

**Section 8. The Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Regulations, is hereby amended at Chapter 912, Accessory Uses and Structures, as follows:**

**912.04. - Accessory Use and Structure Development and Operational Standards.**

The following standards shall apply to all accessory uses and structures unless otherwise specifically provided. For exceptions to these standards, see Chapter 925.

**912.04.A Front Setback**

Accessory structures shall comply with the front setback and front yard standards that apply to primary uses, except as allowed in 925.06.A or as an Administrator's Exception in 925.06.G. (See Sec. 925.06)

**912.04.B Rear Setback**

Accessory structures and uses shall not be required to comply with the rear setback standard that applies to principal uses, except as allowed in 925.06.A or as an Administrator's Exception in 925.06.G. Accessory structures and uses shall be set back at least five (5) feet from the rear lot line when the rear lot line is not adjacent to a way. Accessory structures and uses may be set back at least two (2) feet from the rear lot line when the rear lot line is adjacent to a way.

**912.04.C Side Setbacks**

Accessory structures and uses shall comply with the side setback standards that apply to primary uses, and shall not be permitted in the side yard under the Contextual Setback provisions of Sec. 925.06.C, but shall be permitted in the side yard in accordance 925.06.A or with the Administrator Exception provisions of Sec. 925.06.G.

**912.04.D Setbacks from Easements**

No accessory structure shall be located on any platted or recorded easement, or over any known utility.

**912.04.E Height**

No accessory structure shall exceed fifteen (15) feet or one (1) story in height in a residential zoning district or twenty (20) feet in height in a nonresidential zoning district, except that a single story above a garage may be permitted to a total height no greater than 30 feet.

**Section 9. The Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Regulations, is hereby amended at Chapter 912, Accessory Uses and Structures, as follows:**

**912.08. Accessory Dwelling Unit.**

**912.08.A Intent.**

It is the intent of this Section to permit the construction and operation of Accessory Dwelling Units, as defined in 912.08.B, to provide a greater diversity of housing options in the City of Pittsburgh.

**912.08.B Special Definitions.**

1. Accessory Dwelling Unit means a dwelling unit not greater than 1,000 square feet in area, which is accessory to a primary use. An Accessory Dwelling Unit may be an independent dwelling unit within a primary structure, a detached structure, or a dwelling unit located within an existing accessory structure.

**912.08.C Standards.**

- ~~1. The requirements of this Section shall apply to all Accessory Dwelling Units;~~
- ~~2. Accessory Dwelling Units are permitted to be located on any lot where the primary use is a Community Center or Religious Assembly as defined in Section 911.02;~~
- ~~3. There shall be no maximum for collective square footage across multiple accessory dwelling units;~~
- ~~4. Accessory Dwelling Unit shall not exceed two (2) stories, or thirty (30) feet in height;~~
- ~~5. Accessory Dwelling Unit shall be exempt from the minimum lot size and minimum lot size per unit requirements of the underlying zoning district;~~
- ~~6. Aside from the provisions of 912.08.C.4, 912.08.C.5 and 912.08.C.6, Accessory Dwelling Units shall comply with the Accessory Use and Structure Development and Operational Standards of 912.04 and other applicable requirements of the Code, except for the minimum lot size per unit requirement;~~
- ~~7. Projects consisting of more than 10 units shall be subject to site plan review in accordance with Section 922.04;~~
- ~~8. Accessory Dwelling Units shall be exempt from the on-site parking requirements of Section 914; and~~
- ~~9. Accessory Dwelling Units shall be exempt from the residential compatibility standards of Section 916.~~
1. The requirements of this Section shall apply to all Accessory Dwelling Units;
2. Accessory Dwelling Units are permitted to be located on any lot where a primary use is a Residential use, Community Center or Religious Assembly use as defined in Section 911.02;
3. An Accessory Dwelling Unit shall not exceed 2 stories, or 30 feet in height. The height of an accessory dwelling unit built above a detached garage shall be measured including the height of the garage;
4. Accessory Dwelling Units shall be exempt from the residential compatibility standards of Section 916;
5. The conversion of an existing garage located within a rear or side yard setback to an Accessory Dwelling Unit shall not require an Administrator's Exception provided that the proposed Accessory Dwelling Unit does not encroach further into the setback;

6. Accessory Dwelling Units built above a garage in a rear or side yard setback shall not require an Administrator's Exception provided that the rear yard abuts a Way.
7. Aside from the provisions of 912.08.C.3, 912.08.C.4, 912.08.C.5, and 912.08.C.6, Accessory Dwelling Units shall comply with the Accessory Use and Structure Development and Operational Standards of 912.04; and
8. For Accessory Dwelling Units that are accessory to a Residential use, the maximum number of accessory dwelling units is 2 per zoning lot.
9. For Accessory Dwelling Units that are accessory to a Community Center or Religious Assembly uses, the following additional standards shall apply:
  - a. There shall be no maximum number of accessory dwelling units; and
  - b. Developments with more than 10 units shall be subject to Site Plan Review in accordance with Section 922.04.

**Section 15. The Pittsburgh Code, Title Nine, Zoning Code, Article IX, Measurements and Definitions, is hereby amended at Chapter 925, Measurements, as follows:**

**925.06.G Features Allowed within Setbacks by Administrator's Exception**

The Zoning Administrator shall be authorized, in accordance with the Administrator Exception procedures of Sec. 922.08, to permit features as per Sec. 925.06.G.1 within setbacks, according to the provisions of Sec. 925.06.G.2 below.

**925.06.G.1 Permitted Features**

The following features shall be permitted within setbacks in accordance with the standards of this section:

- (a) Swimming pool and deck in rear and side yards;
- (b) Garage, carport or parking stalls for residential uses with four (4) or more parking spaces and all other non-residential uses in rear and side yards;
- (c) Storage shed or gazebo in rear and side yards;
- (d) Decks and porches in the front, side or rear yard;
- (e) Dumpsters;
- (f) Building additions to primary structures, where the existing primary structure is built within a setback, except for the Riparian Buffer as per 905.04.E.4;
- (g) Enclosures of existing decks and porches in side or rear yards;
- (h) Rooftop decks on detached garages; ~~and~~
- (i) Detached Accessory Dwelling Units in side or rear yards except Accessory Dwelling Units built above garages abutting a way; and
- (j) Accessory Structures not listed above, where the primary structure is built within a setback.

**925.06.G.2 Standards**

The applicant shall establish, by submittal of a plot plan, photograph(s) and other pertinent data such as written approval by abutting property owners that:

- (a) For features other than porches, and decks, with respect to the front and side yard setback requirements and detached Accessory Dwelling Units with respect to the side yard setback, the proposed construction or erection will not place the accessory use, structures, or additions any closer to the front or neighboring property line than the building line of the applicant's existing, legally established, primary structure;
- (b) The establishment, maintenance, location and operation of the proposed use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;
- (c) Authorization of the proposed exception will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes permitted, nor substantially diminish or impair property values within the neighborhood;
- (d) The establishment of the proposed exception will not impede the normal and orderly development and improvement of surrounding property for uses permitted in that district; and
- (e) Any illumination or drainage shall be contained on site and directed away from abutting properties.

**925.06.G.3 Administrator Action**

Before approving an application, the Administrator shall recommend reasonable adjustments including, but not limited to, items concerning utilities, drainage, noise, landscaping and maintenance thereof, lighting, access, egress, screening of accessways to ensure that authorization of the proposed exception is consistent with the standards found in Sec. 925.06.G.2 above.