

Ordinance amending the Pittsburgh Code, Title Nine – Zoning, Article I, Introduction and Establishment, Chapter 902 Zoning Districts in General, to add Inclusionary Zoning and Zoning, Article II Base Zoning District, Chapter 903 Residential Zoning Districts, to amend minimum lot sizes, Article III, Overlay Zoning Districts, to remove 907.04.A IZ-O, Inclusionary Housing Overlay District, and Article IV, Development Standards, to amend 915.07, Performance Points System.

Ordinance amending the Pittsburgh Code, Title Nine, Zoning Code, Article II, Base Zoning, Chapter 905 Special Purpose Districts, Article IV, Planning Districts, Chapter 908 Public Realm Districts, Chapter 909 Planned Development Districts, Article V, Use Regulations, Chapter 911 Primary Uses, Chapter 912 Accessory Uses and Structures, Chapter 913 Use Exceptions and Conditions Not Listed in Use Table, Article VI, Development Standards, Chapter 914 Parking Loading and Access, Chapter 916 Residential Compatibility Standards, Article VIII, Review and Enforcement, Chapter 922 Development Review Procedures to remove minimum off-street parking from the Zoning Code.

Ordinance amending the Pittsburgh Code, Title Nine – Zoning, Article V Use Regulations, Chapter 912 Accessory Uses and Structures, Article IX Measurements and Definitions, Chapter 925, Measurements to permit accessory dwelling units.

Drawn by: _____
Corey Layman, Zoning Administrator

In accordance with Planning Commission action XXX,
2024

Section 1. The Pittsburgh Code, Title Nine, Zoning Code, Article I, Introduction and Establishment, is hereby amended at Chapter 902 as follows:

902.04 Inclusionary Housing

902.04.A.1 Need for Inclusionary Housing

Inclusionary Housing is necessary to increase the production of affordable housing to meet existing and anticipated housing and employment needs and to provide a diverse range of housing choices within the City. The zoning will provide adequate balances by ensuring that the neighborhoods can continue to offer new housing units at a variety of price points.

902.04.A.2 Purpose and Intent

The intent of the Inclusionary Housing provisions is to promote the public health and welfare by increasing the supply of affordable housing for a range of family sizes and promoting economic integration throughout the City. The intent of the Inclusionary Housing provisions is to encourage quality, economically-balanced development by:

- (a) Leveraging development pressure by connecting the production of affordable housing with the current market production of housing units;
- (b) Encouraging diverse and balanced housing available for households of all income levels and ensuring that when developing the limited supply of developable land, housing opportunities for persons of variety of income levels are provided;

902.04.A.3 Definitions

- Administrative Agent means with respect to Inclusionary Rental Housing, a person or entity such as the Housing Authority of the City of Pittsburgh, as determined by the Director of City Planning, or their designee, that enters into an agreement with the City to monitor and enforce compliance with the requirements of this Section and its regulations. With respect to Inclusionary Owner-Occupied Housing, the Administrative Agent will enter into an agreement with the City to monitor and enforce compliance with the requirements of this Section and its regulations.
- Affordable Housing Provider means a person or entity such as the Housing Authority of the City of Pittsburgh or such other approved owner/manager of affordable housing, as approved by the Director of City Planning, or their designee, that enters into an agreement with the City to lease Inclusionary Rental Units exclusively to Eligible Households in compliance with this Section and its regulations.

- Affordability Term means the life of the structure while any portion of the structure is used for multi-unit residential use subject to this ordinance.
- Allowable Pricing means with respect to Inclusionary Rental Units, the monthly rent paid by the Eligible Household, plus all mandatory or essential fees and charges and an approved Utility Allowance, shall not exceed thirty (30) percent of the monthly income of a household earning fifty (50) percent of AMI with a household size one-and-a-half (1.5) times the bedroom count of the Dwelling Unit. Only tenant-paid costs are subject to the Allowable Pricing. If a rental subsidy is provided, the total of all monthly rent, fees, charges and approved Utility Allowance may exceed the Allowable Pricing so long as the portion paid by the household does not. With respect to Inclusionary Owner-Occupied Units, the initial sale price shall be set a level that ensures that a household earning seventy (70) percent of AMI for a household size one-and-a-half (1.5) times the bedroom count of the Dwelling Unit will spend no more than twenty-eight (28) percent of gross monthly income on their mortgage payment (principal and interest); taxes and insurance; and all mandatory or essential fees and charges (including condo/HOA dues), assuming a five-percent down payment and a thirty (30)-year fixed rate mortgage at the then current mortgage rate (determined as the National Average Contract Mortgage rate by the Federal Housing Finance Agency). For resale price, an increase in price of 2 percent per year is permitted. It is calculated from the date of purchase to the date of Owner's notice of intent to sell (compounded annually and prorated at the rate of .25 percent per each whole month of any part of a year).
- Area Median Income (AMI) means the median household income for the Pittsburgh metropolitan area published annually by the U.S. Department of Housing and Urban Development ("HUD").
- Community Land Trust means a non-profit entity whose primary mission to create or preserve permanently affordable housing, and approved by the Director of City Planning, and that enters into an agreement with the City to convey Inclusionary Owner-Occupied Units exclusively to Eligible Households for owner occupancy subject to a ground lease that requires compliance with this Section and implementing regulations.
- Development Project means one (1) or more Developments (as defined in Title IX, Ch. 926.67) that meet the Applicability Requirements of Section 902.04.A.4.
- Eligible Household means with respect to Inclusionary Rental Units, a household that earns no more than fifty (50) percent of AMI. With respect to Inclusionary Owner-Occupied Units, a household that earns no more than eighty (80) percent of AMI.
- Family-Sized Units means dwelling units that contain a minimum of two (2) bedrooms.

- Inclusionary Owner-Occupied Unit means an Inclusionary Unit that is both owned and occupied by one (1) or more persons as a primary residence. The term does not include a unit that is occupied pursuant to a lease-purchase agreement or contract of sale.
- Inclusionary Rental Unit means an Inclusionary Unit other than an Inclusionary Owner-Occupied Unit.
- Inclusionary Unit means a Dwelling Unit that satisfies the Inclusionary Standards set forth in Section 902.04.A.5 or 902.04.A.6.
- Market-Rate Unit means a Dwelling Unit in a Development Project that does not satisfy the Inclusionary Standards set forth in Section 902.04.A.5 or 902.04.A.6.
- Networked Walkshed means the land area within a defined walking range, traversable on established streets or pathways.
- Off-Site Units means inclusionary units constructed within one-half (1/2) mile of the subject site, but not on a parcel adjacent to the subject site.
- Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, of which the cost equals or exceeds one hundred (100) percent of the market value of the structure before the start of construction of the improvement, that occurs within a five (5)-year period. This term includes structures which have incurred substantial damage regardless of the actual repair worked performed. The term does not, however include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.
- Utility Allowance means an allowance for tenant-paid utilities, updated annually and approved by the Director of City Planning or their designee. The term shall include the applicable utility allowance published annually by the Housing Authority of the City of Pittsburgh or a utility allowance prepared by the Owner using methodology approved by the Pennsylvania Housing Finance Agency. In either case, the Utility Allowance must be appropriate for the size and type of dwelling unit and the kind of heat and appliances used, and must be approved by the Administrative Agent.

902.04.A.4 Applicability

All applications for the following shall be subject to the standards of this Section:

- (a) New construction or Substantial Improvement, of one (1) or more buildings that collectively contain twenty (20) or more dwelling units either (i) on one (1) or more zoning lots marketed as a single or unified project, (ii) sharing common elements or common financing, or (iii) comprising a part of a planned development.

- (b) New construction or Substantial Improvement of one (1) or more buildings that collectively contain twenty (20) or more sleeping rooms either: (i) within a Multi-Suite Residential use, (ii) one (1) or more zoning lots marketed as a single or unified project, (iii) sharing common elements or common financing, or (iv) comprising a part of a planned development. Dormitory and Fraternity/Sorority Uses shall be exempt from this provision.
- (c) New construction or Substantial Improvement of one (1) or more buildings that collectively contain any combination of twenty (20) or more dwelling units and sleeping rooms either: (i) within a Multi- Suite Residential use, (ii) on one (1) or more zoning lots marketed as a single or unified project, (iii) sharing common elements or common financing, or (iv) comprising a part of a planned development. Dormitory and Fraternity/Sorority Uses shall be exempt from this provision.

902.04.A.5 On-Site Inclusionary Standards

- (a) To qualify for initial occupancy in an Inclusionary Unit, a household must be an Eligible Household. With respect to an Inclusionary Rental Unit, the Eligible Household must provide annual documentation of income and household composition to the Administrative Agent. In the event that household income exceeds eighty (80) percent of AMI, the household must vacate the unit by the later of either (i) the expiration of the next scheduled lease renewal or (ii) sixty (60) days after the household income exceeds eighty (80) percent of AMI. With respect to an Inclusionary Owner-Occupied Unit, the Eligible Household must continue to reside in the unit in the household's primary residence.
- (b) Prior to the issuance of a Certificate of Occupancy for an Inclusionary Rental Unit, the Applicant shall either:
 - 1. Record a deed restriction allowing the City and Eligible Households to enforce these on-site inclusionary standards and related City regulations, such restriction to be prepared by the Director of City Planning or their designee, or
 - 2. Enter into a master lease of the unit with an Affordable Housing Provider for the entire Affordability Term.
- (c) Prior to the issuance of a Certificate of Occupancy for an Inclusionary Owner-Occupied Unit, the Applicant shall either:
 - 1. Record a deed restriction allowing the City and Eligible Households to enforce these on-site inclusionary standards and related City regulations, such to be prepared by Director of City Planning or their designee, obliging owner-occupancy of the unit and restricting additional debt that can be secured against the property, or
 - 2. Sell the unit to a Community Land Trust.

- (d) Inclusionary Units must satisfy the Allowable Pricing criteria set forth in Section 902.04.A.3.
- (e) Either a minimum of ten (10) percent of units shall be Inclusionary Units or an equal or greater number of bedrooms provided in Inclusionary Family-Sized Units. For the bedroom calculation, a studio shall be considered a one (1) bedroom unit. When the number of Inclusionary Units yields a fraction, the number of units shall be rounded up to the nearest whole units.
- (f) Rental Inclusionary Units will remain affordable as long as the structure and use exist.
- (g) Owner-Occupied Inclusionary Units – need proposed language.
- (h) Inclusionary Units must be integrated within, and distributed throughout, each building, except for:
 - 1. Inclusionary Units are not required to be placed on the top floor in buildings of less than six (6) stories.
 - 2. In buildings of six (6) stories or more, Inclusionary Units are not required to be placed on the top three (3) floors.
- (i) Except as provided in Section 902.04.A.4(j), on-site Inclusionary Units shall be equivalent to market-rate units within the building in all ways, including appliances, finishes, and square footage.
- (i) Core building and Development Project amenities, such as a gym, pool or parking space, must be shared with no additional charges or restrictions to residents in Inclusionary Units unless those charges are subtracted from rent or HOA dues for all residents regardless of unit or rental price.
- (k) The percentage of Inclusionary Units that are also Family-sized Units shall be equal or greater to the percentage of Market-Rate Units that are also Family-sized Units.
- (l) For phased developments, for every twenty (10) units constructed, a minimum of one (1) unit shall be Inclusionary Unit.

902.04.A.6 Off-Site Inclusionary Standards

Where provision of Inclusionary Units on-site is determined not to be feasible, inclusionary units constructed off-site may be permitted by right, subject to the following standards:

- (a) Off-site Units shall be subject to the standards of Section 902.04.A.5 except for Section 902.04.A.5(e).

(b) A minimum of twelve (12) percent of the subject application's number of units shall be in Inclusionary Units. When this yields a fraction, the number of units shall be rounded up to the nearest whole number.

(c) The applicant shall identify an alternative site suitable for residential housing which the applicant owns, has site control (e.g., purchase agreement, option to purchase, lease), or is otherwise available for the development of Inclusionary Units pursuant to an agreement between the applicant and a developer who owns the site or has site control. Developments providing rental units may provide Owner-Occupied off-site units.

With respect to Rental Inclusionary Units, the Applicant must either:

1. Own a controlling interest in the off-site development; or
2. Provide evidence of an enforceable commitment to contribute three hundred thousand dollars (\$300,000.00) or greater per Inclusionary Unit to the off-site development through an agreement with a developer who owns the site or has site control.

With respect to Owner-Occupied Inclusionary Units, the Applicant must either:

1. Own the land and develop the off-site housing, or
2. Provide evidence of an enforceable commitment to contribute \$300,000.00 or greater per Inclusionary Unit to the off-site development through an agreement with a developer who owns the site or has site control. Every July 1, or the following business day, if applicable, the City will adjust the fee per off-site unit for inflation using the Engineering News Record Building Cost Index for Pittsburgh. If this index ceases to exist, the Zoning Administrator shall substitute another construction cost index which is as nearly equivalent to the original index as possible.

(d) The Certificate of Occupancy for off-site Inclusionary Units must be obtained prior to the issuance of the final Certificate of Occupancy for the subject property.

(e) The off-site units shall be located no more than one-half (1/2) mile of the subject site, within City limits.

(f) The applicant must submit analysis to establish that the off-site property has comparable or better public transit service as the subject site, evaluated by distance from transit stop(s) via Networked Walkshed, number of routes available, and frequency of service.

902.04.A.7 Development Bonus

Developments meeting this ordinance may avail of the following development bonuses:

- (a) Developments not otherwise permitted to utilize the Performance Points System in 915.07 shall be eligible for 915.07.D4.b. Each bonus point is worth 15 feet of additional height and 1 FAR. This shall supersede any applicable maximum building height requirement based on the number of stories or any applicable requirement for a Special Exception to exceed the maximum height or FAR. The height limits of the Residential Compatibility Standards of 916.01.B.1 shall not apply for these developments.
- (b) Developments eligible for bonuses under per 915.07 Performance Points System are not eligible for further density incentives but shall be exempt from any applicable upper story setback requirement.

Section 4. The Pittsburgh Code, Title Nine, Zoning Code, Article III, Overlay Zoning Districts, is hereby amended at Chapter 907.04 IZ-O, Inclusionary Housing Overlay District, as follows:

~~907.04. IZ-O, Inclusionary Housing Overlay District.~~

~~907.04.A IZ-O, Inclusionary Housing Overlay District~~

~~907.04.A.1 General Boundaries~~

~~The specific boundaries of the Inclusionary Housing Planning Overlay District (IZ-O) are mapped as a supplement to this Section and as an amendment to the City's Zoning District Map, in accordance with Section 902.03.~~

~~907.04.A.2 Need for Zoning Overlay~~

~~The Inclusionary Housing Planning Overlay District is necessary to increase the production of affordable housing to meet existing and anticipated housing and employment needs and to provide a diverse range of housing choices within the District boundaries. The updated zoning will provide adequate balances by ensuring that the neighborhoods can continue to offer new housing units at a variety of price points.~~

~~907.04.A.3 Purpose and Intent~~

~~The intent of the Inclusionary Housing Planning Overlay District is to promote the public health and welfare by increasing the supply of affordable housing for a range of family sizes and promoting economic integration within the District boundaries. Due to the unique circumstances involved with development within this area, the existing zoning mechanisms do not serve to carry out the purpose and intent of Chapter 901 (General Provisions) and all provisions of this Zoning Ordinance. Specifically, the intent of the Inclusionary Housing IZ-O is to encourage quality, economically balanced development by:~~

- ~~(a) Leveraging development pressure by connecting the production of affordable housing with the current market production of housing units;~~
- ~~(b) Encouraging diverse and balanced housing available for households of all income levels and ensuring that when developing the limited supply of developable land, housing opportunities for persons of variety of income levels are provided; and~~
- ~~(c) Utilizing sites in IZ-O as opportunities to build mixed income developments. Because remaining land appropriate for residential development within in the IZ-O is limited, it is essential that a reasonable proportion of such land be developed into housing units affordable to low and moderate income people.~~

907.04.A.4 Definitions

- ~~Administrative Agent means with respect to Inclusionary Rental Housing, the Housing Authority of the City of Pittsburgh or such other qualified entity, as determined by the Director of City Planning, that enters into an agreement with the City to monitor and enforce compliance with the requirements of this Section and its regulations. With respect to Inclusionary Owner-Occupied Housing, the Urban Redevelopment Authority of the City of Pittsburgh or such other qualified entity, as determined by the Director of City Planning, that enters into an agreement with the City to monitor and enforce compliance with the requirements of this Section and its regulations.~~
- ~~Affordable Housing Provider means the Housing Authority of the City of Pittsburgh and such other approved owner/manager of affordable housing, as approved by the Director of City Planning, that enters into an agreement with the City to lease Inclusionary Rental Units exclusively to Eligible Households in compliance with this Section and its regulations.~~
- ~~Affordability Term means a minimum of thirty-five (35) years from the date of initial occupancy of an Inclusionary Unit.~~
- ~~Allowable Pricing means with respect to Inclusionary Rental Units, the monthly rent paid by the Eligible Household, plus all mandatory or essential fees and charges and an approved Utility Allowance, shall not exceed thirty (30) percent of the monthly income of a household earning fifty (50) percent of AMI with a household size one and a half (1.5) times the bedroom count of the Dwelling Unit. Only tenant-paid costs are subject to the Allowable Pricing. If a rental subsidy is provided, the total of all monthly rent, fees, charges and approved Utility Allowance may exceed the Allowable Pricing so long as the portion paid by the household does not. With respect to Inclusionary Owner-Occupied Units, the initial sale price shall be set a level that ensures that a household earning seventy (70) percent of AMI for a household size one and a half (1.5) times the bedroom count of the Dwelling Unit will spend no more than twenty-eight (28) percent of gross monthly income on their mortgage payment (principal and interest); taxes and insurance; and all mandatory or essential fees and charges (including condo/HOA dues), assuming a five percent down payment and a thirty (30)-year fixed rate mortgage at the then current mortgage rate (determined as the National Average Contract Mortgage rate by the Federal Housing Finance Agency).~~
- ~~Area Median Income (AMI) means the median household income for the Pittsburgh metropolitan area published annually by the U.S. Department of Housing and Urban Development ("HUD").~~
- ~~Community Land Trust means a non-profit entity whose primary mission to create or preserve permanently affordable housing, and approved by the Director of City Planning, and that enters into an agreement with the City to convey Inclusionary Owner-Occupied Units exclusively to Eligible Households for owner occupancy~~

subject to a ground lease that requires compliance with this Section and implementing regulations.

- ~~Development Project means one (1) or more Developments (as defined in Title IX, Ch. 926.67) that are located in whole or in part within IZ-O that meet the Applicability Requirements of Section 907.04.A.5.~~
- ~~Eligible Household means with respect to Inclusionary Rental Units, a household that earns no more than fifty (50) percent of AMI. With respect to Inclusionary Owner-Occupied Units, a household that earns no more than eighty (80) percent of AMI.~~
- ~~Family-Sized Units means dwelling units that contain a minimum of two (2) bedrooms.~~
- ~~Inclusionary Owner-Occupied Unit means an Inclusionary Unit that is both owned and occupied by one (1) or more persons as a primary residence. The term does not include a unit that is occupied pursuant to a lease-purchase agreement or contract of sale.~~
- ~~Inclusionary Rental Unit means an Inclusionary Unit other than an Inclusionary Owner-Occupied Unit.~~
- ~~Inclusionary Unit means a Dwelling Unit that satisfies the Inclusionary Standards set forth in Section 907.04.A.6 or 907.04.A.7.~~
- ~~Market-Rate Unit means a Dwelling Unit in a Development Project that does not satisfy the Inclusionary Standards set forth in Section 907.04.A.6 or 907.04.A.7.~~
- ~~Networked Walkshed means the land area within a defined walking range, traversable on established streets or pathways.~~
- ~~Off-Site Units means inclusionary units constructed within one-quarter (1/4) mile of the subject site, but not on a parcel adjacent to the subject site.~~
- ~~Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, of which the cost equals or exceeds one hundred (100) percent of the market value of the structure before the "start of construction" of the improvement, that occurs within a five (5) year period. This term includes structures which have incurred "substantial damage" regardless of the actual repair worked performed. The term does not, however include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.~~
- ~~Utility Allowance means an allowance for tenant-paid utilities, updated annually and approved by the Director of City Planning or their designee. The term shall include the applicable utility allowance published annually by the Housing Authority of the City of Pittsburgh or a utility allowance prepared by the Owner~~

using methodology approved by the Pennsylvania Housing Finance Agency. In either case, the Utility Allowance must be appropriate for the size and type of dwelling unit and the kind of heat and appliances used, and must be approved by the Administrative Agent.

907.04.A.5 Applicability

In the Inclusionary Housing IZ O, all applications for the following shall be subject to the standards of this Section:

- (a) ~~New construction or Substantial Improvement, of one (1) or more buildings that collectively contain twenty (20) or more dwelling units either (i) on one (1) or more zoning lots marketed as a single or unified project, (ii) sharing common elements or common financing, or (iii) comprising a part of a planned development.~~
- (b) ~~New construction or Substantial Improvement of one (1) or more buildings that collectively contain twenty (20) or more sleeping rooms either: (i) within a Multi-Suite Residential use, (ii) one (1) or more zoning lots marketed as a single or unified project, (iii) sharing common elements or common financing, or (iv) comprising a part of a planned development.~~
- (c) ~~New construction or Substantial Improvement of one (1) or more buildings that collectively contain any combination of twenty (20) or more dwelling units and sleeping rooms either: (i) within a Multi-Suite Residential use, (ii) on one (1) or more zoning lots marketed as a single or unified project, (iii) sharing common elements or common financing, or (iv) comprising a part of a planned development.~~

907.04.A.6 On-Site Inclusionary Standards

- (a) ~~To qualify for initial occupancy in an Inclusionary Unit, a household must be an Eligible Household. With respect to an Inclusionary Rental Unit, the Eligible Household must provide annual documentation of income and household composition to the Administrative Agent. In the event that household income exceeds eighty (80) percent of AMI, the household must vacate the unit by the later of either (i) the expiration of the next scheduled lease renewal or (ii) sixty (60) days after the household income exceeds eighty (80) percent of AMI. With respect to an Inclusionary Owner-Occupied Unit, the Eligible Household must continue to reside in the unit as the household's primary residence.~~
- (b) ~~Prior to the issuance of a Certificate of Occupancy for an Inclusionary Rental Unit, the Applicant shall either:~~
 - 1. ~~Record a deed restriction allowing the City and Eligible Households to enforce these on-site inclusionary standards and related City regulations, such restriction to be prepared by the Director of City Planning or their designee, or~~

- ~~2. Enter into a master lease of the unit with an Affordable Housing Provider for the entire Affordability Term.~~
- ~~(c) Prior to the issuance of a Certificate of Occupancy for an Inclusionary Owner-Occupied Unit, the Applicant shall either:~~
- ~~1. Record a deed restriction allowing the City and Eligible Households to enforce these on-site inclusionary standards and related City regulations, such to be prepared by Director of City Planning or their designee, obliging owner-occupancy of the unit and restricting additional debt that can be secured against the property, or~~
 - ~~2. Sell the unit to a Community Land Trust.~~
- ~~(d) Inclusionary Units must satisfy the Allowable Pricing criteria set forth in Section 907.04.A.4.~~
- ~~(e) A minimum of ten (10) percent of units shall be Inclusionary Units. When this yields a fraction, the number of units shall be rounded up to the nearest whole units.~~
- ~~(f) Rental and Owner-Occupied Inclusionary Units will remain affordable for a minimum of thirty five (35) years. If the Inclusionary Unit or any property containing an Inclusionary Unit is sold during the Affordability Term, the Affordability Term shall automatically renew for an additional thirty five (35) years.~~
- ~~(g) Inclusionary Units must be integrated within, and distributed throughout, each building, except for:~~
- ~~1. Inclusionary Units are not required to be placed on the top floor in buildings of less than six (6) stories.~~
 - ~~2. In buildings of six (6) stories or more, Inclusionary Units are not required to be placed on the top three (3) floors.~~
- ~~(h) Except as provided in Section 902.04.A.5(j), on-site Inclusionary Units shall be equivalent to market-rate units within the building in all ways, including appliances, finishes, and square footage.~~
- ~~(i) Core building and Development Project amenities, such as a gym, pool or parking space, must be shared with no additional charges or restrictions to residents in Inclusionary Units unless those charges are subtracted from rent or HOA dues for all residents regardless of unit or rental price.~~
- ~~(j) The percentage of Inclusionary Units that are also Family-sized Units shall be equal or greater to the percentage of Market Rate Units that are also Family-sized Units.~~

907.04.A.7 Off Site Inclusionary Standards

~~Where provision of Inclusionary Units on-site is determined not to be feasible, inclusionary units constructed off-site may be permitted as a Special Exception in accordance with Section 922.07, subject to the following standards:~~

- ~~(a) Off-site Units shall be subject to the standards of Section 907.04.A.6 except for Section 907.04.A.6(e).~~
 - ~~(b) A minimum of twelve (12) percent of the subject application's number of units shall be in Inclusionary Units. When this yields a fraction, the number of units shall be rounded up to the nearest whole number.~~
 - ~~(c) The applicant shall identify an alternative site suitable for residential housing which the applicant owns, has site control (e.g., purchase agreement, option to purchase, lease), or is otherwise available for the development of Inclusionary Units pursuant to an agreement between the applicant and a developer who owns the site or has site control. With respect to Rental Inclusionary Units, the Applicant must either:
 - 1. Own a controlling interest in the off-site development; or
 - 2. Provide evidence of an enforceable commitment to contribute two hundred thousand dollars (\$200,000.00) or greater per Inclusionary Unit to the off-site development through an agreement with a developer who owns the site or has site control.~~
- ~~With respect to Owner-Occupied Inclusionary Units, the Applicant must either:~~
- ~~1. Own the land and develop the off-site housing; or~~
 - ~~2. Provide evidence of an enforceable commitment to contribute two hundred thousand dollars (\$200,000.00) or greater per Inclusionary Unit to the off-site development through an agreement with a developer who owns the site or has site control.~~
- ~~(d) The Certificate of Occupancy for off-site Inclusionary Units must be obtained prior to the issuance of the final Certificate of Occupancy for the subject property.~~
 - ~~(e) The off-site units shall be located no more than one-quarter (1/4) mile of the subject site, within City limits.~~
 - ~~(f) The applicant must submit analysis to establish that the off-site property has comparable public transit service as the subject site, evaluated by distance from transit stop(s) via Networked Walkshed, number of routes available, and frequency of service.~~

Section ■. The Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Regulations, is hereby amended in Chapter 911.04, Use Standards, as follows:

911.04.A.41 Multi-Suite Residential

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

(a) Multi-Suite Residential (Limited)

(1) In the RM and Grandview Public Realm Districts

- a. 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;
- b. The building shall be designed to be in keeping with the residential character of the surrounding area;
- c. 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;
- d. Parking will be provided at a minimum of one (1) space per two (2) sleeping rooms;
- e. 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.

(2) In the LNC District

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

- a. The proposed use shall be subject to the Site Plan Review procedures of Section 922.04;
- b. The building shall be designed to be in keeping with the character of the surrounding area;
- c. 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; and

- d. Parking will be provided at a minimum of one (1) space per two (2) sleeping rooms.

(3) In EMI Districts

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

- a. The building shall be designed to be in keeping with the character of the surrounding area;
- b. 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;
- c. 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;
- d. 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;
- e. Parking will be provided at a minimum of one (1) space per two (2) sleeping rooms; and
- f. The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

(b) Multi-Suite Residential (General)

(1) In the LNC District

- a. The building shall be designed to be in keeping with the character of the surrounding area;
- b. 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;
- c. Parking will be provided at a minimum of one (1) space per two (2) sleeping rooms;

d. 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;

e. 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.

(2) In the UI District

a. The proposed use shall be subject to Site Plan Review;

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

c. 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; and

d. Parking will be provided at a minimum of one (1) space per two (2) sleeping rooms.

(3) In Grandview Public Realm Districts

a. 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;

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

c. 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;

d. Parking will be provided at a minimum of one (1) space per two (2) sleeping rooms;

e. 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.

(4) In EMI Districts

Multi-Suite Residential uses shall be subject to the following standards:

- a. The building shall be designed to be in keeping with the character of the surrounding area;
- b. 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;
- c. 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;
- d. 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;
- e. Parking will be provided at a minimum of one (1) space per two (2) sleeping rooms; and
- f. The proposed use shall be subject to the Project Development Plan procedures of Section 922.10.

(5) In the UC-E, UC-MU and R-MU

- a. Parking shall be provided in accordance with the Parking Demand Analysis provisions of Section 914.02.B; and
- b. 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.

(6) In the UC-E District

Multi-Suite Residential uses shall meet one (1) of the following standards in the UC-E District:

(a) All the residential ~~shall units~~ units shall meet the requirements of ~~907.04.A.6~~ 902.04.A.5 and shall otherwise follow the processes and procedures of ~~907.04.A.7~~ 902.04.A.4 Applicability and ~~907.04.A.7 and 902.04.A.6~~ Off-Site Inclusionary Standards. One hundred (100) percent of the units shall be affordable and shall be located on site. Or

(b) Residential housing shall be less than fifty (50) percent of the Gross Floor Area in a mixed-use structure. For purposes of this calculation, shared spaces between residential uses and commercial shall be excluded from the calculation of Gross Floor Area.

Section ■. The Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Regulations, is hereby amended in Chapter 911.04, Use Standards, as follows:

911.04.A.85 Multi-Unit Residential

(a) In the UI District

Multi-Unit Residential uses in the UI District shall be subject to the following standards:

- (1) All residential units may be limited to floors above the ground floor of the building when residential uses are not desirable on the ground floor.

(b) In the EMI District

Multi-Unit Residential uses shall be subject to the following standards in the EMI District:

- (1) The proposed use shall be subject to the Residential Compatibility Standards of Chapter 916; and
- (2) The Approving Body shall determine that the proposed use will not create detrimental impacts on surrounding residential properties, taking into consideration the compatibility of the proposed use with the surrounding and adjacent properties; the generation of light and noise from the proposed use; parking, loading and access.

(c) In the UC-E District

Multi-Unit Residential uses shall meet one (1) of the following standards in the UC-E District:

- (1) All the residential ~~shall units~~ units shall meet the requirements of ~~907.04.A.6~~ 902.04.A.5 and shall otherwise follow the processes and procedures of ~~907.04.A.7~~ 902.04.A.4 Applicability and ~~907.04.A.7 and 902.04.A.6~~ Off-Site Inclusionary Standards. One hundred (100) percent of the units shall be affordable and shall be located on site. Or

- (2) Residential housing shall be less than fifty (50) percent of the Gross Floor Area in a mixed-use structure. For purposes of this calculation, shared spaces between residential uses and commercial shall be excluded from the calculation of Gross Floor Area.

Section . The Pittsburgh Code, Title Nine, Zoning Code, Article IV, Planning Districts, is hereby amended in Chapter 910.01, Golden Triangle District, as follows:

910.01.C General Provisions

The provisions in this section apply to all GT Districts, unless otherwise stated.

910.01.C.1 Use Regulations

(a) Primary Uses

Primary uses shall be allowed in the GT District in accordance with the Use Table of Sec. 911.02.

(b) General Limitations

- (1) All merchandise and products shall be sold only at retail, unless otherwise stated.
- (2) There may be manufacture, compounding, processing or treatment of products that is clearly incidental and essential to a retail store or business, only when the major portion of such products is to be sold at retail on the premises.
- (3) Uses, operations or products shall not be noxious or offensive by reason of the emission of odor, dust, smoke, gas, vibration, noise or other similar causes. See Chapter 917 for additional regulations regarding Operational Performance Standards.
- (4) Unit group development shall be permitted.

(c) Project Development Plan Review

Developments in the GT district that are subject to Project Development Plan review and approval shall comply with the review process and criteria specified in Sec. 922.10 and all applicable standard of this Code. Developments that do not require Project Development Plan Review are:

- (1) Structures involving exterior alterations not in excess of two hundred fifty thousand dollars (\$250,000.00); ~~and/or~~
- (2) Interior renovations only; and/or
- (3) Conversion of an existing structure to multi-unit residential in compliance with the Inclusionary Housing requirements of Section 902.04.

(d) Site Plan Review

The following development actions are subject to Design Review, and Site Plan Review and approval per Section 922.04:

- (1) Structures involving exterior alterations not in excess of two hundred fifty thousand dollars (\$250,000.00); ~~;~~ or

(2) Conversion of an existing structure to multi-unit residential in compliance with the Inclusionary Housing requirements of Section 902.04 where exterior alteration exceed two hundred fifty thousand dollars (\$250,000).

910.01.C.2 General Open Space Requirements

(a) Location

Open space required by the GT District regulations may be located on the same zoning lot as the principal use or on an adjacent zoning lot.

(b) Funds In-Lieu

The Planning Commission may approve the payment of funds in-lieu of the provision of open space in the following cases:

- (1) On small sites where required open space would result in areas of limited public usefulness;
- (2) In locations where required open space would be adjacent to existing large open spaces; and
- (3) In specific locations such as historic districts or other areas where the adopted plans and policy documents applicable to the district indicate that open space is not desirable.

The funds from any approved, in-lieu payments shall be used by the City for the acquisition and development of open space elsewhere in the GT District. The amount of such payment shall be based upon the value of the land that would otherwise be required to be devoted to open space on the development site, plus the cost that would otherwise be incurred by the applicant for development of that space in accordance with the provisions of this section.

910.01.C.3 Urban Open Space Requirements

Urban Open Space shall be provided in accordance with GT subdistrict requirements and shall be located, developed and maintained in accordance with the following standards.

(a) Components

The particular functions and kinds of Urban Open Space to be provided at a development site shall be based upon consideration of existing and projected pedestrian volumes and circulation patterns; the location, size and character of existing Urban Open Space in the vicinity of the development site; existing and proposed land use patterns; relation to public transportation; and objectives contained in the adopted plan and policy documents pertaining to the GT District.

(b) Development Standards

(1) Urban Open Space designed to facilitate pedestrian circulation or relieve pedestrian congestion shall be at the same level as abutting public sidewalks, shall provide a clear path or area for movement, and shall be accessible to persons with disabilities throughout the entire area.

(2) Urban Open Space designed to provide passive recreation space or informal activity areas shall abut and be accessible from a public sidewalk. A plaza or park may be located above or below the level of the

abutting sidewalk or open space provided it is accessible to the handicapped. A plaza or park shall contain seating, permanent landscaping and lighting for night time illumination. The Urban Open Space shall be open without restriction to the general public at least during business hours normal to the area in which it is located and during periods of heavy pedestrian movement in the area.

(3) When a development site is adjacent to a bus stop or transit station, the required Urban Open Space shall be designed to provide access to and waiting areas for transit riders.

(4) Additional Urban Open Space required for developments which utilize the floor area bonus provisions of Sec. 910.01.C.4 may be provided as interior (urban open) space rather than as outdoor space. Interior Urban Open Space shall comply with the following standards:

(i) Entrances shall be clearly visible from adjacent sidewalks or Urban Open Space and shall be at least twenty (20) feet wide including doorways and glassed walls.

(ii) There shall be a sufficiently high level of natural illumination either through walls or glazed roof or ceiling areas to permit the maintenance of plants without additional light sources.

(iii) An interior space which functions as a building lobby shall not be used to fulfill an Urban Open Space requirement unless it also functions as a through-block passage accessible to the general public and contains seating available for use by the general public.

(iv) An interior Urban Open Space shall be accessible to persons with disabilities.

(v) An interior Urban Open Space shall be open without restriction to the general public at least during normal business hours in the area in which it is located and during periods of heavy pedestrian movement in the area.

(vi) An observation deck or viewing area located on the top floor or roof of a building and designed to provide a panoramic view may be used to fulfill the additional Urban Open Space requirements, provided it is open and accessible to the general public during business hours normal to the area in which it is located.

(vii) A permanent gallery for the purpose of the display of works of fine art, available to the public without an admission fee, may be used to fulfill the additional Urban Open Space requirements, provided it is open to the general public during hours normal to museums and galleries, is easily accessible from the public sidewalk or Urban Open Space, and is operated by a not-for-profit institution.

(viii) Every Urban Open Space provided under the requirements of this Code shall be located and developed to relate harmoniously with development on adjacent sites and to contribute to the attractiveness and efficient functioning of the overall environment of the district.

910.01.C.4 Floor Area Bonuses

(a) Urban Open Space

In the event that additional Urban Open Space is provided in the proportions indicated below, maximum building floor area may exceed the floor area ratios specified for the applicable GT subdistrict but shall not exceed the applicable floor area ratio when calculated on the basis of gross lot area. Additional Urban

Open Space shall be provided in proportion to the total increase in floor area resulting from the application of gross lot area, and shall be calculated as follows:

(1) In the GT-A, GT-B, GT-C and GT-E Districts:

Total required Urban Open Space = lot area x 20% x (total floor area/base floor area), where base floor area = maximum allowable floor area based on lot area.

(2) In the GT-D District:

Total required Urban Open Space = lot area x 60% x (total floor area/base floor area), where base floor area = maximum allowable floor area based on lot area.

(b) Transportation Facilities

In the event that transportation facilities as described below are provided and have the affect of reducing the use of automobiles in the GT District, maximum building floor area may exceed the floor area ratios specified for the applicable GT subdistrict by a maximum of twenty (20) percent, provided the transportation facilities and all improvements associated therewith shall be designed, located, developed and maintained as follows:

(1) Designed and developed as an integral part of the total development project and not as mere connections;

(2) Engineered and completed to accommodate a projected peak hour travel of at least four thousand (4,000) persons per weekday in all directions;

(3) Utilize separate or partially separate rights-of-way that use boarding areas engineered and completed to accommodate a projected peak hour travel of at least four thousand (4,000) persons per weekday in all directions;

(4) In addition the applicant must submit a duly executed agreement, in a form satisfactory to the City Solicitor, assuring that the facilities and improvements shall be operated and maintained for the life of the development for which this bonus is allowed.

(c) Ground Floor Retail

Affording a structure a floor area bonus equal to the floor area of retail commercial uses permitted within the district, provided that the uses are at street level, that entrance to each individual establishment is directly from the public sidewalks or Urban Open Spaces, that at least seventy-five (75) percent of the perimeter wall of such uses is glazed, and when it is demonstrated that the location of such uses strengthens retail patterns in the downtown.

910.01.C.5 Light Access

Buildings shall be designed to provide at least five (5) feet from the zoning lot line to a proposed affected window except when the zoning lot line is contiguous to a public right-of-way of ten (10) or more feet in width. An affected window is defined as a window that provides light, air and visibility to the outdoors not including glazing for architectural design. The five-foot space may be waived when a similar amount of open space is provided on the adjacent property with a recorded easement or similar type of document.

Section 11. The Pittsburgh Code, Title Nine, Zoning Code, Article VI, Development Standards is hereby amended in Chapter 915.07, Performance Points System, as follows:

915.07. Performance Points System.

915.07.A Purpose

The City of Pittsburgh recognizes that communities that embrace innovation and livability while remaining affordable to all citizens will be more sustainable both in their demands on the environment and their ability to continue to grow and succeed over time. This set of incentives for development seeks to increase the provision of affordable housing, increase the number of green buildings constructed, and incent the retention of existing structures that represent the city's built heritage.

915.07.B Applicability

The following incentives are available within designated zoning districts that include the following elements:

1. Provision enabling use of this bonus system;
2. Bonus Goals and Points section specifying the points awarded for each option; and
3. Bonus section specifying how points earned through the incentives can be used.

915.07.C Definitions

1. Reserved.
2. 95th Percentile Rain Event shall mean the measured precipitation depth accumulated over a 24-hour period for the period of record that ranks in the 95th percentile rainfall depth based on the range of all daily event occurrences during this period.
3. Affordable Housing shall mean housing with a gross cost, including utilities, that does not exceed thirty (30) percent of the occupant's income.
4. Area Median Income (AMI) shall mean the average medium income of the metropolitan area (MSA) or Non-Metropolitan areas (counties) as established annually by the U.S. Department of Housing and Urban Development (HUD).
5. Building Energy Model (BEM) shall mean the use of a physics-based software simulation of building energy use. A BEM program takes as input a description of a building form and materials, the building's use and operation including schedules for occupancy, lighting, plug-loads, and thermostat settings, and combines these inputs with information about local weather and uses physics equations to calculate thermal loads, system response to those loads, and resulting energy use, along with related metrics like occupant comfort and energy costs.
6. Distributed Energy Systems shall mean a range of smaller-scale technologies designed to provide electricity and thermal energy closer to consumers. These approaches include fossil and renewable energy technologies, micro-grids, on-site energy storage, and

combined heat and power systems. Technologies could include: existing district energy facilities combined heat and power systems, microgrids, fuel cells, and batteries.

7. Fresh Food Market shall mean an establishment (under Grocery Store – General) primarily engage in the sale of grocery products and that provides all of the following:
- i. At least five thousand (5,000) sq. ft. of customer-accessible floor area use for display and sales of a general line of food and nonfood grocery products such as dairy, canned and frozen foods, fresh fruits and vegetables, and fresh and prepared meats, fish, and poultry, intended for home preparation, consumption, and use;
 - ii. At least fifty (50) percent of such customer-accessible sales and display area is used for the sale of general line of food products intended for home preparation and consumption;
 - iii. At least twenty-five (25) percent of retail inventory by volume is in the form of perishable goods, which must include dairy, fresh fruits and vegetables, and frozen foods that may include fresh meats, poultry and fish; and
 - iv. At least twenty-five (25) percent of such customer-accessible sales and display area is used for the sale of fresh fruits and vegetables.
8. Green Infrastructure shall mean systems and practices that use or mimic natural processes to infiltrate, evapotranspire, or reuse stormwater on the site where it is generated.
9. On-Site Renewable Energy shall mean renewable sources, such as wind, solar, and co-generation, that are generated on the project site, thereby relieving reliance on the grid and providing alternative sources of electricity.
10. Native Plants shall mean plants indigenous to Western Pennsylvania. This includes plants that have developed or occurred naturally, excluding invasive species.
11. Networked Walkshed shall mean the land area within a defined walking range, traversable on established streets or pathways.
12. Rapid Services shall mean all modes of transit which use an exclusive right-of-way or have at least seventy-five (75) percent of route miles along a fixed guideway.
13. Preferred Stormwater Management Technologies shall mean stormwater management practices that can provide additional co-benefits, increased reliability, or better performance than other technologies. Preferred Stormwater Management Technologies must be in accordance with the City of Pittsburgh Stormwater Design Manual.
14. Local Workforce Group shall mean an organization that provides publicly available workforce development services, career training services, entrepreneurial services, or business incubation and startup services or a local, non-franchise business owned and operated by City of Pittsburgh resident.
15. Underrepresented Groups shall mean existing residents of the Pittsburgh Metropolitan Statistical Area with incomes at or below eighty (80) percent AMI; or lack a four-year degree; or reside in a City of Pittsburgh neighborhood with an unemployment rate that is more than double the City of Pittsburgh average.

915.07.D Bonus Goals and Points

Goal	Points
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1. Zero Energy or Zero Carbon Buildings		
1.a	Demonstrate compliance with International Energy Conservation Code Section C407 Total Building Performance criteria or ASHRAE Standard 90.1- 2019 Appendix G Building Performance Rating Method.	1
1.b	Demonstrate compliance with International Energy Conservation Code Section C407 Total Building Performance criteria or ASHRAE Standard 90.1- 2019 Appendix G Building Performance Rating Method and buildings shall be designed and constructed with no gas or fossil-fuel fired equipment as described in Zero Code 2.0.	2
1.c	Demonstrate compliance with International Energy Conservation Code Appendix CC: Zero Energy Commercial Building Provisions.	3
2. Reserved		
3. On-Site Energy Generation		
At least one (1) point from Zero Energy or Zero Carbon Buildings required prior to using the On-Site Energy Generation points below.		
3.a	At least 25% of energy use is generated from on-site renewable sources.	1
3.b	At least 50% of energy use is generated from on-site renewable sources; or	2
	Connecting to distributed energy systems.	
3.c	75% or more of energy use is generated from on-site renewable sources.	3
4. Affordable Housing		
Available only to projects where at least 50% of the gross floor area is used for residential units.		
Points for options 4.c and 4.d below will only be awarded to development projects providing at least 20 housing units.		
4.a	At least 5-14.9% of units for rent are affordable housing for persons at or below 80% AMI.	1
4.b	<u>Meets the requirements of 902.04 Inclusionary Housing, excluding the minimum unit threshold of 20.</u> At least 5-14.9% of units for sale are affordable housing for persons at or below 80% AMI; or	2
	At least 5-14.9% of units for rent are affordable housing for persons at or below 60% AMI; or	
	At least 15-19.9% of units for rent are affordable housing for persons at or below 80% AMI.	
4.c	At least 15-19.9% of units for sale are affordable housing for persons at or below 80% AMI; or	3
	At least 15-19.9% of units for rent are affordable housing for persons at or below 60% AMI; or	
	At least 20% or more of units for rent are affordable housing for persons at or below 80% AMI.	

4.d	20% or more of units for sale are affordable housing for persons at or below 80% AMI; or	4
	20% or more of units for rent are affordable housing for persons at or below 60% AMI.	
5. Rainwater		
All vegetated Green Infrastructure must use at least 50% Native Plants.		
5.a	At least 50% of the first two (2) inches of runoff from impervious surfaces is captured and managed using Preferred Stormwater Management Technology installations; or	1
	At least 15% of the first two (2) inches of runoff from impervious surfaces is captured and reused on-site.	
5.b	At least 75% of the first two (2) inches of runoff from impervious surfaces is captured and managed using Preferred Stormwater Management Technology installations; or	2
	At least 30% of the first two (2) inches of runoff from impervious surfaces is captured and reused on-site.	
5.c	100% or more of the first two (2) inches of runoff from impervious surfaces is captured and managed using Preferred Stormwater Management Technology installations; or	3
	45% of the first two (2) inches of runoff from impervious surfaces is captured and reused on-site.	
6. Building Reuse		
6.a	Exterior design of new development is compatible with nearby structures more than fifty (50) years old including the use of similar window and door sizes and materials, cladding materials, bays, cornices, and other Primary Structure elements.	1
6.b	At least 75% of street facing building facades from structures more than 50 years old are restored and integrated into new development.	2
6.c	Existing building shell is restored and retained.	3
7. Riverfront Public Access Easements, Trails and Amenities		
7.a	For parcels that abut the riverfront and are not separated by a right-of-way, provision of a riverfront public access easement held by the City of Pittsburgh of at least 20 feet in width and runs the entire length of the parcel's riverfront boundary.	1
7.b	For sites where no trail exists and a public easement has been made, construction of a trail that meets all City standards as well as national standards of Manual on Uniform Traffic Control Devices (MUTCD), and that connects to existing adjacent trails when feasible.	2
7.c	For sites where an existing trail is present and a public easement has been made, improvement of trail to City standards as well as national standards of	1

	Manual on Uniform Traffic Control Devices (MUTCD), and that connects to existing adjacent trails when feasible.	
7.d	For sites where a riverfront or riverfront-adjacent trail is not feasible, development provides public access that allows for or contributes to continuous mobility parallel the riverfront.	2
7.e	Provision of public restrooms accessible from the public riverfront trail, open during expected hours of trail use.	2
7.f	Provision of public access easement and passageway built in accordance with Section 905.04.G.5(a) and (b), providing connections from public rights-of-way to the riverfront.	1
8. Neighborhood Ecology		
8.a	Ground-level surface parking area is designed so that a minimum of 50% of the total paved area is shaded by solar panels.	1
8.b	The top level of a parking structure is designed so that a minimum of 50% of the total area is shaded by solar panels.	1
9. Public Art		
The percent of estimated gross construction cost applied to public art includes artist engagement; design, fabrication and placement of art; insurance; and funds dedicated for ongoing maintenance.		
9.a	At least 1% of the estimated gross construction cost is applied directly to the creation and maintenance of on-site public art as defined by the URA's Public Art Resource Guide for Developers, OR made as a one-time contribution to the City's Public Art Fund for use by the City for art on publicly owned lands within the same neighborhood.	1
9.b	At least 2% of the estimated gross construction cost is applied directly to the creation and maintenance of on-site public art as defined by the URA's Public Art Resource Guide for Developers, OR made as a one-time contribution to the City's Public Art Fund for use by the City for art on publicly owned lands within the same neighborhood.	2
9.c	At least 3% of the estimated gross construction cost is applied directly to the creation and maintenance of on-site public art as defined by the URA's Public Art Resource Guide for Developers, OR made as a one-time contribution to the City's Public Art Fund for use by the City for art on publicly owned lands within the same neighborhood.	3
10. Urban Fabric		
10.a	Structured parking is designed to allow for conversion to other (non-parking) uses.	2
11. Transit-Oriented Development		
11.a	Site is within ½ mile networked watershed of rapid service routes.	1

11.b	On-site transit station for rapid service routes, designed as an integral part of the development project and to meet Port Authority standards for transit stations.	3
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12 Equitable Development

12.a	Commitment to ensuring 10% of jobs in the building will be hired from Underrepresented Groups for the first 10 years the building is in operation and recertified by the City of Pittsburgh every two (2) years; or	1
	Contribution of a sum equal to \$3 per rentable commercial square foot (RCSF) of the project into the City's Equitable Development Trust Fund either in full or annually over a period not to exceed 10 years with a minimum of 25% of the total sum due at the time the project completes construction; or	
	A signed lease agreement between the applicant and a Local Workforce Group for a period not less than five (5) years.	
12.b	Commitment to ensuring 20% of jobs in the building will be hired from Underrepresented Groups for the first 10 years the building is in operation and recertified by the City of Pittsburgh every two (2) years; or	2
	Contribution of a sum equal to \$4 per rentable commercial square foot (RCSF) of the project into the City's Equitable Development Trust Fund either in full or annually over a period not to exceed 10 years with a minimum of 25% of the total sum due at the time the project completes construction.	
12.c	Commitment to ensuring 30% of jobs in the building will be hired from Underrepresented Groups for the first 10 years the building is in operation and recertified by the City of Pittsburgh every two (2) years; or	3
	Contribution of a sum equal to \$5 per commercial square foot (RCSF) of the project into the City's Equitable Development Trust Fund either in full or annually over a period not to exceed 10 years with a minimum of 25% of the total sum due at the time the project completes construction.	

13 Fresh Food Access

13.a	The building is designed and constructed, or a renovation of a building includes a Fresh Food Market as a tenant.	2
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915.07.E Compliance and Enforcement

1. If a project is awarded a height or riparian buffer bonus pursuant to this subsection, the Developer shall provide the Department of City Planning with satisfactory evidence of having completed the procedures as developed by the Department of City Planning and the following steps in the process toward achieving the requirements of the bonus:

a. Zero Energy or Zero Carbon Buildings:

- (1) Application and predesign phase: Submission of intent to comply with International Energy Conservation Code Section C407 Total Building Performance criteria or ASHRAE Standard 90.1- 2019 Appendix G Building Performance Rating Method and how the project intends to meet this requirement.
- (2) Design completion and prior to construction: Provide design narrative and construction documents. A BEM will be required showing that the building is designed to comply with International Energy Conservation Code Section C407 Total Building Performance criteria or ASHRAE Standard 90.1- 2019 Appendix G Building Performance Rating Method.
- (3) Construction completion and building occupancy: Provide final performance-based commissioning report and/or a building energy model reflecting the as-built condition showing International Energy Conservation Code Section C407 Total Building Performance criteria or ASHRAE Standard 90.1- 2019 Appendix G Building Performance Rating Method.
- (4) Following first-year operations completion: Provide proof of whole building energy consumption, verified with utility invoices or digital meter data for energy consumed and produced or third party verified by Professional Engineer or equivalent. ~~±~~

b. Affordable housing

- (1) All projects shall comply with On-Site Inclusionary Standards 907.04.A.5 ~~(e)~~ (f) through (k).
- (2) Application and predesign phase: Provide a matrix that documents the unit count and includes AMI of occupants. Identify in writing all subsidies and/or financing programs the project will utilize in the provision of affordable housing. Provide letters of commitment for any subsidies and/or financing secured.
- ~~(23)~~ Design completion and prior to construction: Provide floor plans that identify housing unit types and location of amenities, entrances, and lobbies with American Disabilities Act (ADA) accessibility, and documenting compliance with On-Site Inclusionary Standards 907.04.A.5 ~~(e)~~ (f) through (j). Provide letters of commitment for any subsidies and/or financing secured. Where letters of commitment are forthcoming, this requirement can be met by submitting the project for review by the Housing Department of the Urban Redevelopment Authority which will provide a memo to the Department of City Planning.

c. Rainwater

- (1) Application and predesign phase: Provide a conceptual stormwater management plan in accordance with Title Thirteen: Stormwater Management and clearly identifying how the project will satisfy the bonus.
- (2) Design completion and prior to construction: Provide a Stormwater Management Site Plan in accordance with Title Thirteen: Stormwater Management and clearly identifying how the project will satisfy the bonus.
- (3) Construction completion and building occupancy: Provide documentation of completion of all Record Drawings, Completion Certificate, and Final Inspection requirements in accordance with Title Thirteen: Stormwater Management.
- (4) Following first-year operations completion: Provide a performance-based report following one (1) year of operation that shows stormwater management installations are performing as specified in the project's Stormwater Management Site Plan and in accordance with Title Thirteen: Stormwater Management requirements.

d. On-Site Public Art:

- (1) Application and predesign phase: Provide a preliminary public art plan that clearly identifies how the project will satisfy the bonus, including estimated gross construction cost, opportunities for inclusion of public art, and a plan for artist engagement.
- (2) Design completion and prior to construction: The Department of City Planning will approve final plan for public art including a final budget, design of public art element(s), and proof of establishment of fund for ongoing maintenance.
- (3) Construction completion and building occupancy: Provide Department of City Planning with verification that art was installed as designed along with breakdowns and receipts of final project costs. If art was not installed as designed, provide narrative explanation of what alterations were made and why.

e. Equitable Development

- (1) For projects providing the percentage employment from Underrepresented Groups, initial compliance report shall be submitted to the Department of City Planning no later than three (3) years following issuance of the Certificate of Occupancy and shall meet standards set by the Department of City Planning at the time of reporting. After that time, compliance reports must be submitted every two (2) years through the first ten (10) years the building is operational.
- (2) For projects contributing to the City's Equitable Development Trust Fund per rentable commercial square foot (RCSF), seventy-five (75) percent of the structure's Gross Floor Area must contain commercial, non-residential uses. For purposes of this calculation, shared spaces shall be excluded from Gross Floor Area.
- (3) If a building should be found at any point out of compliance with this Performance Point, the property owner shall beginning that year pay the fee per rentable commercial square foot (RCSF) option for the remainder of the ten (10) years from the date construction was completed. This bonus point shall be exempt from 915.07.E.2, however, the first payment shall be made to the Equitable

Development Trust Fund within thirty (30) days of the documentation of non-compliance or the City shall have the authority to revoke the certificate of occupancy for the building.

f. Food Access

- (1) A project which receives bonus points for the presence of a Fresh Food Market pursuant to Subparagraph 13(a) shall maintain such tenant or use for a period of at least ten (10) years from the issuance of a Certificate of Occupancy. The Fresh Food Market must be located on the ground floor of the structure and accessible through a separate entrance that must be located on the primary street frontage. At the time of application, no Fresh Food Market may be in operation within a 2,640-foot radius of the proposed project, as determined by the Department of City Planning.
2. If the project does not provide satisfactory evidence of achieving the performance standards of each used bonus within three (3) years of receiving its initial certificate of occupancy, then unless otherwise noted in this section, the property owner shall be subject to a fine equal to one (1) percent of the construction costs and shall provide a plan for compliance with the bonus point. If the plan is not submitted and the fine is not paid within thirty (30) days of the date it is imposed, then the City shall have the authority to revoke the certificate of occupancy for the building. If the project is not brought into compliance within one (1) year, then the City shall have the authority to revoke the certificate of occupancy for the building.

The following Performance Points shall have the compliance path as provided, if projects do not provide satisfactory evidence of achieving the performance standards of each used bonus at time of final inspection.

For 3.b, Connecting to distributed energy systems only, the property owner shall be subject to a fine of two (2) percent of construction cost. If the fine is not paid within thirty (30) days of the date it is imposed, then the City shall have the authority to revoke the certificate of occupancy for the building.

Building Reuse

For 6.b and 6c., the property owner shall be subject to a fine of two (2) percent of construction cost. If the fine is not paid within thirty (30) days of the date it is imposed, then the City shall have the authority to revoke the certificate of occupancy for the building.

Urban Fabric

For 10a., the property owner shall be subject to a fine of two (2) percent of construction cost. If the fine is not paid within thirty (30) days of the date it is imposed, then the City shall have the authority to revoke the certificate of occupancy for the building.

Transit Oriented Development

(1) For 11.a, no fine shall be imposed, nor compliance required, under section 915.07.E.2 if rapid service routes are discontinued through no fault of the property owner.