



Legislation Details (With Text)

File #: 2023-1698 **Version:** 2

Type: Ordinance **Status:** Passed Finally

File created: 7/3/2023 **In control:** Committee on Land Use and Economic Development

On agenda: 7/5/2023 **Final action:** 7/22/2025

Enactment date: 7/22/2025 **Enactment #:** 19

Effective date: 7/22/2025

Title: Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article IV, Chapter 909.01.P, "SP- 9 Bakery Square", amending the certain provisions of Chapter 909.01.P and by the addition of a new Sections 909.01.P.1(c)-(g).
(Sent to the Planning Commission for a Report & Recommendation on 7/6/23)
(Report and Recommendation received on 1/24/25)
(Public Hearing held 7/8/25)

Sponsors: Reverend Ricky V. Burgess

Indexes: PGH. CODE ORDINANCES TITLE 09 - ZONING

Code sections:

Attachments: 1. 2023-1698 Planning Commission Recommendation for Council 2023-1723 and 2023-1698, 2. 2023-1698 Council Bills 2023-1723 and 2023-1698 Additional Extension, 3. 2023-1698 PC Minutes 07232024, 4. 2023-1698 PC Minutes 09032024 (1), 5. 2023-1698 Certified Res. No. 139

Date	Ver.	Action By	Action	Result
7/22/2025	2	City Council	Passed Finally	Pass
7/22/2025	2	Mayor	Signed by the Mayor	
7/16/2025	2	Standing Committees	Affirmatively Recommended	Pass
7/8/2025	2	Committee on Hearings and Policy	Public Hearing Held	
4/2/2025	2	Standing Committees	AMENDED BY SUBSTITUTE	Pass
4/2/2025	2	Standing Committees	Held for Cablecast Public Hearing	Pass
7/5/2023	1	Standing Committees	Referred for Report and Recommendation	Pass
7/5/2023	1	City Council	Read and referred	
7/5/2023	1	City Council	Waived under Rule 8	Pass

Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article IV, Chapter 909.01.P, "SP- 9 Bakery Square", amending the certain provisions of Chapter 909.01.P and by the addition of a new Sections 909.01.P.1(c)-(g).

(Sent to the Planning Commission for a Report & Recommendation on 7/6/23)

(Report and Recommendation received on 1/24/25)

(Public Hearing held 7/8/25)

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

Section 1. Amend Article IV, Chapter 909, "Planned Development Districts", Section 909.1, "SP,

Specially Planned District”, by amending Section 909.01.P.1 and adding new Sections 909.1.P.1(c)-(g), which shall contain the following:

SEE ATTACHMENT

909.01.P SP-9 Bakery Square

909.01.P.1 Development Subdistricts

The following special provisions apply to all of the following development subdistricts, according to the definitions found in Sec. 909.01.B, and except as noted. The Bakery Square SP-9 District consists of the former Reizenstein School site, the Bakery Square site, the parcel located to the northeast of the Bakery Square site and generally bounded by Dahlem Place and the Martin Luther King, Jr. East Busway, and the property located to the northwest of the Bakery Square site and generally bounded by Penn Avenue, East Liberty Boulevard, and the Martin Luther King, Jr. East Busway.

(a) Development Subdistrict A

(1) Use

In Subdistrict A, identified as all property located north of Penn Avenue and that portion of the property located south of Penn Avenue that is bounded on the north by Penn Avenue for a distance of 700 feet from the intersection of East Liberty Boulevard to the intersection of Putnam Street, then by Putnam Street on the east, then by a line running parallel to Penn Avenue a distance of 170 feet from Penn Avenue and then by a line running parallel to the westerly property line a distance of 170 feet from the westerly property line projected toward Penn Avenue, land may be used and structures may be erected, altered, demolished or enlarged for only the uses listed in this section.

- (i) Office
- (ii) Medical Office/Clinic
- (iii) Multi-Unit Residential
- (iv) Public Assembly
- (v) Conference Center
- (vi) Bank or Financial Institution
- (vii) Child Care
- (viii) College or University Campus
- (ix) Community Center
- (x) Cultural Service (Limited)
- (xi) Educational Classroom Space
- (xii) Hotel/Motel

(xiii) Research and Development Services for development and service uses, including but not limited to advanced methodologies and processes in biotechnology, modern biological technology, computer hardware and software, artificial intelligence and accessory and support facilities related to these uses but not including medical

and animal testing

(xiv) Library

(xv) Manufacturing and Assembly, with the following standards:

- a. The design of these items results from the research and development activities of the institutions, organizations and companies located on the site
- b. The assembly and manufacturing uses are such that no explosive materials or processes are involved; and
- c. The uses produce no smoke, odor, vibration, noise, heat, dust, glaring light or other hazard or noxious or objectionable attribute from outside any building.

(xvi) Commercial Parking

(xvii) Parking Structure

(xviii) Recreation and Entertainment, Indoor

(xix) Restaurant

(xx) Retail Sales and Services

(xxi) Elementary or Secondary School

(xxii) Transit Facility

(xxiii) Utility (Limited)

(xxiv) Vocational School

(xxv) Access rights-of-way, roadway, and trackage, including shelter and comfort stations incident to the use thereof

(xxvi) Park and Open Space and outdoor recreational uses

(xxvii) Accessory Uses and Accessory Structures pursuant to Chapter 912

(2) Site Development Standards

(i) Maximum Height

The height of all structures hereafter erected or enlarged shall not exceed six (6) stories or eighty-five (85) feet.

(ii) Floor Area Ratio

The maximum Floor Area Ratio shall be 4:1 for each zoning lot.

(iii) Urban Open Space

At least ten (10) percent of the land within Subdistrict A shall be improved as Urban Open Space.

(iv) Build-To Line

The ~~build-to-line~~ Build-To Line along the southerly portion of Penn Avenue is 15 feet. A minimum of sixty (60) percent of the building frontage or façade abutting a street must be located within the Build-To Line, except where the applicant can demonstrate that it would be impractical to meet the Built-To Line requirements to accommodate required Urban Open Space on the site.

(v) Traffic and Parking Demand Analysis

Traffic and Parking Demand Analysis shall be required in a format specified by the Zoning Administrator for all development in Subdistrict

A. The Zoning Administrator shall review the submitted analysis, including all sources of data, to establish appropriate traffic and parking mitigation measures. The costs for constructing and implementing all required mitigation measures shall be the responsibility of the Applicant. Shared parking is encouraged, and parking requirements may be met in the form of shared parking among parcels located within the district.

(vi) Parking

There shall be no above-ground parking structure along the Penn Avenue frontage and there shall be no surface parking or above-ground parking structure on that portion of Subdistrict A located to the south of Penn Avenue.

(vii) Signs

All signs shall comply with the requirements applicable to signage in the LNC, UNC, CP and AP Districts as set forth Section 919.03.M.5

<https://library.municode.com/pa/pittsburgh/codes/code_of_ordinances?

Furthermore, all signage should be directed toward Penn Avenue and away from the adjacent residential districts.

(b) Development Subdistrict B

(1) Use

In Subdistrict B, bounded by the southerly boundary of Subdistrict A on the north, then by Putnam Street on the east, then by the southerly property line and then by the westerly property line, land may be used and structures may be erected, altered, demolished or enlarged for only the uses listed in this section.

- (i) Single -Unit Detached Residential
- (ii) Single-Unit Attached Residential
- (iii) Two-Unit Residential
- (iv) Three-Unit Residential
- (v) Multi-Unit Residential
- (vi) Home Occupation
- (vii) Library and Cultural Services, including museum, gallery and similar exhibition uses
- (viii) Religious Assembly
- (ix) Community Center
- (x) Recreation
- (xi) Childcare
- (xii) Access rights-of-way, roadway, and trackage, including shelter and comfort stations incident to the use thereof
- (xiii) Park and Open Space and outdoor recreational uses

(xiv) Accessory Uses and Accessory Structures

(2) Site Development Standards

(i) Maximum Height

The height of all structures shall not exceed three (3) stories or thirty-five (35) feet, except that structures located in the higher density portion of Subdistrict B bounded by the public street located to the south of Subdistrict A, then by Putnam Street to the east, then by a line running parallel to the public street a distance of 250 from the public street and then by a line running parallel to the westerly property line and located approximately 115 feet from the westerly property line projected toward Penn Avenue, shall not exceed five (5) stories or sixty-five (65) feet.

(ii) Maximum Unit Density

The average lot area per unit shall not be less than 750 sq.ft.

(iii) Minimum Setback

The minimum setback is ten (10) feet along the westerly boundary of Subdistrict B and extending along Rennig Street and Social Way.

(viii) Urban Open Space

At least ten (10) percent of the land with Subdistrict B shall be improved as Urban Open Space.

(iv) Traffic and Parking Demand Analysis

Traffic and Parking Demand Analysis shall be required in a format specified by the Zoning Administrator for all development in Subdistrict

B. The Zoning Administrator shall review the submitted analysis, including all sources of data, to establish appropriate traffic and parking mitigation measures. The costs for constructing and implementing all required mitigation measures shall be the responsibility of the Applicant. Shared parking is encouraged, and parking requirements may be met in the form of shared parking among parcels located within the district.

(v) Parking

There shall be no surface parking or above-ground parking structure along the Penn Avenue frontage. Surface parking lots shall be limited to a maximum of ten (10) parking spaces and shall meet the following standards: (a) a minimum of thirty (30) square feet of landscaping shall be provided for each parking space; (b) the landscaping area shall include at least one (1) tree for every three (3) parking spaces; (c) landscaped areas shall be located on the perimeter of the parking spaces to screen the area from public view; and (d) storm water best management practices shall be implemented.

(vi) Signs

All signs shall comply with the requirements applicable to signage in residential districts.

(c) Development Subdistrict C

(1) Use

In Subdistrict C, identified as a portion of the property located north of Penn Avenue beginning at the intersection of Penn Avenue and East Liberty Boulevard then by a line running north along the easterly property line a distance of 185 feet, then by a line running west that is bounded on the north by Subdistrict D for a distance of 541 feet from East Liberty Boulevard, then by the line running southwesterly a distance of 284 feet, then by a line running south a distance of 112 feet to Penn Avenue, then by a line running east along Penn Avenue a distance of 815 feet to the point of beginning, land may be used and structures may be erected, altered, demolished or enlarged for only the uses listed in this section.

- (i) Multi-unit Residential
- (ii) Assisted Living Class A
- (iii) Assisted Living Class B
- (iv) Assisted Living Class C
- (v) Housing for the Elderly (Limited and General)
- (vi) Multi-Suite Residential (Limited and General)
- (vii) Personal Care Residence (Large)
- (viii) Personal Care Residence (Small)
- (ix) Animal Care (Limited and General)
- (x) Art or Music Studio
- (xi) Bank or Financial Institution (Limited and General)
- (xii) Child Care (Limited and General)
- (xiii) College or University Campus
- (xiv) Community Center (Limited and General)
- (xv) Cultural Service (Limited and General)
- (xvi) Educational Classroom Space (Limited and General)
- (xvii) Grocery Store (Limited, General)
- (xviii) Hotel/Motel (Limited, General)
- (xix) Laboratory/Research Services (Limited and General)

(xx) Manufacturing and Assembly, with the following standards:

- a. The design of these items results from the research and development activities of the institutions, organizations and companies located on the site
- b. The assembly and manufacturing uses are such that no explosive materials or processes are involved; and
- c. The uses produce no smoke, odor, vibration, noise, heat, dust, glaring light or other hazard or noxious or objectionable attribute from outside any building.

(xxi) Medical Office/Clinic (Limited and General)

(xxii) Office (Limited and General)

(xxiii) Park and Recreational (Limited and General)

(xxiv) Parking Structure (Limited and General)

(xxv) Public Assembly (Limited and General)

(xxvi) Recreation and Entertainment, Indoor (Limited and General)

(xxvii) Restaurant (Limited and General)

(xxviii) Retail Sales and Services (Limited and General)

(xxix) Retail Sales and Residential Convenience

(xxx) Sidewalk café

(xxxi) Transit Facility

(xxxii) Utility (Limited and General)

(xxxiii) Vocational School

(xxxiv) Access rights-of-way, roadway, and trackage, including shelter and comfort stations incident to the use thereof

(xxxv) Accessory Uses and Accessory Structures pursuant to Chapter 912

(2) Site Development Standards

(i) Maximum Height

The height of all structures hereafter erected or enlarged shall not exceed a maximum height of one hundred fifty (150) feet.

(ii) Required Stepbacks

Buildings located with Subdistrict C shall be subject to stepback requirements set forth in this Section. The term “stepback” refers to a technique whereby the floorplate of the building is reduced from the street at certain heights of a building to improve the pedestrian experience, enable sunlight penetration to the ground plane (streets and public spaces), and creating interesting and functional rooftops at various building levels.

Structures in excess of eighty-five (85) feet in height fronting on Penn Avenue, East Liberty Boulevard, or an internal through street located within the SP-9 District shall provide a minimum stepback of ten (10) feet at a height of eighty-five (85) feet on the façade adjacent to such street. Notwithstanding the foregoing, no stepback shall be required along an internal through street for any structure originally constructed to be utilized by a hotel or multi-unit residential use. Any required stepback may be satisfied at the ground level by setting back the building an additional ten (10) feet.

(iii) Urban Open Space

At least ten (10) percent of the land within Subdistrict C shall be improved as Urban Open Space. During phased developments, the Urban Open Space requirement may be met through dedicating Urban Open Space within any other Subdistrict within the SP-9 district. If an applicant temporarily dedicates Urban Open Space in another subdistrict, the minimum ten (10) percent of the entire SP-9 area then developed or approved for development shall be improved as Urban Open Space.

(iv) Build-To Line

The Build-To Line along Penn Avenue and East Liberty Boulevard right of way is 15 feet. Where the primary building frontage abuts Penn Avenue or East Liberty Boulevard, a minimum of sixty (60) percent of the building frontage must be located at the Build-To Line, except in locations where the applicant is providing Urban Open Space or a ground level stepback along the frontage.

(v) Minimum Setback

A minimum setback along Penn Avenue and East Liberty Boulevard of fifteen feet (15’).

(vi) Traffic and Parking Demand Analysis

Traffic and Parking Demand Analysis shall be required in a format specified by the Zoning Administrator for all development in Subdistrict C. The Zoning Administrator shall review the submitted analysis, including all sources of data, to establish appropriate traffic and parking mitigation measures. The costs for constructing and implementing all required mitigation measures shall be the responsibility of the Applicant. Shared parking is encouraged, and parking requirements may be met in the form of shared parking amongst parcels located within the district.

(vii) Parking

Above-ground parking structures shall be permitted as part of a mixed-use structure or stand-alone structure adjacent to Penn Avenue and East Liberty Boulevard subject to the parking structure being either: (a) screened architecturally or with landscaping in accordance with Section 918, (b) screened by occupiable space between the parking garage and the exterior wall of the building and designed with articulated facades consistent with surrounding buildings situated within the District.

Surface parking accessory to any permitted use shall be subject to the landscaping and screening standards of Chapter 918, shall not be located in any Build-To Zone, and shall not front directly upon Penn Avenue, East

Liberty Boulevard, or Urban Open Space. Surface parking shall be limited to on-street parking and single rows of surface parking, which may be double loaded.

(viii) Signs

All signs shall comply with the requirements applicable to signage in the LNC, UNC, CP and AP Districts as set forth Section 919.03.M.5, except for wall mounted signs, which shall be permitted in accordance with the following standards:

- a. Only the name of the building or business shall be mounted higher than forty (40) feet above grade and may face in all directions but shall not be roof mounted nor project above the roof peak or parapet wall, shall be limited to four (4) per building, shall include no motion or animation, shall not exceed a luminance of two thousand five hundred (2,500) nits during daylight hours between sunrise and sunset, shall not exceed a luminance of two hundred fifty (250) nits at all other times, shall permit electronic illumination with no motion or animation. All applications shall include certification that the sign will comply with luminance level standards at the time of application and must certify again that the sign is operating in compliance with the standards prior to issuance of an occupancy permit. The total face area of each wall sign to be installed pursuant to this subsection (a) shall not exceed two (2) square feet of sign face area for each lineal foot of building wall width and shall be mounted no higher than eighty (80) feet above grade.
- b. For buildings with multi-commercial tenants, two (2) additional tenant business or identification signs shall be permitted per façade identifying the name of the tenant or business, the total face area of which shall not exceed two (2) square feet of sign face area for each li (80) square feet per sign on each wall or façade and such additional wall sign(s) shall be mounted no higher than the second floor above grade.
- c. Tenant signs are to be located within the façade area of the tenant. Maximum letter height on all wall signs below forty (40) feet above grade shall be four (4) feet.
- d. The signs shall be architecturally compatible with and integrated

into the building design. Signs shall be constructed of high quality, durable materials. Cut-out letters that are individually pin-mounted and backlit are encouraged. Box signs are prohibited.

- e. No portion of a wall sign shall extend beyond the height limits provided herein or exceed a height above the roof in excess of the height of the structure on which the sign is located.
- f. For all signs mounted above forty (40) feet above grade, the following design criteria shall be applicable:
 - i. Letters or logo heights shall not exceed six (6) feet.
 - ii. Signs and their support structures may not project more than eighteen (18) inches from the buildings exterior façade.
 - iii. Signs may have direct face and/or edge and/or halo illumination.
 - iv. Motion, full animation or changeable text is not permitted.

(d) Development Subdistrict D

(1) Use

In Subdistrict D, identified as a portion of the property located north of Penn Avenue that is bounded generally on the north by the M.L.K. Jr. East Busway, on the east by East Liberty Boulevard, and on the south by Subdistrict C, land may be used and structures may be erected, altered, demolished or enlarged for only the uses listed in this section:

- (i) All uses permitted within Subdistrict C.

(2) Site Development Standards

(i) Maximum Height

The height of all structures hereafter erected or enlarged shall not exceed a maximum height of one hundred eighty (180) feet.

(ii) Required Stepbacks

Buildings located within Subdistrict D shall be subject to the stepback requirements set forth in Section 909.01.P.1(c)(2)(ii), except that any structure constructed within Subdistrict D at or adjacent to the intersection of Penn Avenue and Shady Avenue/Dahlem Street extension shall be exempt from the stepback requirements.

(iii) Urban Open Space

At least ten (10) percent of the improved land within Subdistrict D shall be improved as Urban Open Space. During phased developments, the Urban Open Space requirements may be met through dedicating Urban Open Space within any other Subdistrict within the SP-9 district. If an applicant temporarily dedicates Urban Open Space in another subdistrict, the minimum ten (10)

percent of the entire SP-9 area then developed or approved for development shall be improved as Urban Open Space.

(iv) Build-To Line

The Build-To Line along Penn Avenue and East Liberty Boulevard right of way is 15 feet. Where the primary building frontage abuts Penn Avenue or East Liberty Boulevard, a minimum of sixty (60) percent of the building frontage must be located at the Build-To Line, except in locations where the applicant is providing Urban Open Space or a ground level stepback along the frontage.

(v) Minimum Setback

A minimum setback along Penn Avenue and East Liberty Boulevard of fifteen feet (15').

(vi) Traffic and Parking Demand Analysis

Traffic and Parking Demand Analysis shall be required in a format specified by the Zoning Administrator for all development in Subdistrict D. The Zoning Administrator shall review the submitted analysis, including all sources of data, to establish appropriate traffic and parking mitigation measures. The costs for constructing and implementing all required mitigation measures shall be the responsibility of the Applicant. Shared parking is encouraged, and parking requirements may be met in the form of shared parking amongst parcels located within the district.

(vii) Parking

There shall be no above-ground parking structure directly adjacent to Penn Avenue or East Liberty Boulevard, unless the structure is:

(a) screened architecturally or with landscaping in accordance with Section 918, (b) screened by occupiable space between the parking garage and the exterior wall of the building and designed with articulated facades consistent with surrounding buildings situated within the District.

Surface parking accessory to any permitted use shall be subject to the landscaping and screening standards of Chapter 918, shall not be located in any Build-To Zone, and shall not front directly upon Penn Avenue, East Liberty Boulevard, or Urban Open Space. Surface parking shall be limited to on-street parking and single rows of surface parking, which may be double loaded.

(viii) Signs

All signs shall comply with the requirements applicable to signage in Subdistrict C.

(e) Development Subdistrict E

(1) Use

In Subdistrict E, identified as a portion of the property located north of Penn Avenue beginning at the intersection of Penn Avenue and Subdistrict A, then by a line running north for a distance of 252 feet from Penn Avenue, then by the property line running east a distance of 200 feet, then by a line running south a distance of 252 feet, then by a line running west along Penn Avenue a distance of 200 feet to the point of beginning, land may be used and structures may be erected, altered, demolished or enlarged for only the uses listed in this section:

(i) All such uses permitted within Subdistrict C.

(2) Site Development Standards

(i) Maximum Height

The height of all structures hereafter erected or enlarged shall not exceed a maximum height of one hundred thirty-five (135) feet.

(ii) Required Stepbacks

Buildings located with Subdistrict E shall be subject to the setback requirements set forth in Section 909.01.P.1(c)(2)(ii).

(iii) Urban Open Space

At least ten (10) percent of the improved land within Subdistrict E shall be improved as Urban Open Space. During phased developments, the Urban Open Space requirements may be met through dedicating Urban Open Space within any other Subdistrict within the SP-9 district. If an applicant temporarily dedicates

Urban Open Space in another subdistrict, the minimum ten (10) percent of the entire SP-9 area then developed or approved for development shall be improved as Urban Open Space.

(iv) Build-To Line

The Build-To Line along Penn Avenue right of way is 15 feet. Where the primary building frontage abuts Penn Avenue, a minimum of sixty (60) percent of the primary building frontage must be located at the Build-To Line, except in locations where the applicant is providing Urban Open Space or a ground level setback along the frontage.

(v) Traffic and Parking Demand Analysis

Traffic and Parking Demand Analysis shall be required in a format specified by the Zoning Administrator for all development in Subdistrict E. The Zoning Administrator shall review the submitted analysis, including all sources of data, to establish appropriate traffic and parking mitigation measures. The costs for constructing and implementing all required mitigation measures shall be the responsibility of the Applicant. Shared parking is encouraged, and parking requirements may be met in the form of shared parking amongst parcels located within the district.

(vi) Parking

There shall be no above-ground parking structure directly adjacent to Penn Avenue unless the structure is: (a) screened architecturally or with landscaping in accordance with Section 918, (b) screened by occupiable space between the parking garage and the exterior wall of the building and designed with articulated facades consistent with surrounding buildings situated within the District. Surface parking accessory to any permitted use shall be subject to the landscaping and screening standards of Chapter 918 and shall not be located in any Build-To Zone.

(vii) Signs

All signs shall comply with the requirements applicable to signage in Subdistrict C.

(f) Regulations Applicable to entire SP-9 District:

- (i) Unified stormwater controls, systems, and management plans that service more than one parcel or are constructed across more than one parcel or across more than one Subdistrict are authorized within the SP-9 District in order to meet the applicable stormwater requirements.
- (ii) Parking carousels and surface parking lots shall be permitted as accessory uses in all Subdistricts. Parking carousels or other mechanized lift system for vehicle storage may exceed the maximum height for accessory structures in 912.04.E when located on a lot so as not to be visible from Penn Avenue or East Liberty Boulevard. The Zoning Administrator shall authorize an exception to the location requirement only if:

Screening in the form of public art is provided on the portion of the structure visible from either Penn Avenue or East Liberty Boulevard, which shall be subject to a courtesy review by the Public Art & Civic Design Commission; or

For structures less than 30 feet, landscaped screening, consisting primarily of evergreen trees or hedges planted at an initial height and at intervals as deemed sufficient to adequately screen the base of the structure visible from Penn Avenue or East Liberty Boulevard.

Parking structures, parking carousels, and surface parking lots may be made available to multiple users, multiple parcels, and/or to the site users in addition to serving specific uses within the District. The development and use of underground parking garages shall be permitted within the District, which may be constructed across more than one parcel or across more than one Subdistrict within the District, but need not service each parcel upon which the garage or lot is constructed.

- (iii) Streets and ways located within the SP-9 district may be dedicated as a public street or way. Any private streets and ways shall provide for an easement for public access. Private streets with two directions of travel shall maintain a minimum cartway of twenty-four (24) feet and a private way with one direction of travel shall maintain a minimum cartway of ten (10) feet.

- (iv) Stormwater infrastructure improvements within the District shall utilize green infrastructure techniques such as greenways, rain gardens, bioswales, and/or other best management practices (BMPs).
- (v) The Planning Commission shall review and approve the proposed location of active uses within each FLDP.
- (vi) Portions of parking structures prominently visible from the public realm outside of the SP-9 District shall be treated with compatible architectural treatments to obscure sloped building lines.
- (g) Regulations Applicable to Multi-Unit Residential Development in Subdistricts C, D and/or E:
 - 1. Any Multi-Unit Residential Development in Subdistricts C, D, and/or E of a single building which contains twenty (20) or more dwelling units shall comply with the following standards:
 - a. The developer shall make an application to the Housing Authority of the City of Pittsburgh (“HACP”), or its designee (the “Application”) for approval for the development’s participation HACP’s Project Based Housing Choice Voucher Program (“HCV”). The Application shall specifically provide that: (1) ten percent (10%) of the units in the planned development shall be affordable to those eligible households whose earn fifty (50) percent of AMI; and (2) five percent (5%) of the units in the planned development shall be affordable to those eligible households who earn between eighty (80) percent and one-hundred and twenty (120%) percent of AMI.
 - b. The developer shall proof of the filing of such Application to the Zoning Administrator as part of the developer’s request for the issuance of a record of zoning approval (the “ROZA”).
 - c. If HACP approves the Application for participation in the HCV, and the development receives the necessary GAP funding from external sources (including, but not limited to, HACP, the Urban Redevelopment Authority, and/or the City of Pittsburgh), then the developer agrees that fifteen percent (15%) of its dwelling units shall be affordable in accordance with the Application and the standards set forth in subsection (g)(1)(a) hereof. If HACP does not approve the Application as submitted or the developer does not receive the necessary GAP funding from the external sources, then the developer shall not be required to participate in the HCV, but the developer shall nevertheless commit that five percent (5%) of the units in the planned development shall be affordable to those eligible households who earn between eighty (80) percent and one-hundred and twenty (120%) percent of AMI.
 - d. The duration of the developer’s affordability commitment shall expire upon the earlier of: (1) the expiration of the term granted by the Application; provided however that the developer agrees to take commercially reasonable steps to renew such Application or grant prior to the expiration of the same; or (2) twenty (20) years from the issuance of the Certificate of Occupancy for the Multi -Unit Residential Development.
 - e. The developer agrees that the affordable units are to be distributed throughout the building, and that the affordable units shall be equivalent to market-rate units within the building including appliances, finishes and square footage.
 - 2. The owner of the development shall provide the City Zoning Administrator, or its designee, with confirmation that it has complied with the applicable criteria on an annual basis.

Section 2. Repealer. All ordinances and parts of ordinances, inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeals shall be only to the extent of such inconsistency and in all other aspects, this ordinance shall be cumulative of the other ordinance regulating and governing the subject matter covered by this ordinance.

Section 3. Savings Clause. If any section or provision or parts hereof in this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the ordinance as a whole or any other section or provision or part thereof.

Section 4. Effective Date. This ordinance shall be in full force and effect from and after its passage.