



## Text File

**Introduced:** 10/20/2009

**Bill No:** 2009-1872, **Version:** 1

**Committee:** Committee on Land Use and Economic Development

**Status:** Died due to expiration of legislative council session

Ordinance amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Article V, Chapter 911, Primary Uses, Section 911.04, Use Standards, by amending the use standards for restaurants with liquor licenses.

Legislative findings of City Council:

WHEREAS, The City of Pittsburgh's largest LNC districts (East Carson Street in the South Side, Butler Street in Lawrenceville, and Penn Avenue in Bloomfield and Garfield) are rapidly redeveloping. Substantial public and private investment has been made and continues to be made in and around the LNCs in the City to preserve and protect their economic development potential, prevent declining property values, encourage investment, and promote residential uses adjacent to LNCs. Investment in and around the LNCs includes the restoration, adaptive reuse, and reconstruction of numerous structures as well as new construction. These activities create new employment, new businesses, and new housing. Because of their mixed-use nature, the neighborhoods containing LNCs are a fragile and unique balance of residences and commercial uses. The City strives to maintain the mixed-use nature of such neighborhoods and to prevent one use from overpowering others; and

WHEREAS, The City, through its Zoning Code, must preserve an economically viable mix of uses that balances the needs of commercial, recreational, and residential uses. Large LNC districts that allow disproportionate growth of any commercial use may suffer detrimental impacts to the character of the LNC and adjoining residential areas; and

WHEREAS, This Ordinance will help preserve the traditional character of neighborhoods that make the areas attractive to developers, investors, and residents while allowing new growth and redevelopment. Therefore, the City's largest LNC districts and the residential areas adjoining those districts will have a sustainable character for generations.

**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, Chapter 911, Primary Uses, Section 911.04, Use Standards, is hereby amended as follows:

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

911.04.A.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, all ~~new~~ applicants for new licenses, expansion of existing Restaurant with liquor license and extension of premise for Restaurants with Liquor License (Limited or General) must meet the standards set forth in this Code for a Conditional Use.

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

911.04.A.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, all ~~new~~ applicants for new licenses, expansion of existing Restaurant with liquor license and extension of premise for Restaurants with Liquor License (Limited or General) must meet the standards set forth in this Code for a Conditional Use.