



Legislation Details (With Text)

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File created: 10/22/2021 **In control:** Committee on Land Use and Economic Development

On agenda: 10/26/2021 **Final action:** 12/20/2021

Enactment date: 12/20/2021 **Enactment #:** 58

Effective date: 12/27/2021

Title: Ordinance amending the Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Regulations, Chapter 911, Primary Uses, Section 911.02, Use Table, and Section 911.04, Use Standards; Chapter 912, Accessory Uses and Structures, Section 912.04, Accessory Use and Structure Development and Operational Standards; Chapter 913, Use Exceptions and Conditions Not Listed in the Use Table, Section 913.04, Special Exceptions; and Article VI, Development Standards, Chapter 914 Parking Loading and Access, Section 914.02, Off-Street Parking Schedules to update the standards and definitions for Restaurant and Restaurant Fast-Food uses, and to update the standards for other drive-through uses within the City of Pittsburgh.
(Public Hearing held 12/14/21)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2021-2095 Cover Letter-City Council Cover Letter Restaurant and Drive Through Uses, 2. Summary 2021-2095

Date	Ver.	Action By	Action	Result
12/27/2021	1	Mayor	Signed by the Mayor	
12/20/2021	1	City Council	Passed Finally	Pass
12/15/2021	1	Standing Committee	Affirmatively Recommended	Pass
12/14/2021	1	Committee on Hearings	Public Hearing Held	
11/1/2021	1	Standing Committee	Held for Cablecast Public Hearing	Pass
10/26/2021	1	City Council	Read and referred	

Ordinance amending the Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Regulations, Chapter 911, Primary Uses, Section 911.02, Use Table, and Section 911.04, Use Standards; Chapter 912, Accessory Uses and Structures, Section 912.04, Accessory Use and Structure Development and Operational Standards; Chapter 913, Use Exceptions and Conditions Not Listed in the Use Table, Section 913.04, Special Exceptions; and Article VI, Development Standards, Chapter 914 Parking Loading and Access, Section 914.02, Off-Street Parking Schedules to update the standards and definitions for Restaurant and Restaurant Fast-Food uses, and to update the standards for other drive-through uses within the City of Pittsburgh.
(Public Hearing held 12/14/21)

The Council of the City of Pittsburgh hereby enacts as follows:

Section 1. The Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Regulations, is hereby amended at Chapter 911, Section 911.02, Use Table, as follows:

SEE ATTACHMENT

911.02. Use Table

Use Classification on The Pittsburgh Urban Zoning Code P = Permitted By Right A = Administrative Exception S = Special Exception C = Conditional Use	Base Zoning Districts*																		Standard See Section 911.04.x				
	Residential					Mixed Use					Special				DT	RIV							
* As Base Zoning District Regulations, all uses may be subject to additional regulations imposed by applicable Overlay Zoning Districts.	R1	R1A	R2	R3	RM	ND O	LN C	ND C	UN C	H C	GI	UI	P	H	EM	GT		RM	MUN	S	GI	IMU	
Restaurant, Fast-Food means an establishment where the principal business is the sale of food and beverage, and where the business includes customers' tables, where food is generally wrapped in disposable wrapping or containers, and where food and beverage may be served																							
Restaurant, Fast-Food (Limited) means a Fast-Food Restaurant that does not have a separate curb-cut on a public right-of-way for automobile drive-through service.						A	A	A	P	A	A	C	A	P				S	P	A	A	A.54	

~~(2) The entrances, parking, and circulation patterns of the facility shall be located and designed so as to minimize the disruption of pedestrian patterns in the district; and~~

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

~~(b) In GI Districts~~

~~Restaurant, Fast Food (Limited) uses shall be subject to the following standards in GI Districts:~~

~~(1) Off street parking, loading and hours of operation shall be conducted in a manner that does not interfere with any industrial operations in the vicinity.~~

~~(c) In P District~~

~~Restaurant, Fast Food (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.~~

911.04.A.55 Restaurant, Fast Food (General)

(a) In HC and GI Districts

Restaurant, Fast Food (General) uses shall be subject to the following standards in the GI District:

(1) The Applicant shall provide a transportation impact study, based on an approved transportation scoping form, prepared by a qualified transportation engineer, for review and approval by the Department of Mobility and Infrastructure. The applicant shall implement any required mitigation from the detrimental impacts of the drive through use, as determined in the approved transportation impact study.

(2) The Zoning Board of Adjustment shall determine that such use will not create detrimental impact on surrounding properties, taking into consideration transportation-related impacts, and the physical relationship of the proposed use and structure to the surrounding businesses and uses.

~~(1) Off street parking, loading and hours of operation shall be conducted in a manner that does not interfere with any industrial operations in the vicinity; and~~

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

(b) In UNC and RIV Districts

Restaurants, Fast Food (General) uses shall be subject to the following standards in UNC Districts:

- ~~(1) The drive-through facility shall be designed to minimize disruptions to pedestrian movements, and shall provide for safe sight distances; and~~
- ~~(2) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, noise, hours of operation and glaring light.~~
- ~~(c) In the UI District~~

Restaurant, Fast Food (General) uses shall be subject to the following standards in the UI District:

- ~~(1) Sufficient trash receptacles shall be provided within and outside of the primary structures to accommodate waste from the facility;~~
- ~~(2) The entrances, parking and circulation patterns of the facility shall be designed so as to minimize the disruption of pedestrian patterns in the district;~~
- ~~(3) The vehicular entrance and approach to the drive-up window and/or drive-through use shall be clearly delineated by markings, striping and/or signage as determined necessary by the Zoning Administrator; and~~
- ~~(4) The proposed use shall be subject to the Site Plan Review procedures of Sec. 922.04.~~

Section 3. The Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Regulations, is hereby supplemented at Chapter 912, Section 912.04, Accessory Use and Structure Development and Operational Standards, as follows:

(912.04.K and L to be added in ZBA-research amendments)

912.04.M Drive-Through Uses

1. Drive-through uses shall be permitted by-right in the HC, Highway Commercial Zoning District, and subject to the following standards:
 - a. The Applicant shall provide a transportation impact study, based on an approved transportation scoping form, prepared by a qualified transportation engineer, for review and approval by the Department of Mobility and Infrastructure. The applicant shall implement any required mitigation from the detrimental impacts of the drive through use, as determined in the approved transportation impact study.
2. Drive-through uses shall be permitted as a Special Exception in the GI, General Industrial Zoning District, and subject to the following standards:
 - a. The Applicant shall provide a transportation impact study, based on an approved transportation scoping form, prepared by a qualified transportation engineer, for review and approval by the Department of Mobility and Infrastructure. The applicant shall implement any required mitigation from the detrimental impacts of the drive through use, as

determined in the approved transportation impact study.

- b. The Zoning Board of Adjustment shall determine that such use will not create detrimental impact on surrounding properties, taking into consideration transportation-related impacts, and the physical relationship of the proposed use and structure to the surrounding businesses and uses.

Section 4. The Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Regulations, is hereby amended at Chapter 913, Section 913.03, Special Exceptions, as follows:

913.03.F ~~Drive-Up Windows and Drive-Through Uses~~ [Reserved]

~~Drive-up windows and drive-through uses shall be allowed by Special Exception in the LNC, NDI and UNC Districts in accordance with the Review Procedures of Section 922.07. The following standards shall apply:~~

- ~~(1) The drive-up window and/or drive-through use shall not require an additional curb-cut in the pedestrian right-of-way;~~
- ~~(2) The vehicular entrance and approach to the drive-up window and/or drive-through use shall be clearly delineated by markings, striping and/or signage as determined necessary by the Zoning Board of Adjustment;~~
- ~~(3) The drive-up window and/or drive-through use shall be clearly incidental to a primary use; and~~
- ~~(4) The Zoning Board of Adjustment shall determine that such use will not create detrimental impact on surrounding properties, taking into consideration probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the probable hours of operations, and the impacts of traffic generation on surrounding residential and commercial uses.~~

Section 4. The Pittsburgh Code, Title Nine, Zoning Code, Article VI, Development Standards, is hereby amended at Chapter 914, Section 914.02, Off-Street Parking Schedules, as follows:

914.02. Off-Street Parking Schedules.

914.02.A Schedule A

Off-street parking spaces shall be provided in accordance with the minimum and maximum standards included in Parking Schedule A. In lieu of complying with the standards of Parking Schedule A, an applicant may request approval of an Alternative Access and Parking Plan, pursuant to Sec. 914.07. The Zoning Administrator may require an Alternative Access and Parking Plan to be submitted for uses allowed in residential district. The parking schedule in this section shall not apply to the Bicycle Parking Requirement of Section 914.05.D.

Use Type	Minimum Off-Street Automobile Spaces Required	Maximum Off-Street Automobile Spaces Allowed
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Residential Uses		
Single-Unit, Detached	1 per unit	4 per unit
Single-Unit Attached	1 per unit	4 per unit
Two-Unit	1 per unit	2 per unit
Three-Unit	1 per unit	2 per unit
Multi-Unit	1 per unit	2 per unit
Group Residential	1 per 4 residents	No maximum
Housing for the Elderly	Parking Demand Analysis Required, see Sec. 914.02.B	
Non-Residential Uses		
Adult Entertainment	1 per 500 s.f. above first 2,400 s.f.	1 per 150 s.f.
Amusement Arcade	1 per 500 s.f. above first 2,400 s.f.	1 per 150 s.f.
Animal Care	1 per 400 s.f. above first 2,400 s.f.	
Art or Music Studio	1 per 800 s.f.	1 per 300 s.f.
Assembly, Public	Parking Demand Analysis Required, See Sec. 914.02.B	
Bank or Financial Institution	1 per 500 s.f. above first 2,400 s.f.	1 per 300 s.f.
Bed and Breakfast	See Bed and Breakfast Regulations, Sec. 911.04.A.7-9	
Basic Industry	Parking Demand Analysis Required, see Sec. 914.02.B	
Car Wash	4 queuing spaces per bay for automatic wash; 2 queuing spaces per bay for self-service	
Cemetery	Parking Demand Analysis Required, see Sec. 914.02.B	
Check Cashing	1 per 500 s.f. above first 2,400 s.f.	1 per 175 s.f.
Child Care	1 per 800 s.f.	1 per 400 s.f.
Club	One (stall) per 125 square feet above the first 2,400 square feet	
Community Center	1 per 500 s.f.	1 per 200 s.f.
Correctional Facility	Parking Demand Analysis Required, see Sec. 914.02.B	
Cultural Services	1 per 800 s.f.	1 per 300 s.f.
Educational Institution not otherwise listed	1 per 800 s.f.	1 per 300 s.f.
Freight Terminal	Parking Demand Analysis Required, see Sec. 914.02.B	
Funeral Home	4 per viewing room	
Gaming Enterprise	Parking Demand Analysis required, see 914.02.B	
Golf Course	2 spaces per hole, plus 1 space per 800 s.f. in clubhouse	4 per unit
Grocery Store, up to 10,000 s.f.	1 per 500 s.f. above first 2,400 s.f.	1 per 200 s.f.
Grocery Store, over 10,000 s.f.	1 per 150 s.f.	1 per 100 s.f.
Hazardous Operations	Parking Demand Analysis Required, see Sec. 914.02.B	
Heliport, Helistop, Helipad	1 per 1,000 s.f. of operational area	
Hospital	Parking Demand Analysis Required, see Sec. 914.02.B	
Incinerator, Solid Waste	Parking Demand Analysis Required, see Sec. 914.02.B	

Institutional Facility not otherwise listed	1 per 800 s.f.	1 per 300 s.f.
Laboratory/Research Service	1 per 500 s.f. above first 2,400 s.f.	1 per 200 s.f.
Laundry Service	Parking Demand Analysis Required, see Sec. 914.02.B	
Library	1 per 600 s.f.	1 per 200 s.f.
Manufacturing and Assembly	Parking Demand Analysis Required, see Sec. 914.02.B	
Medical Office	1 per 400 s.f. above first 2,400 s.f.	
Office	1 per 500 s.f. above first 2,400 s.f.	
Parks and Recreation	Parking Demand Analysis Required, see Sec. 914.02.B	
Pawn Shop	1 per 500 s.f. above first 2,400 s.f.	1 per 175 s.f.
Post Office	Parking Demand Analysis Required, see Sec. 914.02.B	
Recreation/Entertainment, Outdoor	Parking Demand Analysis Required, see Sec. 914.02.B	
Recreation/Entertainment, Indoor	1 per 500 s.f. above first 2,400 s.f. or 1 per 5 seats, whichever is greater	
Recycling Processing Center	Parking Demand Analysis Required, see Sec. 914.02.B	
Religious Assembly	1 per 5 seats	
Restaurant, Fast Food	1 per 75 500 s.f. of customer service/dining area or 1 per 200 s.f. if no customer service area, plus 6 queuing spaces per service window	1 per 175 s.f.
Restaurant	1 per 125 500 s.f. above first 2,400 s.f.	1 per 75 175 s.f.
Retail Sales and Services	1 per 500 s.f. above first 2,400 s.f.	1 per 175 s.f.
Safety Service	Parking Demand Analysis Required, see Sec. 914.02.B	
Salvage Yard	1 per 1,000 s.f. above first 2,400 s.f., plus 1 per 10,000 s.f. of lot	
School, Elementary or Secondary	Parking Demand Analysis Required, see Sec. 914.02.B	
Service Station	2 per service bay	
Transit Facility	Parking Demand Analysis Required, see Sec. 914.02.B	
Utility, Public	Parking Demand Analysis Required, see Sec. 914.02.B	
Vehicle/Equipment Repair	2 per service bay	
Vehicle/Equipment Sales	Parking Demand Analysis Required, see Sec. 914.02.B	
Vocational or Trade School	1 per 500 s.f.	
Warehouse	Parking Demand Analysis Required, see Sec. 914.02.B	
Warehouse, Residential Storage	1 space, plus 1 per service bay	
Welding or Machine Shop	Parking Demand Analysis Required, see Sec. 914.02.B	