



Text File

Introduced: 9/1/2023

Bill No: 2023-1899, **Version:** 1

Committee: Committee on Recreation, Youth,
and Senior Services

Status: Passed Finally

Ordinance amending the Pittsburgh Code of Ordinances, Title 4: Public Places and Property, Article XI: Parks and Playgrounds, by adding a new Chapter 481: Use Regulations, providing guidance for Development in Parks and Greenways.

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

Section 1. Ordinance amending the Pittsburgh Code of Ordinances, Title 4: Public Places and Property, Article XI: Parks and Playgrounds, by adding a new Chapter 481: Use Regulations, providing guidance for Development in Parks and Greenways.

§ 481.01. - PURPOSE.

The purpose of the proposed legislation is to prohibit nonrecreational development in parks and greenways. The scope of this legislation is intended to be limited to city-owned parks and greenways.

§ 481.02. - DEFINITIONS.

Commercial establishment - A permanent physical structure that houses or is owned by a business or non-profit.

Park roadway - Any road or street or mobility trail for multi-passenger vehicles within a designated park or greenway.

- a. For the purposes of this definition, major arterials are roadways that serve as the primary streets within the city and connect areas of activity to one another.
- b. For the purposes of this definition, principal arterials are roadways intended to move through-traffic to and from such major attractors as central business districts, regional shopping centers, colleges and/or universities, military installations, major industrial areas and similar traffic generators within the City; and/or as a route for traffic between communities or large areas.
- c. For the purposes of this definition, mobility trail is any paved trail under the purview of the Department of Mobility and Infrastructure.

Park roadway maintenance - Preserving and keeping each type of roadway and roadside as nearly as possible in its original condition as constructed or as subsequently improved to provide satisfactory and safe transportation.

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§ 481.03. - RESTRICTIONS ON CITY-OWNED PROPERTY THAT ARE RECOGNIZED AS PARKS AND GREENWAYS.

- a. Development within parks and greenways should only be done in furtherance of maintaining a system of parks and greenspaces for the enjoyment of the City's residents and visitors.
 1. Residential development in city-owned parks and greenways shall be prohibited.
 2. Commercial establishments in city-owned parks and greenways shall be prohibited unless they qualify for an exception under §§ 481.04(f-g).
 3. Park roadway development within parks or greenways should be made for the sole purpose of connecting the park's or greenway's resources to the people.
 - a. City Departments which propose the development of new park roadways must first make the following findings: (1) that there is not a financially reasonable alternative for the roadway, (2) that there is not a geographically reasonable alternative for the roadway, (3) that the proposed design conserves the greatest amount of park or greenspace as feasibly possible, and (4) that the benefits of the proposed roadway outweigh impacts to the area affected.
 1. The development of roadways within parks or greenspaces that have the sole purpose of serving the maintenance of such parks or greenspaces shall be favored; and,
 2. The development of roadways within parks or greenspaces that serve as Major Arterials and Principal Arterials shall be disfavored.
 - b. City Council shall hold a public hearing for the City Department(s) to present their Section 481.03(a)(3) findings. Council may act to approve, approve with conditions, approve in part, deny, or deny in part the park roadway, or extend the timeline for their consideration. City Council may request additional information to ensure that the findings of the Department(s) are based on sufficient evidence.

§ 481.04. - EXCEPTIONS.

- a. This Section shall not apply to the maintenance of existing park roadway.
- b. This Section shall not apply to development that is required to protect the safety and health of the public. Examples of such development include but are not limited to the maintenance of bridges.
- c. This Section shall not apply to existing residential and commercial development in parks and greenways.
- d. This Section shall not apply to existing public utility structures in parks and greenways.
- e. This Section shall not apply to structures intended to house vehicles and/or equipment required to efficiently maintain the park/greenways in which they are built.
- f. This Section shall not apply to agricultural activities in parks or greenways.

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- g. This Section shall not apply to commercial establishments which directly support the public's recreational enjoyment of the park/greenway.

§ 481.05. - ENFORCEMENT.

- a. For the purposes of enforcing compliance with Section 481, residents and taxpayers of the City of Pittsburgh shall have standing.
- b. All reviews of Section 143.09 shall favor injunctive relief and the preservation of parks and greenways.