



Legislation Details (With Text)

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**Type:** Ordinance    **Status:** Passed Finally  
**File created:** 4/16/2002    **In control:** Committee on Planning, Zoning & Land Use  
**On agenda:**    **Final action:** 6/27/2002  
**Enactment date:** 6/18/2002    **Enactment #:** 21  
**Effective date:** 6/27/2002

**Title:** Ordinance amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, by adding a special exception for height and the floor area ratio of buildings in Urban Industrial Districts; revising parking and signage provisions to ensure conformance with the Americans with Disabilities Act (ADA) requirements; clarifying a provision under Environmental Performance Standards and clarifying residential fencing standards; allowing for advertising on public information kiosks; clarifying notification procedures for City Council hearings; reestablishing a special exception for firearms business establishments; revising signage regulations in the SP-4 District; and adding the college use as a conditional use in certain districts.

**Sponsors:**

**Indexes:** CONDITIONAL USE APPLICATION, PGH. CODE ORDINANCES TITLE 09 - ZONING

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
6/27/2002	3	Mayor	Signed by the Mayor	
6/19/2002	2	Committee on Planning, Zoning & Land Use		Pass
6/19/2002	3	Committee on Planning, Zoning & Land Use	Affirmatively Recommended as Amended	Pass
6/19/2002	3	City Council	Passed Finally	Pass
6/18/2002	1	City Council	RECOMMITTED	
6/18/2002	2	City Council	RECOMMITTED	Pass
6/12/2002	2	Committee on Planning, Zoning & Land Use	Affirmatively Recommended as Amended	Pass
6/12/2002	2	Committee on Planning, Zoning & Land Use		Pass
6/5/2002	1	Committee on Hearings	Public Hearing Held	
4/24/2002	1	Committee on Planning, Zoning & Land Use	Held for Cablecast Public Hearing	Pass
4/16/2002	1	City Council	Read and referred	

Presented by Ms. Burns

**AS AMENDED**

Ordinance amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, by adding a special exception for height and the floor area ratio of buildings in Urban Industrial Districts; revising parking and signage

provisions to ensure conformance with the Americans with Disabilities Act (ADA) requirements; clarifying a provision under Environmental Performance Standards and clarifying residential fencing standards; ~~allowing for advertising on public information kiosks~~; clarifying notification procedures for City Council hearings; reestablishing a special exception for firearms business establishments; revising signage regulations in the SP-4 District; and adding the college use as a conditional use in certain districts.

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

**Section 1.** The designated section of Title Nine, Zoning of the Pittsburgh Code, is hereby amended as follows:

1. Amend Section 904.07.A UI, Urban Industrial District, Purpose, by adding the following new subsection:
  4. Encourage adaptive reuse of manufacturing buildings and allow the development of high density multi-unit residential buildings.
2. Amend Section 904.07.C.4 UI, Urban Industrial District, Special Exception for Height in the UI District, as follows:
  - a. Delete Subsection (i);
  - b. Designate subsection (ii) as (i);
  - c. Designate subsection (iii) as (ii).
3. Add Section 904.07.C.5 to UI, Urban Industrial District, as follows:

904.07.C.5 Special Exception for FAR Adjustment in the UI District.

Where at least 75% of the building will be used for multi-unit residential purposes, the Maximum Floor Area Ratio ("FAR") may be increased, provided the applicant meets the Special Exception procedures of Section 922.07 and satisfies the following standards:

  - (i) The Maximum FAR shall not exceed 10:1.
  - (ii) The site shall not be within 200 feet of any property which is zoned residential.
  - (iii) The site shall be situated so that the upward adjustment of the Maximum FAR will not create detrimental impact on neighboring properties through consideration of the additional traffic impacts caused by the adjusted FAR, including consideration of height and density.
4. Amend Section 911.02 Use Table, by allowing College or University Campus as a Conditional Use Approval in the following Districts:
  - UNC, Urban Neighborhood Commercial District
  - HC, Highway Commercial District
5. Amend Section 911.02 Use Table, by adding:

Firearms Business Establishment means any business establishment, duly licensed by the appropriate agencies of the United States of America and the Commonwealth of Pennsylvania, that engages in the sale of firearms ("firearms" as defined by Section 607.01 of the City Code), either by wholesale or retail, mail order or any other manner.

6. Amend the Section 911.02 Use Table, by allowing Firearms Business Establishment as a Special Exception in the following Districts:
- NDI, Neighborhood Industrial
  - UNC, Urban Neighborhood Commercial
  - HC, Highway Commercial
  - GI, General Industrial
  - UI, Urban Industrial
  - GT, Golden Triangle
  - DR, Downtown Riverfront

7. Amend Section 911.04 Use Standards, by adding the following:  
911.04.A.92 Firearms Business Establishment

Firearms Business Establishment shall be subject to the following standards in the NDI, UNC, HC, GI, UI, GT, and DR Districts:

- a. Firearms Business Establishments shall not be located in a designated area that contains any of the following uses. The building shall not be located within a distance of 500 feet, measured along a straight line projected from each pedestrian entrance or exit of the subject occupancy to the nearest building wall or boundary line for a park or playground of any of the following:
  - (1) Elementary or secondary school;
  - (2) Public playground;
  - (3) Public or non-profit operated recreation center;
  - (4) Drug or alcohol rehabilitation center;
  - (5) Church, synagogue, or temple.
- b. An adequate security system shall be provided as determined by the Board to be appropriate.

8. Amend Section 912.02.1 Residential Accessory Uses and Structures, as follows:

912.02 Residential Accessory Uses and Structures

The following accessory uses, activities and structures shall be permitted by-right in Residential and H Districts:

- 1. Fences, walls and retaining walls, provided that the finished side faces adjacent property and/or public right-of-ways;

9. Amend Section 914.06.A Parking Loading and Access, Number of Spaces, as follows:

Parking spaces reserved for persons with disabilities shall be counted toward fulfilling overall off-street parking standards. The minimum number of spaces to be reserved for persons with disabilities shall be as follows:

Residential Uses

Minimum Reserved Spaces Required

Less than 4 Dwelling Units      0

4 to 25 Dwelling Units         1

Non-Residential Uses and Parking Spaces Provided for Dwelling Units in Excess of 25

Parking Spaces Required      Minimum Reserved Spaces Required

1-25      1

26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	2% of total spaces
Over 1,000	20, plus 1 for each 100 spaces over 1,000

One in every eight accessible spaces, but not less than one, shall be served by an access aisle 8 feet wide minimum and shall be designated "van accessible" as required by Americans with Disabilities Act of 1990. The vertical clearance at such spaces shall comply with Americans with Disabilities Act of 1990. All such spaces may be grouped on one level of a parking structure.

10. Amend Section 914.06.B Parking for Persons with Disabilities, Minimum Dimensions, by replacing that section in its entirety with the following:  
All parking spaces reserved for people with disabilities shall be at least 19 feet in length and at least 8 feet wide and shall provide minimum vertical clearance of 8 feet 2 inches at the parking space and along at least one vehicle access route to such spaces from site entrance(s) and exit(s). Parking access aisles shall be part of an accessible route to the building or facility entrance and shall be 5 feet wide, except parking spaces reserved for vans, which shall be 8 feet wide in accordance with Sec. 914.06.A. Two accessible parking spaces may share a common access aisle. Parked vehicle overhangs shall not reduce the clear width of an accessible route. Parking spaces and access aisles shall be level with surface slopes not exceeding 1:50 (2%) in all directions.
  
11. Amend Section 914.06.C Parking for Persons with Disabilities, Location of Spaces, by replacing that section in its entirety with the following:  
Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.
  
12. Amend Section 914.06.D Parking for Persons with Disabilities, Signs and Marking, by adding:  
Van-accessible spaces shall have an additional sign "Van-Accessible" mounted below the symbol of accessibility. Such signs shall be located so as not to be obscured by a vehicle parked in the space.
  
13. Add new Section 914.06.E Parking for Persons with Disabilities, Passenger Loading Zones, as follows:  
Passenger loading zones shall provide an access aisle at least 5 feet wide and 20 feet long adjacent and parallel to the vehicle pull-up space. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp complying with Americans with Disabilities Act of 1990 shall be provided. Vehicle standing spaces and access aisles shall be level with surface slopes not exceeding 1:50 (2%) in all directions. Minimum vertical clearance of 9 feet 6 inches shall be provided at accessible passenger loading zones and along at least one vehicle access route to such areas from site entrance(s) and exit(s).

14. Add new Section 914.09.G.4 Parking for Persons with Disabilities, Ground Floor Vehicle Entrances, as follows:

Parking structures containing more than one floor shall provide a minimum of 9 feet 6 inches of vertical clearance on the ground floor between all spaces and vehicle access routes to site entrance(s) and exit(s). Signage and other objects may not project into this clearance. Van accessible reserved spaces may be placed on this level in accordance with the requirements of Section 914.06.

15. Amend Section 915.01.B Environmental Performance Standards, General, Applicability, as follows:

915.01.B Applicability

No structure or land use shall be located, erected, constructed, reconstructed, moved, altered, converted or enlarged; nor shall any structure or land be used or be designed to be used, except in full compliance with the provisions of this section.

16. Amend Section 919.02.Q Advertising Signs on Public Transit Shelters, as follows:

~~Advertising signs shall only be permitted on public transit shelters located within the public right of way, which comply with the provisions of Chapter 419 of Title Four, Article I of the Pittsburgh Code of Ordinances. Additionally, public information kiosks, installed by, or under the direction of, the City of Pittsburgh, with advertising signs shall also be permitted, whether on private property, public property, or in the public right of way. [And] Both must meet the following criteria:~~

- ~~(a) Advertising signs shall not be located within any residential Zoning District;~~
- ~~(b) Such signs shall not exceed twenty-four (24) square feet in display surface per sign;~~
- ~~(c) There shall be a maximum of two (2) advertising signs or one (1) back-to-back advertising sign on each shelter or kiosk;~~
- ~~(d) Sign display areas must be integral to the design of the structure and may not extend more than five (5) inches from the face of the structure; and~~
- ~~(e) No advertising display shall exceed the height of the structure.~~

17. Replace Section 919.03.D.2(c) Nonadvertising Signs, Historic Tablets in Other Districts, in its entirety with:

May be attached to a building wall and no part of the sign shall project more than 4 inches at a height below 6 feet 8 inches from the grade beneath the sign. Signs attached to the building at a height above 6 feet 8 inches from the bottom of the sign to the grade beneath the sign shall not project more than 3 feet from the building.

18. Replace Section 919.03.F.1(a) Real Estate and Political Signs, General, in its entirety with:

Such signs may be attached to a building wall and no part of the sign shall project more than 4 inches at a height below 80 inches from the grade beneath the sign. Signs attached to the building at a height above 80 inches from the bottom of the sign to the grade beneath the sign shall not project more than 3 feet from the building.

19. Replace Section 919.03.I.2 Convenience Information Signs in its entirety with:

May be attached to a building wall and no part of the sign shall project more than 4 inches at a height below 80 inches from the grade beneath the sign. Signs attached to the building at a height above 80 inches from the bottom of the sign to the grade beneath the sign shall not project more than 3 feet from the building.

20. Replace Section 919.03.M.1(c) Business Signs and Identification Signs, General, in its entirety with:  
Such signs may be attached to a building wall and no part of the sign shall project more than 4 inches at a height below 80 inches from the grade beneath the sign. Signs attached to the building at a height above 80 inches from the bottom of the sign to the grade beneath the sign shall not project more than 3 feet from the building; and

21. Amend Section 919.03.M.3(a) Business Signs and Identification Signs in the RP, EMI, and GPR Zoning Districts, by adding:

Wall mounted signs shall be limited to one (1) along each street frontage, not exceeding eighty (80) square feet in face area and shall not extend more than twenty (20) feet above grade. Such signs may be attached to a building wall and no part of the sign shall project more than 4 inches at a height below 80 inches from the grade beneath the sign. Signs attached to the building at a height above 80 inches from the bottom of the sign to the grade beneath the sign shall not project more than 3 feet from the building.

22. Amend Section 919.03.M.4(e) Business Signs and Identification Signs in the HC Zoning Districts, by adding:

(e) Marquee or canopy sign is a sign attached to, painted on or inscribed upon a marquee or canopy that otherwise complies with any other governmental regulation; the face of such sign shall not project above or below the marquee or canopy, shall not exceed eight inches in height, shall not project more than six inches horizontally from the surface of such marquee or canopy, shall not contain flashing lights or animation and shall not contain any advertising except for the name of the owner, name of the building or the name of the business.

Such signs may be attached to a building wall and no part of the sign shall project more than 4 inches at a height below 80 inches from the grade beneath the sign. Signs attached to the building at a height above 80 inches from the bottom of the sign to the grade beneath the sign shall not project more than 3 feet from the building.

23. Amend Section 919.04.A.4 Neighborhood Business District Sign Regulations, Special Definitions, by adding:

919.04.A.4

(b) Such signs may be attached to a building wall and no part of the sign shall project more than 4 inches at a height below 80 inches from the grade beneath the sign. Signs attached to the building at a height above 80 inches from the bottom of the sign to the grade beneath the sign shall not project more than 3 feet from the building.

24. Amend Section 922.05.C Zoning Map and Text Amendments, Notice, as follows:

922.05.C Notice

Promptly upon determining that an application is complete, the Zoning Administrator shall schedule public hearing dates before the Planning Commission, notify the applicant of the hearing dates and give at least 21 days notice of the Planning Commission hearing by mail and posting, in accordance with the notice requirements of Secs. 922.01.C.1 and 922.01.C.2. and with notice to all owners of record of property within the affected area and within 150 feet

thereof, or to such extended distance to insure that no less than 25 nearest owners of record are so notified in writing. City Council shall schedule a public hearing, notify the applicant of the hearing date, and give at least twenty-one (21) days notice of the City Council hearing by mail and posting, accordance with the notice requirements of Secs. 922.01.C.1 and 922.01.C.2.

**25. Amend Section 922.06.B Conditional Uses, Notice, as follows:**

922.06.B Notice

Promptly upon determining that an application is complete, the Zoning Administrator shall schedule public hearing dates before the Planning Commission, notify the applicant of the hearing dates and give at least 21 days notice of the Planning Commission hearing by mail and posting, in accordance with the notice requirements of Secs. 922.01.C.1 and 922.01.C.2. and with notice to all owners of record of property within the affected area and within 150 feet thereof, or to such extended distance to insure that no less than 25 nearest owners of record are so notified in writing. City Council shall schedule a public hearing, notify the applicant of the hearing date, and give at least 21 days notice of the City Council hearing by mail and posting, accordance with the notice requirements of Secs. 922.01.C.1 and 922.01.C.2.

**26. Amend Section 925.06.A, Features Allowed Within Setbacks, by adding the following:**

15. Access ramps and lifts for people with disabilities having a ramp that does not project more than 40 inches into a required front, side or rear setback, and with review of the design, construction and location by the Zoning Administrator to insure appropriate context with the existing structure and neighborhood.

**27. Amend Section 926 Definitions, as follows:**

77. Firearm Business Establishment [means any business establishment duly licensed by the appropriate agencies of the United States of America and the Commonwealth of Pennsylvania, that engages in the sale of firearms. (Firearms as defined by Sec. 607.01 of the Pittsburgh Code of Ordinances), either by wholesale or retail, mail order or any other manner.] See Use Table, Section 911.02.

**28. Amend Section 909.01.I.4: Regulations Applicable throughout the SP-4 District, as follows:**

(b) Signs

Signs and sign structures shall be [limited in height to thirty-five (35) feet above grade, measured vertically between all points at grade, to all topmost points of the sign or sign structure above these grade points] subject to Sign Guidelines adopted by the Planning Commission as a component of the Preliminary Land Development Plan.