



Legislation Details (With Text)

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Title: An Ordinance amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Article V by amending certain provisions of the Code as they pertain to definitions related to shelters, religious institutions, and community centers in the Use Table and the Use Standards for a community centers, religious institutions, and educational facilities.

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Attachments:

Date	Ver.	Action By	Action	Result
3/20/2002	1	Committee on Planning, Zoning & Land Use	Referred for Report and Recommendation	Pass
3/20/2002	1	Committee on Planning, Zoning & Land Use	Held for Cablecast Public Hearing	Pass
3/12/2002	1	City Council	Read and referred	

An Ordinance amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Article V by amending certain provisions of the Code as they pertain to definitions related to shelters, religious institutions, and community centers in the Use Table and the Use Standards for a community centers, religious institutions, and educational facilities.

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

Section 1: The designated sections of Title Nine, Zoning of the Pittsburgh Code, are hereby amended as follows:

A. Amend the Use Table, Section 911.02, as follows:

Community Center [means] is a [facility used for social or recreational programs generally open to the public and intended to accommodate and serve significant segments of the community.] building operated by a public or nonprofit group or agency and used as a place of meeting or for recreational (including midnight basketball), social, educational, fraternal, and cultural activities generally open to the public and designed to accommodate and serve significant segments of the community. Community Center also includes such uses as a social service facility (drop-in center).

Community Home [means] is a group of more than eight unrelated disabled persons living together as a single housekeeping unit with shared common facilities. If required, staff persons may reside on the

premises. A Community Home may not be a Multi-Suite Residential use or an Assisted Living use as defined in Section 911.02. For the purposes of this definition, "disabled" means "handicapped" as defined according to the Fair Housing Act Amendments of 1988, 42 U.S.C.S. 3602(h), and any amendments thereto. This use does not include Custodial Care Facilities. This use includes halfway houses where persons are aided in readjusting to society following a period of hospitalization or institutionalized treatment.

Correctional Facility [means] is [facility providing housing and care for individuals confined for violations of the law, including pre- and work release facilities.] a publicly or privately operated facility housing persons awaiting trial or persons serving a sentence after being found guilty of a criminal offense.

Custodial Care Facility is facility providing custodial care and treatment in a protective living environment for persons residing voluntarily or by court placement, including, without limitation, correctional and post-correctional facilities, juvenile detention facilities, and temporary detention facilities.

Domestic Violence Shelter is a residential facility serving as a center to receive and house persons who are victims (including dependents of the victim) of domestic violence, and temporarily require shelter (boarding or lodging) and assistance, in order to protect their physical or psychological welfare. Assistance may include counseling and day care. The facility shall meet all certification requirements of the State.

Institutional Home is a public or private charitable establishment devoted to the shelter, maintenance, or education and care of minor children; aged or infirmed persons; or members of a religious community. This definition shall not include penal or reformatory foundations and Nursing Homes.

Medical Office/Clinic [means] is an establishment providing therapeutic, preventative, corrective, healing, and health-building treatment services on an outpatient basis by physicians, dentists, and other practitioners. Typical uses include medical and dental offices and clinics and outpatient medical laboratories. Establishments may also include social service providers.

Personal Care Residence is a building where food, shelter and personal assistance or supervision are provided for at least one full day for three or more ambulatory adults who are not relatives of the operator and who may require assistance or supervision in the matters as dressing, bathing, diet, or medication prescribed for self administration but do not require hospitalization or care in a skilled nursing or intermediate care facility.

Personal Care Residence (Large) is a personal care residence that is limited to no more than 19 persons including clients (any person who is an ambulatory resident), operator (any person responsible for the day-to-day operation and supervision of the home) and family of the operator. An operator may also be the householder. Clients shall be limited to no more than 17 persons. Eighty percent of the clients shall be 62 or more years of age.

Personal Care Residence (Small) is a personal care residence that is limited to no more than ten persons and no fewer than three persons including clients (any person who is an ambulatory resident), operator (any person responsible for the day-to-day operation and supervision of the home) and family of the operator. An operator may also be the householder. Clients shall be limited to no more than eight persons. Eighty percent of he client shall be 62 or more years of age.

Religious [Assembly means an establishment operated by a religious organization for religious worship, religious training and related religious services.] **Institution** is a building used for public worship by a congregation, including churches, chapels, cathedrals, temples, missions, and similar designations. Religious institutions also include buildings used for residential, administration, burial, educational, recreational (including mid-night basketball), licensed child or adult daycare, soup kitchens, social service facilities (drop-in centers), homeless shelters, or other uses not normally associated with worship.

Religious [Assembly] Institution (Limited) [means] is a Religious [Assembly] Institution use for which fewer than 20 parking spaces are required.

Religious [Assembly] Institution (General) [means] is a Religious [Assembly] Institution use for which 20 or more parking spaces are required.

Violence Shelter is one main building, or portion thereof, on one zoning lot where adults and children who have suffered assault or battery live on a 24-hour-per-day basis for a period of time generally not to exceed 30 days and are served by a program certified by the State. The purpose of the facility is to provide temporary protective sanctuary for victims of crime or abuse, including emergency housing during crisis intervention for individuals, such as victims of rape, child abuse, or beatings.

B. Amend the Use Table, Section 911.02, by replacing the designation in the "RSD" District as follows:

- (1) Community Center (Limited) [Conditional Use] Special Exception
- (2) Community Center (General) [Use Not Permitted] Special Exception
- (3) School, Elementary or Secondary (General) [Conditional Use] Special Exception
- (4) Institutional Home Special Exception
- (5) Personal Care Residence (Small) Special Exception
- (6) Personal Care Residence (Large) Special Exception

C. Amend the Use Table, Section 911.02, by replacing the designation in the "RSA" District as follows:

- (1) Community Center (General) [Use Not Permitted] Special Exception
- (2) School, Elementary or Secondary (General) [Conditional Use] Special Exception
- (3) Institutional Home Special Exception
- (4) Personal Care Residence (Small) Special Exception
- (5) Personal Care Residence (Large) Special Exception

D. Amend the Use Table, Section 911.02, by replacing the designation in the "RT" District as follows:

- (1) Community Center (General) [Use Not Permitted] Special Exception
- (2) School, Elementary or Secondary (General) [Conditional Use] Special Exception
- (3) Institutional Home Special Exception
- (4) Personal Care Residence (Small) Special Exception
- (5) Personal Care Residence (Large) Special Exception

E. Amend the Use Table, Section 911.02, by replacing the designation in the "RTS" District as

follows:

- (1) Community Center (General) [Use Not Permitted] Special Exception
- (2) School, Elementary or Secondary (General) [Conditional Use] Special Exception
- (3) Institutional Home Special Exception
- (4) Personal Care Residence (Small) Special Exception
- (5) Personal Care Residence (Large) Special Exception

F. Amend the Use Table, Section 911.02, by replacing the designation in the "RM" District as follows:

- (1) Community Center (General) [Use Not Permitted] Special Exception
- (2) School, Elementary or Secondary (General) [Conditional Use] Special Exception
- (3) Institutional Home Special Exception
- (4) Personal Care Residence (Small) Special Exception
- (5) Personal Care Residence (Large) Special Exception

G. Amend the Use Table, Section 911.02, by replacing the designation in the "NDO" District as follows:

- (1) Religious Institution (Limited) [Administrator's Exception] Special Exception

H. Amend the Use Table, Section 911.02, by replacing the designation in the "LNC" District as follows:

- (1) Violence Shelter Special Exception
- (2) Domestic Violence Shelter Special Exception
- (3) Institutional Home Special Exception
- (4) Religious Institution (Limited) [Permitted By Right] Special Exception
- (5) Religious Institution (General) [Administrator's Exception] Special Exception

I. Amend the Use Table, Section 911.02, by replacing the designation in the "NDI" District as follows:

- (1) Custodial Care Facility Conditional Use
- (2) Violence Shelter Administrator's Exception
- (3) Domestic Violence Shelter Administrator's Exception
- (4) Institutional Home Administrator's Exception
- (5) Religious Institution (Limited) [Permitted By Right] Special Exception
- (6) Religious Institution (General) [Permitted By Right] Special Exception

J. Amend the Use Table, Section 911.02, by replacing the designation in the "UNC" District as follows:

- (1) Religious Institution (Limited) [Permitted By Right] Special Exception
- (2) Religious Institution (General) [Permitted By Right] Special Exception

K. Amend the Use Table, Section 911.02, by replacing the designation in the "HC" District as follows:

- (1) Custodial Care Facility Conditional Use
- (2) Religious Institution (Limited) [Permitted By Right] Special Exception
- (3) Religious Institution (General) [Permitted By Right] Special Exception

L. Amend the Use Table, Section 911.02, by replacing the designation in the "GI" District as follows:

- (1) Custodial Care Facility Conditional Use

M. Amend the Use Table, Section 911.02, by replacing the designation in the "UI" District as follows:

- (1) Custodial Care Facility Conditional Use
- (2) Violence Shelter Administrator's Exception
- (3) Domestic Violence Shelter Administrator's Exception
- (4) Institutional Home Administrator's Exception
- (5) Religious Institution (Limited) [Permitted By Right] Special Exception
- (6) Religious Institution (General) [Permitted By Right] Special Exception

N. Amend the Use Table, Section 911.02, by replacing the designation in the "EMI" District as follows:

- (1) Violence Shelter Permitted By Right
- (2) Domestic Violence Shelter Permitted By Right
- (3) Institutional Home Permitted By Right
- (4) Religious Institution (Limited) [Permitted By Right] Special Exception
- (5) Religious Institution (General) [Permitted By Right] Special Exception

O. Amend the Use Table, Section 911.02, by replacing the designation in the "GT" District as follows:

- (1) Custodial Care Facility Conditional Use
- (2) Violence Shelter Permitted By Right
- (3) Domestic Violence Shelter Permitted By Right
- (4) Institutional Home Permitted By Right
- (5) Religious Institution (Limited) [Permitted By Right] Special Exception
- (6) Religious Institution (General) [Permitted By Right] Special Exception

P. Amend the Use Table, Section 911.02, by replacing the designation in the "DR" District as follows:

- (1) Religious Institution (Limited) [Permitted By Right] Special Exception
- (2) Religious Institution (General) [Permitted By Right] Special Exception

Q. Amend Section 911.04.A.14(a) by replacing the text of this Section in its entirety as follows:

- (a) Community Center (Limited)
 - (1) In all Residential and Grandview Public Realm Districts
Community Center (Limited) uses shall be subject to the following standards:
 - (i) Approving Body shall determine that the use, program, or activity will not substantially and negatively impact the public health, safety, morals, and welfare (which includes aesthetics)

- of the residents and property in the community.
- (ii) Approving Body shall determine that the use, program, or activity will not cause detrimental traffic and parking impacts in the community. The Approving Body, when determining the impacts, shall take into consideration the needs for both normal and event use which may occur on site;
- (iii) The Approving Body shall discourage parking on nearby residential streets;
- (iv) The Approving Body shall determine that the facility use will not adversely impact the neighborhood. The Body should take into consideration the following:

 - a. The physical relationship of the proposed use to the surrounding structures;
 - b. Character of the neighborhood;
 - c. Loss of privacy;
 - d. Loss of property values;
 - e. Light;
 - f. Fumes;
 - g. Probable traffic generation;
 - h. Probable pedestrian generation;
 - i. The number of similar facilities serving the neighborhood (threshold);
 - j. Consideration of alternative sites;
 - k. The probable hours of operation;
 - l. Noise;
 - m. Social activities to be conducted; and
 - n. The number of people using the premises at any one time.
- (v) All activities conducted on the premises of the facility shall be noncommercial and nonprofit;
- (vi) The Residential Compatibility Standards of Chapter 916 shall apply.

R. Amend Section 911.04.A.14(b) by adding the text of this Section in its entirety as follows:

- (b) Community Center (General)

 - (3) In all Residential Districts

Community Center (General) uses shall be subject to the following standards:

 - (i) Approving Body shall determine that the use, program, or activity will not substantially and negatively impact the public health, safety, morals, and welfare (which includes aesthetics) of the residents and property in the community.
 - (ii) Approving Body shall determine that the use, program, or activity will not cause detrimental traffic and parking impacts in the community. The Approving Body, when determining the impacts, shall take into consideration the needs for both normal and event use which may occur on site;

- (iii) The Approving Body shall discourage parking on nearby residential streets;
- (iv) The Approving Body shall determine that the facility use will not adversely impact the neighborhood. The Body should take into consideration the following:
 - a. The physical relationship of the proposed use to the surrounding structures;
 - b. Character of the neighborhood;
 - c. Loss of privacy;
 - d. Loss of property values;
 - e. Light;
 - f. Fumes;
 - g. Probable traffic generation;
 - h. Probable pedestrian generation;
 - i. The number of similar facilities serving the neighborhood (threshold);
 - j. Consideration of alternative sites;
 - k. The probable hours of operation;
 - l. Noise;
 - m. Social activities to be conducted; and
 - n. The number of people using the premises at any one time.
- (v) All activities conducted on the premises of the facility shall be noncommercial and nonprofit;
- (vi) The Residential Compatibility Standards of Chapter 916 shall apply.

S. Amend Section 911.04.A.63(a) by replacing the text of this Section in its entirety as follows:

- (a) In Residential and Grandview Public Realm Districts
 - (1) Approving Body shall determine that the use, program, or activity will not substantially and negatively impact the public health, safety, morals, and welfare (which includes aesthetics) of the residents and property in the community.
 - (2) Approving Body shall determine that the use, program, or activity will not cause detrimental traffic and parking impacts in the community. The Approving Body, when determining the impacts, shall take into consideration the needs for both normal and event use which may occur on site;
 - (3) The Approving Body shall discourage parking on nearby residential streets;
 - (4) The Approving Body shall determine that the facility use will not adversely impact the neighborhood. The Body should take into consideration the following:
 - a. The physical relationship of the proposed use to the surrounding structures;
 - b. Character of the neighborhood;
 - c. Loss of privacy;
 - d. Loss of property values;
 - e. Light;
 - f. Fumes;
 - g. Probable traffic generation;
 - h. Probable pedestrian generation;
 - i. The number of similar facilities serving the neighborhood (threshold);

- j. Consideration of alternative sites;
 - k. The probable hours of operation;
 - l. Noise;
 - m. Social activities to be conducted; and
 - n. The number of people using the premises at any one time.
- (5) All activities conducted on the premises of the facility shall be noncommercial and nonprofit;
- (6) The Residential Compatibility Standards of Chapter 916 shall apply.

T. Amend Section 911.04.A.64(a) by replacing the text of this Section in its entirety as follows:

- (a) In Residential and Grandview Public Realm Districts
- (1) Approving Body shall determine that the use, program, or activity will not substantially and negatively impact the public health, safety, morals, and welfare (which includes aesthetics) of the residents and property in the community.
 - (2) Approving Body shall determine that the use, program, or activity will not cause detrimental traffic and parking impacts in the community. The Approving Body, when determining the impacts, shall take into consideration the needs for both normal and event use which may occur on site;
 - (3) The Approving Body shall discourage parking on nearby residential streets;
 - (4) The Approving Body shall determine that the facility use will not adversely impact the neighborhood. The Body should take into consideration the following:
 - a. The physical relationship of the proposed use to the surrounding structures;
 - b. Character of the neighborhood;
 - c. Loss of privacy;
 - d. Loss of property values;
 - e. Light;
 - f. Fumes;
 - g. Probable traffic generation;
 - h. Probable pedestrian generation;
 - i. The number of similar facilities serving the neighborhood (threshold);
 - j. Consideration of alternative sites;
 - k. The probable hours of operation;
 - l. Noise;
 - m. Social activities to be conducted; and
 - n. The number of people using the premises at any one time.
- (5) All activities conducted on the premises of the facility shall be noncommercial and nonprofit;
- (6) The Residential Compatibility Standards of Chapter 916 shall apply.

U. Amend Section 911.04.A.53 by replacing the text of this Section in its entirety as follows:

- Religious Assembly (Limited and General) shall be subject to the following standards:
- (a) Approving Body shall determine that the use, program, or activity will not substantially and negatively impact the public health, safety, morals, and welfare (which includes aesthetics) of the residents and property in the community.
 - (b) Approving Body shall determine that the use, program, or activity will not cause detrimental traffic and parking impacts in the community. The Approving Body, when determining the

- impacts, shall take into consideration the needs for both normal and event use which may occur on site;
- (c) The Approving Body shall discourage parking on nearby residential streets;
 - (d) The Approving Body shall determine that the facility use will not adversely impact the neighborhood. The Body should take into consideration the following:
 - (i) The physical relationship of the proposed use to the surrounding structures;
 - (ii) Character of the neighborhood;
 - (iii) Loss of privacy;
 - (iv) Loss of property values;
 - (v) Light;
 - (vi) Fumes;
 - (vii) Probable traffic generation;
 - (viii) Probable pedestrian generation;
 - (ix) The number of similar facilities serving the neighborhood (threshold);
 - (x) Consideration of alternative sites;
 - (xi) The probable hours of operation;
 - (xii) Noise;
 - (xiii) Social activities to be conducted; and
 - (xiv) The number of people using the premises at any one time.
 - (e) All activities conducted on the premises of the facility shall be noncommercial and nonprofit;
 - (f) The Residential Compatibility Standards of Chapter 916 shall apply.

V. Amend Section 916.01.C by deleting the following:

- 2. The following shall specifically be exempt from compliance with Residential Compatibility Standards:
 - (a) Development within the GT, Golden Triangle, DR, Downtown Riverfront zoning districts and Planned Development Districts;
 - (b) Structural alteration of an existing building when such alteration does not increase the building's square footage or height;
 - [(c) A change in use that does not increase the number of off-street parking spaces required (as shown in the Schedule of Off-Street Parking Standards, Sec. 914.02.A.)]