurant with Liquor License (both Limited and General combined) per 50,000 total square feet in the district. The determination of saturation does not apply to any discreet portion of the district but rather to the district as a whole.

(2) Once saturation is reached, no new certificates of occupancy shall be granted. ~~all new applicants for Restaurants with Liquor License (Limited or General) must meet the standards set forth in this Code for a Conditional Use.~~

(3) Parking facilities and access shall be designed and located to clearly meet the demand of the facility in a way which does not interfere with parking spaces required for surrounding residential uses;

(4) Off-site impacts of the use, which are directly attributed to activities ~~to~~ occurring on-site, shall be controlled to avoid conflicts with surrounding residential use; and

(5) The proposed use shall be subject to the Site Plan Review procedures of Section 922.04.

(b) In LNC, NDI, UNC and EMI Districts.

Restaurant with Liquor License (General) uses shall be subject to the following standards in the LNC, NDI, UNC, and EMI Districts:

(1) Parking facilities and access shall be designed and located to clearly meet the demand of the facility in a way which does not interfere with parking spaces required for surrounding residential uses; and

(2) Off-site impacts of the use, which are directly attributed to activities occurring on-site, shall be controlled to avoid conflicts with surrounding residential use; and

(3) The proposed use shall be subject to the Site Plan Review procedures of Section 922.04.

(c) In GI District

Restaurant with Liquor License (General) uses shall be subject to the following standards in the GI District:

(1) Parking shall be located in such a way as to avoid conflicts with industrial operations; and

(2) The Approving Body shall determine that such use will not create detrimental impacts on surrounding properties, taking into consideration the probable traffic generation, parking needs and hours of operation.

(d) In P District

Restaurant with Liquor License (General) uses shall be subject to the following additional standards in the P District:

(1) The use shall be located in a building existing on February 26, 1999;

(2) Parking for the use shall not be provided;

(3) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable generation of traffic and the location of the use; and

(4) All facilities shall be designed to be compatible with the surrounding landscape, such that the minimum possible grading will be required and the minimum disturbance and removal of existing vegetation will be required.