

City of Pittsburgh

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Title:	Ordinance amending the Pittsburgh Code, Title Nine - Zoning, Article II, Section 911.02 - Use Table, Section 911.04 - Use Standards and Section 922.12 - Institutional Master Plans by changing use types, use standards and review procedures regarding EMI, Educational/Medical Institute districts, City of Pittsburgh.						
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Presented by Mr. Udin

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City Council

AS AMENDED

9/13/2005

Ordinance amending the Pittsburgh Code, Title Nine - Zoning, Article II, Section 911.02 - Use Table, Section 911.04 - Use Standards and Section 922.12 - Institutional Master Plans by changing use types, use standards and review procedures regarding EMI, Educational/Medical Institute districts, City of Pittsburgh.

Read and referred

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

Section 1. Title Nine - Zoning of the Pittsburgh Code is hereby amended as follows:

A. Amend Section 911.02 - Use Table by changing the following use types:

Single-Unit Attached Residential [permitted use] use not permitted

Two-Unit Residential	[permitted use] use not permitted					
Three-Unit Residential	[permitted use] use not permitted					
Dormitory	[conditional use] [administrator] special exception					
Fraternity / Sorority	[conditional use] special exception					
Multi-suite Residential (limited)	[conditional use] [administrator] special exception					
Multi-suite Residential (general)	[conditional use] special exception					
Assembly, Public (limited)	[permitted use] [administrator] special exception					
Assembly, Public (general)	[permitted use] special exception					
Bank or Financial Institution (general)	[special exception] administrator exception					
Cultural Services (general)	[special exception] administrator exception					
[Hotel / Motel	[special exception] administrator exception]					
Library (limited)	[permitted use] administrator exception					
Parking, Commercial (limited)	[special exception] [administrator] special exception					
Parking, Commercial (general)	[permitted use] [administrator] special exception					
Parking, Structure (limited)	[special exception] [administrator] special exception					
Parking, Structure (general)	[conditional use] [administrator] special exception					
Recreation & Entertainment, Indoor(gen) [conditional use] [administrator] special exception						
Recreation & Entertainment, Outdoor(gen)[conditional use] [administrator] special exception						
Restaurant (general) [special exception] [administrator] special exception						

B. Amend Section 911.04.A.5 - Assembly, Public (Limited) as follows:

(a) in NDI, UNC, UI, and HC [and EMI] districts

Assembly, Public (Limited) uses shall be subject to the following standards:

(c) <u>in EMI districts</u>

Assembly, Public (General) uses shall be subject to the following standards:

The design shall include devices which prevent noise associated with the use of the facility from being heard on other properties in the vicinity;

A traffic analysis shall be submitted demonstrating that the proposed development will not create traffic congestion in the district;

The proposed use shall be in compliance with an approved Institutional Master Plan; and

The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10.

C. Amend Section 911.04.A.6 - Assembly, Public (General) as follows:

(c) in EMI districts

[(1) A traffic study in a form approved by the Zoning Administrator shall be submitted with the application, and shall address parking and traffic impacts of the proposed development. The transportation study shall illustrate that the proposed development will not create traffic congestion on the surrounding streets, and that residential streets in the vicinity shall not be used for parking for the proposed development;]

The design shall include devices which prevent noise associated with the use of the facility from being heard on other properties in the vicinity;

The height and bulk of the proposed structure shall be designed as to minimize blocking of views from adjacent residential properties;

A traffic analysis shall be submitted demonstrating that the proposed development will not create traffic congestion in the district;

Parking shall be provided in a location and manner that allows for all parking to be located outside of residential districts;

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, generation of noise and the hours of operation; and

The proposed use shall be in compliance with an approved Institutional Master Plan; The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10.

D. Amend Section 911.04.A.18 - Cultural Service (Limited) as follows:

(c) in NDO [and EMI] Districts

(d) in EMI Districts

The proposed use shall be in compliance with an approved Institutional Master Plan; and The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10

E. Amend Section 911.04.A.19 - Cultural Service (General) as follows:

(d) in EMI Districts

Cultural Service (General) uses shall be subject to the following standards:

The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the emission of noise or glaring light, and proposed accessory uses, such as meeting facilities;

The proposed use shall be in compliance with an approved Institutional Master Plan; The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10.

F. Amend Section 911.04.A.20 - Educational Classroom Space (Limited) as follows:

in non-EMI Districts

Educational Classroom Space (Limited) shall be subject to the following standards:

in EMI districts

Educational Classroom Space (Limited) shall be subject to the following standards: The proposed use shall be in compliance with an approved Institutional Master Plan; and The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10.

G. Amend Section 911.04.A.21 - Educational Classroom Space (General) as follows:

(b) in EMI districts

Educational Classroom Space (General) shall be subject to the following standards: The proposed use shall be in compliance with an [Commission-] approved <u>Institutional</u> Master Plan; and The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10.

H. Amend Section 911.04.A.23 - Fraternity/Sorority and Dormitory as follows:

(a) Fraternity/Sorority

Fraternity/Sorority uses shall be subject to the following standards:

The building shall be used solely for undergraduate or graduate students of an educational institution; The building shall be located with the EMI District of the institution at which the students are enrolled; An Operation and Management Plan for the proposed Fraternity/Sorority use shall be submitted as part of the occupancy permit application [for Conditional Use] and shall describe programs of operation and management including but not limited to:

Uses and activities that will occur in conjunction with the Fraternity/Sorority use;

Hours of operation of non-residential services;

Noise control; and

Traffic generation.

The Approving Body shall determine that the such use will not create detrimental impacts on the surrounding properties, taking into consideration the Operation and Management Plan, probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the probable hours of operation, the impacts of parking in surrounding residential uses, and the size and bulk of the building; <u>The proposed use shall be in compliance with an approved Institutional Master Plan; and</u> <u>The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10.</u>

(b) Dormitory

Dormitory uses shall be subject to the following standards:

The building shall be used solely for undergraduate or graduate students of an educational institution; The building shall be located within the same district of the institution at which the students are enrolled; An Operation and Management Plan for the proposed Dormitory use shall be submitted as part of the occupancy permit application and shall describe programs of operation and management including but not limited to:

Use and activity that will occur in conjunction with the Dormitory use;

Hours of operation of non-residential services;

Noise control; and

Traffic generation.

The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the Operation and Management Plan, probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the probable hours of operation, the impacts of parking in surrounding residential uses, and the size and bulk of the building; <u>The proposed use shall be in compliance with an approved Institutional Master Plan; and</u> <u>The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10.</u>

I. Amend Section 911.04.A.37 - Laboratory, Research Services (Limited and General) as follows:

(b) in EMI districts

Laboratory, Research Services (Limited and General) uses shall be subject to the following standards: The height and bulk of the proposed structure shall be designed as to minimize blocking of views from adjacent residential properties;

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, generation of noise and the hours of operation;

The proposed use shall be in compliance with an [Commission-] approved <u>Institutional</u> Master Plan; and The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10.

J. Amend Section 911.04.A.38 - Library (Limited and General) as follows:

(c) in EMI Districts

Library (Limited and General) uses shall be subject to the following standards:

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The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the emission of noise and glaring light, and proposed accessory uses, such as meeting facilities;

The proposed use shall be in compliance with a [Commission-] approved <u>Institutional</u> Master Plan; and The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

K. Amend Section 911.04.A.41 - Multi-Suite Residential as follows

Multi-Suite Residential (Limited)

- in the LNC [and EMI] District
 Multi-Suite Residential (Limited and General) uses shall be subject to the following standards:
- (3) in EMI Districts

Multi-Suite Residential (Limited) shall be subject to the following standards:

The building shall be designed to be in keeping with the character of the surrounding area;

Certain special features shall be permitted, usually associated with shared living arrangements, such as common dining facilities, shared laundry facilities, lounge areas and similar or related facilities;

The Approving Body may require additional parking beyond that required in Chapter 914, if it determines that the particular use of the facility will require such additional parking;

The Approving Body shall determine that the proposed use will not create detrimental impacts on the surrounding properties, taking into consideration probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the hours of operation, the impacts of parking on surrounding residential uses, and the size and bulk of the building;

Parking will be provided at a minimum of 1 space per 2 sleeping rooms; and

The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10.

(b) Multi-Suite Residential (General)

(4) In EMI Districts

Multi-Suite Residential (Limited and General) uses shall be subject to the following

standards:

The building shall be designed to be in keeping with the character of the surrounding area;

Certain special features shall be permitted, usually associated with shared living arrangements, such as common dining facilities, shared laundry facilities, lounge areas and similar or related facilities;

The Approving Body may require additional parking beyond that required in Chapter 914, if it determines that the particular use of the facility will require such additional parking;

The Approving Body shall determine that the proposed use will not create detrimental impacts on the surrounding properties, taking into consideration probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the hours of operation, the impacts of parking on surrounding residential uses, and the size and bulk of the building;

[The proposed use shall be subject to the Site Plan Review procedures of Sec. 922.04.]; Parking will be provided at a minimum of 1 space per 2 sleeping rooms; and

The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10.

L. Amend Section 911.04.A.42 - Office (Limited) in the NDO and EMI Districts

(b) In EMI Districts

Office (limited) uses shall be subject to the following standards:

[The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the emission of noise or glaring light, and proposed accessory uses, such as meeting facilities] The proposed use shall be in compliance with an approved Institutional Master Plan; and

The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

M. Amend Section 911.04.A.43 - Office (General) in LNC, NDI, GI, NDO and EMI Districts as follows:

(d) in the EMI Districts

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

[The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the emission of noise or glaring light, and proposed accessory uses, such as meeting facilities] The proposed use shall be in compliance with an approved Institutional Master Plan;

The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

N. Amend Section 911.04.A.44 - Parking, Commercial (Limited) as follows:

(c) <u>In EMI districts</u>

Parking, Commercial (Limited) uses shall be subject to the following standards: The use shall be located to minimize disruption to pedestrian movements; Curb cuts shall be located a minimum of 60 feet from an intersection and 60 feet from other curb cuts; The proposed use shall be in compliance with an approved Institutional Master Plan; and The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10.

O. Amend Section 911.04.A.45 - Parking, Commercial (General) as follows:

(a) In all non-EMI Districts

Parking, Commercial (General) uses shall be subject to the following standards:

(b) In EMI districts

Parking, Commercial (Limited) uses shall be subject to the following standards: The use shall be located to minimize disruption to pedestrian movements; Curb cuts shall be located a minimum of 60 feet from an intersection and 60 feet from other curb cuts; The proposed use shall be in compliance with an approved Institutional Master Plan; and The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10.

P. Amend Section 911.04.A.47 - Recreation and Entertainment, Indoor (General) as follows:

(e) In EMI districts

Recreational and Entertainment, Indoor (General) uses shall be subject to the following standards: 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, generation of noise and the hours of operation;

A traffic study, in a form approved by the Zoning Administrator, shall be submitted with the application, and shall address parking and traffic impacts of the development;

The height and bulk of the proposed structure shall be designed as to minimize blocking of views from adjacent residential properties;

The proposed use shall be in compliance with a [Commission-]approved <u>Institutional</u> Master Plan; and <u>The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10.</u>

Q. Amend Section 911.04.A.48 - Recreation and Entertainment, Indoor (Limited) as follows:

(b) In EMI districts

Recreational and Entertainment, Indoor (Limited) uses shall be subject to the following standards: The proposed use shall be in compliance with an [Commission-] approved <u>Institutional</u> Master Plan; and The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10.

R. Amend Section 911.04.A.49 - Recreation and Entertainment, Outdoor (Limited) as follows:

(c) In EMI districts

Recreational and Entertainment, Indoor (Limited) uses shall be subject to the following standards: The proposed use shall be in compliance with an [Commission-] approved <u>Institutional</u> Master Plan; and The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10.

S. Amend Section 911.04.A.50 - Recreation and Entertainment, Outdoor (General) as follows:

(c) In EMI districts

Recreational and Entertainment, Outdoor (General) uses shall be subject to the following standards: 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, generation of noise and the hours of operation;

Parking demand shall be addressed so as to meet parking needs for both normal and event use, and to discourage parking on nearby residential streets;

Any enclosure, such as fences and walls, shall be designed to be compatible with surrounding structures and shall not include the use of barbed or razor wire;

The proposed use shall be in compliance with a [Commission-] approved <u>Institutional</u> Master Plan; and <u>The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10.</u>

T. Amend Section 911.04.A.56 - Restaurant (Limited) as follows:

(c) <u>in EMI Districts</u>

Restaurant (Limited) uses shall be subject to the following:

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

U. Amend Section 911.04.A.57 - Restaurant (General) as follows:

(a) in LNC, NDI, UNC and EMI Districts

Restaurant (General) uses shall be subject to the following standards: Parking facilities and access shall be designed and located to clearly meet the demand of the facility in a way

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which does not interfere with parking spaces required for surrounding residential uses; [and] 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; <u>and</u> <u>The proposed use shall be subject to the Site Plan Review procedures of Section 922.04.</u>

V. Amend Section 911.04.A.60 - Retail Sales and Service, Residential Convenience as follows:

Retail Sales and Service, Residential Convenience uses shall be subject to the following standards:

The use shall be located on the ground floor of a building containing at least 50 dwelling units; No direct, exterior entrance to the street or sidewalk shall be permitted;

The gross floor area of all such uses within a single building shall not exceed 50% of the gross floor area of the first level of the building; and

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

W. Amend 911.04.A.77 - Vocational School (Limited and General) as follows:

- (a) Vocational School (Limited) uses shall be subject to the following standards:
 - (1) in EMI Districts

[The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the emission of noise or glaring light, and proposed accessory uses, such as meeting facilities;

A traffic study, in a form approved by the Zoning Administrator, shall be submitted with the application, and shall address parking and traffic impacts of the proposed use];

The proposed use shall be in compliance with a [Commission] approved <u>Institutional</u> Master Plan; and The proposed use shall be subject to the Project Development Plan Procedures of Section 922.10.

- (b) Vocational School (General) uses shall be subject to the following standards:
 - (3) in EMI Districts

The proposed use shall be in compliance with a [Commission] approved <u>Institutional</u> Master Plan; and The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

X. Amend Section 911.04.A.81 - Medical Office (Limited and General) as follows:

(4) in EMI Districts

Medical Office (Limited and General) uses shall be subject to the following standards:

[The height and bulk of the proposed structure shall be designed as to minimize blocking of views from adjacent residential properties;

Parking demand shall be addressed so as to meet parking needs and to discourage parking in residential districts;

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, generation of noise and the hours of operation];

The proposed use shall be in compliance with an [Commission] approved Institutional Master Plan; and The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10.

Y. Amend Section 911.04.A.87 - Parking Structure (Limited and General) as follows:

(a) Parking Structure (Limited)

(1) In NDO, LNC, and NDI [and EMI] Districts

Parking Structure (Limited) uses shall be subject to the following standards:

(2) <u>in EMI Districts</u>

Parking Structure (limited) uses shall be subject to the following standards: <u>The use shall be located to minimize disruption to pedestrian movements;</u> Curb cuts shall be located a minimum of 60 feet from an intersection and 60 feet from other curb cuts;

The vehicular entrance and approach to the Parking Structure shall be clearly delineated by markings, striping and/or signage as determined by the Zoning Administrator;

The design shall include devices which are intended to minimize noise associated with the mechanical systems of the facility from being heard on other properties in the vicinity;

The height and bulk of the proposed structure shall be designed as to minimize blocking of views from adjacent residential properties;

The proposed use shall be in compliance with an approved Institutional Master Plan; and The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10.

(b) Parking Structure (General)

- (1) in LNC [and EMI] Districts
 Parking Structure (General) uses shall be subject to the following standards:
 - (2) <u>in EMI Districts</u>

Parking Structure (general) uses shall be subject to the following standards: The use shall be located to minimize disruption to pedestrian movements;

Curb cuts shall be located a minimum of 60 feet from an intersection and 60 feet from other curb cuts; The vehicular entrance and approach to the Parking Structure shall be clearly delineated by markings, striping and/or signage as determined by the Zoning Administrator;

The design shall include devices which are intended to minimize noise associated with the mechanical systems of the facility from being heard on other properties in the vicinity;

The height and bulk of the proposed structure shall be designed as to minimize blocking of views from adjacent residential properties;

The proposed use shall be in compliance with an approved Institutional Master Plan; and

The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10.

Z. Amend Section 911.04.A.89 - Hospital as follows:

in EMI Districts

Hospital uses shall be subject to the following standards:

[A traffic study in a form approved by the Zoning Administrator shall be submitted with the application, and shall address parking and traffic impacts of the proposed development. The transportation study shall illustrate that the proposed development will not create traffic congestion on the surrounding streets, and that residential streets in the vicinity shall not be used for parking for the proposed development];

The design shall include devices which prevent noise and emissions associated with the use of the facility from being impacted on other properties in the vicinity;

The height and bulk of the proposed structure shall be designed as to minimize blocking of views from adjacent residential properties;

Parking shall be provided in a location and manner that allows for all parking to be located outside of residential districts;

[A traffic study, in a form approved by the Zoning Administrator, shall be submitted with the application, and shall address parking and traffic impacts of the development;

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, generation of noise and the hours of operation];

The proposed use shall be in compliance with an [Commission] approved Institutional Master Plan; and The proposed use shall be subject to the Project Development Plan procedures of Sec. 922.10.

AA. Insert Section 911.02.A.96 - Bank or Financial Institution (limited and General)

<u>911.04.A.93</u> **Bank or Financial Institutional (Limited and General)**

in EMI Districts

Bank or Financial Institution (Limited and General) uses shall be subject to the following standards: Parking demand shall be addressed so as to meet parking needs and to discourage parking in residential districts:

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

BB. Amend Section 922.12.F - Institutional Master Plans: Required Updates as follows:

922.12.F [Required Updates] Negative Recommendation by the Planning Commission

If the Planning Commission recommends disapproval of an Institutional Master Plan, approval by City Council shall require an affirmative vote of no fewer than seven (7)

members.

[922.12.F.1 Timing

An approved Institutional Master Plan shall be updated every three years, starting from the date that the first Institutional Master Plan was approved by City Council and thereafter measured from the date of the last update.

922.12.F.2 *Contents*

To update an Institutional Master Plan, an institution shall file with the Planning Director a description of all projects, including estimated timetables for the commencement, progress, and completion of such projects, that: Have been completed since the most recent annual update or Institutional Master Plan approval or renewal date;

Are continuing, including a description of the status and estimated timetables for completion of such projects; or

Are scheduled to begin in the upcoming 24 months.

If other elements of an approved Institutional Master Plan have not changed, the update shall state such, and the approved Institutional Maste Plan hall remain in effect, until such time as an amended Institutional Master Plan is approved, or ten years, whichever is less.

922.12.F.3 Effect

The requirement of a triennia update of an Institutional Master Plan shall be in addition to any amendments that may occur as set forth in Sec. 922.12.G. Inclusion, description or scheduling of a project in any such triennial update shall not serve to add that project to any applicable Institutional Master Plan without a formal

amendment of such under Sec. 922.12.G.

922.12.F.4 Failure to Update

If an Institutional Master Plan is not updated within the required time-frame, the approval shall lapse and become void. Failure to update an Institutional Master Plan and the resulting lapse of approval shall not affect the status of existing uses or structures, or of buildings, uses or occupancy permits already issued. The lapse of approval shall, however, be cause for denying all permits and approvals for uses and structures that are not already existing, until such time as a new or amended Institutional Master Plan is approved pursuant to the procedures of this section.]

CC. Amend Section 922.12.G - Institutional Master Plans: Amendments as follows

922.12.G Amendments

The procedure for amending an approved Institutional Master Plan shall be the same as required for a new plan under this section, except that minor revisions, as defined in Sec 905.03.D.2(b), may be approved as an Administrator Exception and shall require [Site Plan Review] Project Development Plan review in accordance with the provisions of Sec. 922.[04]10 prior to Administrator Approval. [Revisions that shall not be considered "minor" include but are not limited to those that:

Will result in the creation of or the need for additional parking;

Will result in an increase in the number of employees;

Will result in the addition of more than 25,000 square feet of floor area;

Will result in the coverage or more than 25,000 square feet of site area;

Will change traffic patterns;

Result in reduction of open space.]

DD. Amend Section 922.12.H - Institutional Master Plans: Required Updates as follows:

922.12.H [Required Informational Updates]Duration

[If the institution that submitted the Master Plan becomes aware of any changes in any of the information submitted with that Institutional Master Plan, such as changes in ownership or control of land buildings, and other structures owned or occupied by the institution, the institution shall within thirty (30) days inform the Planning Director in writing of the changes. This informational update shall be provided in addition to such triennial updates and Institutional Master Plan amendments that may be required.] <u>An approved Institutional</u> Master Plan shall be effective for a period of ten years from the date of approval by City Council.