



## Legislation Details (With Text)

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**File created:** 10/2/2007      **In control:** Committee on Planning, Zoning & Land Use

**On agenda:**      **Final action:** 10/16/2007

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**Effective date:** 10/22/2007

**Title:** Ordinance amending the Pittsburgh Code of Ordinances, Title Two: Fiscal, Article IX, Property Tax Chapter 265 Exemptions for Residential Improvements, tax credit for Visitable Design.

**Sponsors:**

**Indexes:** PGH. CODE ORDINANCES TITLE 02 - FISCAL

**Code sections:**

**Attachments:** 1. 2007-1809.doc

Date	Ver.	Action By	Action	Result
10/23/2007	1	Mayor	Signed by the Mayor	
10/16/2007	1	City Council	Passed Finally	Pass
10/10/2007	1	Committee on Planning, Zoning & Land Use	AFFIRMATIVELY RECOMMENDED	Pass
10/2/2007	1	City Council	Read and referred	

Presented by Ms. Payne

Ordinance amending the Pittsburgh Code of Ordinances, Title Two: Fiscal, Article IX, Property Tax Chapter 265 Exemptions for Residential Improvements.

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

**Section 1.** Sections 265.01(s) and (t) of Title Two, Article IX, Chapter 265 which currently reads:

(s) ***NO-STEP ENTRY.*** An entry to a housing unit that has no steps or barriers to people with significant mobility impairments. In entrances with thresholds less than two (2) inches, thresholds may be beveled with a maximum slope of 1:2 to comply with this provision. Thresholds may be a maximum of two (2) inches high, except in cases of entrances from garages, where they may be a maximum of four (4) inches high. In garage entrances with thresholds no greater than four (4) inches, thresholds may be beveled with a maximum slope of 1:2 to comply with this provision.

(t) ***ACCEPTABLE SLOPE.*** Length of slopes:

Type 1 slope 1:8 for slope length 5' or less (max. Rise 7.5")

Type 2 slope 1:10 for slope length 12' or less (max. Rise 14.4")

Type 3 slope 1:12 for slope length more than 12' up to 30'

(Ord. 7-1980, eff. 4-18-80; Ord. 14-2004, § 2, eff. 9-21-04)

**is hereby amended as follows:**

(s) ***NO-STEP ENTRY.*** An entry to a housing unit that has no steps or barriers to people with significant mobility impairments. In entrances with thresholds less than two (2) inches, thresholds may be beveled with a maximum slope of 1:2 to comply with this provision. Thresholds may be a maximum of two (2) inches high, except in cases of entrances from garages, where they may be a maximum of four (4) inches high. In garage entrances with thresholds no greater than four (4) inches, thresholds may be beveled with a maximum slope of 1:2 to comply with this provision.

An entry to a housing unit that has no step or other barrier to people who have significant mobility impairment.

(t) ***ACCEPTABLE SLOPE.*** Length of slopes:

Type 1 slope 1:8 for slope length 5' or less (max. Rise 7.5")

Type 2 slope 1:10 for slope length 12' or less (max. Rise 14.4")

Type 3 slope 1:12 for slope length more than 12' up to 30'

(Ord. 7-1980, eff. 4-18-80; Ord. 14-2004, § 2, eff. 9-21-04)

A variable grade measured by rise over distance.

## Section 2. Adding Sections 265.01(u):

(u) ***DWELLING.*** A structure used as a place of habitation by a natural person. The term shall include new residential construction, existing residential construction or any commercial or industrial building that is converted to residential use.

## Section 3. Sections 265.04.01 of Title Two, Article IX, Chapter 265 which currently reads:

### 265.04.1 EXEMPTION FOR VISITABLE DESIGN.

(1) *Title and Purpose.*

(a) Pittsburgh Visitability Design. This Section shall be known as "Exemptions for Visitability Design."

(b) The purpose of this Section is to provide visitable housing to all individuals, with or without disabilities, by offering a tax credit to encourage that new and renovated single-family dwellings and duplexes, tri-plexes, town houses and row houses and adapted reuses of industrial and commercial buildings that are renovated or converted for multi-family residential use, contain the visitability features set forth in this section, which will enhance both visitability and usability for visitors and residents.

(2) *Visitability.*

(a) *Applicability.*

(1) This Ordinance applies to new construction of, and substantial renovation to, single-family dwellings and duplexes, tri-plexes, town houses and row houses; and adapted reuses of residential, industrial, and commercial buildings that are renovated or converted for residential use.

(b) *Design requirements.*

(1) *Building Entrances:* Building entrances must comply with Sections 3(b)(1)(i) through 3(b)(1)(ii). Where a no step from entrance is not in keeping with the neighborhood context or where it is not technically feasible, the visitable entrance shall be provided at the rear or side of a dwelling.

(i) Each applicable unit must have a minimum of one (1) no-step entry, approachable by a firm, stable and slip resistant circulation path with an acceptable slope.

*Exception.* Where the average slope of the property line along and contiguous to the public right-of-way exceeds a slope of 1:12, the slope of the circulation path may be greater, if necessary to provide access to the entry, but may not exceed the average slope of the property line.

(ii) Entry doors must have a minimum clear open width of at least thirty-two (32) inches.

(2) *Interior Doorways:* All interior doorways, excluding closets and doors to basement stairs, on the visitable entry floor must have a minimum clear open width of thirty-two (32) inches.

- (3) *Interior Circulation Paths:* Circulation paths into and throughout the visitable entry level floor of the dwelling must be at least thirty-six (36) inches wide.
- (4) *Powder Rooms and Bathrooms:* Each housing unit must have a minimum of one (1) powder room on the visitable entry level floor, with a thirty-inch by forty-eight-inch minimum clear floor space contiguous to the water closet and the lavatory. The clear space under a lavatory can be included in this measurement and clear spaces contiguous to the water closet and lavatory are permitted to overlap. Powder room doors on the visitable floor must have lever door hardware and reinforcement in the walls adjacent to water closets, bathtubs and showers, mounted at a height of thirty-three (33) to thirty-six (36) inches above the finished floor, for the future installation of grab bars if needed.
- (5) *Light Switches:* Light switches may not be higher than forty-eight (48) inches above the finished floor.
- (3) *Exemptions for visitability design.*
- (a) Any persons installing the design features contained in this Section, upon review and certification by the Bureau of Building Inspection, may apply for and receive tax exemption upon the improvements above that which is authorized in Section 265.04.
- (b) Persons responsible or liable for the payment of taxes due on newly constructed or renovated residential units that contain visitable design features, as outlined herein, may apply for and receive a tax credit for property taxes assessed upon the eligible property in an amount not to exceed two thousand five hundred dollars (\$2,500.00).
- (4) *Procedures for obtaining exemption.*
- (a) The request for tax credit must be in writing on a form prescribed by the Treasurer for the City of Pittsburgh, and made available by the Treasurer or the Bureau of Building Inspection.
- (b) Zoning Office, Bureau of Building Inspection and Treasures Office upon request shall provide anyone applying for a building permit the following information in promoting and encouraging visitable design:
- (1) General information, written in a form easily understood by the general public that details the benefits of visitability design and the City's incentives for installing the principle features.
- (2) An application form for the exemption.
- (3) Instructions to complete the form including an outline of the procedures necessary in applying for the tax credit, written in a form easily understood by the general public.
- (c) At the time a person applies for a building permit for new residential construction or improvement, the applicant shall notify the Zoning Officer of the applicant's intent to install the visitable design features required in this Chapter, including the submission of drawings and specifications documenting such intention. When the visitable design improvements or proper construction has been completed, the property owner must notify the Bureau of Building Inspection so that an inspection of the improvementsor construction may be made. When the Bureau has completed its inspection and verified the installation of the visitability design features, it shall provide a certificate of completion in addition to any other certificates as may be required by this Code.
- (d) The eligible property owner shall apply for the tax credit with the City Treasurer, on a form obtained from the Treasurer Zoning Officer or Bureau of Building Inspection, within thirty (30) days of receipt of the certificate of completion.
- (5) *Application of tax credit.*
- (a) The Treasurer shall review the application for completeness, and if done so in accordance with this Section, shall give a credit in the amount designated herein toward property taxes assessed by the City on the visitable residence. Such credit shall be in addition to those exemptions granted in other Sections of this Chapter. Tax Credits applications not process by November 30 will not take effect until the year following the next year.
- (b) Any exemption from taxes shall be limited to the assessed valuation attributable to the cost of the new construction or renovation.
- (c) The credit shall not exceed two thousand five hundred dollars (\$2,500.00), or the total amount of the increased amount of property taxes owed during the first five (5) years from when the tax credit is approved, whichever is less.

(6) *Reporting on impact.*

(a) The Department of City Planning will submit an annual report to City Council outlining both the cost and effectiveness of this tax credit on visitable housing.

(7) *Effective date.*

(a) The effective date of this Ordinance shall be the later of ninety (90) days after passage, or following said ninety (90) day period the date upon which there is enacted into law a statute passed by the General Assembly of the Commonwealth enabling the City of Pittsburgh to authorize the tax credits herein provided for.

(Ord. 14-2004, §§ 1, 3--8, eff. 9-21-04)

**is hereby amended as follows:**

**(265.04.1 EXEMPTION TAX CREDIT FOR VISITABLE DESIGN.**

(1) *Title and Purpose.*

(a) Pittsburgh Visitability Design. This Section shall be known as "~~Exemptions~~ Tax Credit for Visitability Design."

(b) The purpose of this Section is to provide visitable housing to all individuals, with or without disabilities, by offering a tax credit to encourage that new and renovated single-family dwellings and duplexes, tri-plexes, town houses and row houses and adapted reuses of industrial and commercial buildings that are renovated or converted for multi-family residential use, contain the visitability features set forth in this section, which will enhance both visitability and usability for visitors and residents.

(2) *Visitability.*

(a) *Applicability.*

(1) This Ordinance applies to new construction of, and substantial renovation to, single-family dwellings and duplexes, tri-plexes, town houses and row houses; and adapted reuses of residential, industrial, and commercial buildings that are renovated or converted for residential use.

(b) *Design requirements.*

(1) *Building Entrances:* ~~Building entranees must comply with Sections 3(b)(1)(i) through 3(b)(1)(ii). Where a no step from entrance is not in keeping with the neighborhood context or where it is not technically feasible, the visitable entrance shall be provided at the rear or side of a dwelling.~~

(i) Each applicable unit must have a minimum of one (1) no-step entry, approachable by a firm, stable and slip resistant circulation path with an acceptable slope.

*Exemption:* Where the average slope of the property line along and contiguous to the public right-of-way exceeds a slope of 1:12, the slope of the circulation path may be greater, if necessary to provide access to the entry, but may not exceed the average slope of the property line.

The residence shall provide at least one no-step entrance approachable by a firm, stable and slip-resistant path with an acceptable slope. The no-step entrance shall have a threshold of no greater than three-fourths of an inch. The no-step entrance to the residence may be located on any exterior side of the house or an entrance through the integral garage to the visitable level of the residence.

~~(ii)~~ (i) Entry doors must have a minimum clear open width of at lease least thirty-two (32) inches and be equipped with lever handle hardware.

(2) *Interior Doorways:* All interior doorways, excluding closets and doors to basement stairs, on the visitable entry floor must have a minimum clear open width of thirty-two (32) inches.

(3) *Interior Circulation Paths:* Circulation paths into and throughout the visitable entry level floor of the dwelling must be at least thirty-six (36) inches wide.

(4) *Powder Rooms and Bathrooms:* Each housing unit must have a minimum of one (1) powder room on the

visitable entry level floor, with a thirty-inch by forty-eight-inch minimum clear floor space contiguous to the water closet and the lavatory. The clear space under a lavatory can be included in this measurement and clear spaces contiguous to the water closet and lavatory are permitted to overlap. Powder room doors on the visitable floor must have lever door hardware and reinforcement in the walls adjacent to water closets, bathtubs and showers, mounted at a height of thirty-three (33) to thirty-six (36) inches above the finished floor, for the future installation of grab bars if needed. All bathrooms and powder rooms through-out the residential unit shall have reinforcement of at least two inches by eight inches of blocking between the studs placed inside the walls for easy installation of grab bars if needed. Reinforcement shall be capable of supporting grab bars that resist shear and bending forces of 250 pounds or greater. Blocking should be centered at 34 inches from and parallel to the finished floor. In renovated homes only the walls in the powder room or bathrooms on the visitable floor and those on floors that have the stud walls exposed as part of the renovation process need to comply with this paragraph.

(5) *Light Switches:* Light switches may not be higher than forty-eight (48) inches above the finished floor. If there are two controls for the same light, only one need be compliant with these standards. In renovated homes only the switches on the visitable floor need to comply with this paragraph unless the electrical renovations extend beyond the visitable floor.

(6) *The path from either a vehicle parking area or a pedestrian entrance to the lot:* The path to the no step entrance shall be firm, stable and slip-resistant. The grade of the path shall not exceed the following acceptable slopes: 1:8 for slope length of 5 feet or less with a maximum rise of 7.5 inches; 1:10 for slope length 12 or less with a maximum rise of 14.4 inches; and 1:12 for slope length more than 12 feet. If the average slope of the property line along and contiguous to the public right-of-way exceeds the slope of 1:12, the slope of the exterior path may be greater, if necessary, to provide access to the no-step entry, but it may not exceed the average slope of the property line.

(3) *Exemptions Tax Credits for visitability design.*

(a) Any persons installing the design features contained in this Section, upon review and certification by the Bureau of Building Inspection, may apply for and receive ~~tax exemption~~ tax credit upon the improvements above that which is authorized in Section 265.04.

(b) Persons responsible or liable for the payment of taxes due on a dwelling unit which ~~newly constructed or renovated residential units~~ that contains visitable design features, as outlined herein, may apply for and receive a tax credit for property taxes assessed upon the eligible ~~property improvements to a dwelling unit~~ in an amount not to exceed two thousand five hundred dollars (\$2,500.00).

(4) *Procedures for obtaining ~~exemption~~ tax credit.*

(a) The request for tax credit must be in writing on a form prescribed by the Treasurer for the City of Pittsburgh, and made available by the ~~Treasurer or the Bureau of Building Inspection~~ Development and Administration Review Division of the Department of City Planning.

(b) ~~Zoning Office~~ Development and Administration Review Division of the Department of City Planning, Bureau of Building Inspection and ~~Treasurer's Office~~ upon request shall provide anyone applying for a building permit the following information in promoting and encouraging visitable design:

(1) General information, written in a form easily understood by the general public that details the benefits of visitability design and the City's incentives for installing the principle features.

(2) ~~An application form for the exemption.~~

(3) ~~Instructions to complete the form, including an outline of the procedures necessary in applying for the tax credit, written in a form so as to be easily understood by the general public.~~

(c) At the time a person applies for a building permit for new residential construction or improvement, the applicant shall notify the ~~Zoning Office~~ Development and Administration Review Division of the Department of City Planning of the applicant's intent to install the visitable design features required in this Chapter, including the submission of drawings and specifications documenting such intention. When the visitable design

improvements or proper construction has been completed, the property owner must notify the Bureau of Building Inspection so that an inspection of the improvements or construction may be made. When the Bureau has completed its inspection and verified the installation of the visitability design features, it shall provide a certificate of completion in addition to any other certificates as may be required by this Code.

(d) The eligible property owner shall apply for the tax credit with ~~the City Treasurer~~ the Development and Administration Review Division of the Department of City Planning, on a form obtained from ~~the Treasurer~~ Zoning Officer or Bureau of Building Inspection the Development and Administration Review Division of the Department of City Planning, within thirty (30) days of receipt of the certificate of completion.

(5) *Application of tax credit.*

(a) The ~~Treasurer~~ Office of Property Assessment shall review the application for completeness, and if done so in accordance with this Section, shall notify the Taxing Bodies that the property qualifies for the Visitability The Treasurer shall give a credit in the amount designated herein toward property taxes ~~assessed~~ levied by the City on the visitable residence. Such credit shall be in addition to those exemptions or credits granted in other Sections of this Chapter. Tax Credits applications not ~~proeess~~ processed by November 30 will not take effect until the year following the next year.

(b) Any ~~exemption from taxes~~ tax credit shall be limited to the assessed valuation attributable to the cost of the new construction or renovation.

(c) The credit shall not exceed two thousand five hundred dollars (\$2,500.00) in total over five (5) years, or the total amount of the increased amount of property taxes owed during the first five (5) years from when the tax credit is approved, whichever is less.

(6) *Reporting on impact.*

(a) The Department of City Planning will submit an annual report to City Council outlining both the cost and effectiveness of this tax credit on visitable housing.

(7) *Effective date.*

(a) The effective date of this Ordinance shall be the later of ninety (90) days after passage, or following said ninety (90) day period the date upon which there is enacted into law a statute passed by the General Assembly of the Commonwealth enabling the City of Pittsburgh to authorize the tax credits herein provided for.

(Ord. 14-2004, §§ 1, 3--8, eff. 9-21-04)