

## New Base Zoning Districts Draft

Editor's Note: We have used a simple codification (numbering) system for this draft, to make it easier for staff, the public, and officials to comment. We will revise the codification to match the current ordinance system after public review. It is currently anticipated that the definitions will be included in the main Definitions Section of the Zoning Code.

### Definitions

**EV Ready** shall mean parking spaces that are built with necessary electrical wires, conduit, and dedicated electric panel space at the time of construction. This would allow charging stations to be added cost effectively at a future time or as part of the original construction of the parking. Specifically, it shall mean a parking space that is provided with dedicated branch circuit that meets the following requirements:

1. Wiring capable of supporting a 40-amp, 208/240-volt circuit,
2. Terminates at a junction box or receptacle located within 3 feet (914 mm) of the parking space, and
3. The electrical panel directory shall designate the branch circuit as "For electric vehicle charging" and the junction box or receptacle shall be labelled "For electric vehicle charging".

**EV Capable** shall mean parking spaces that are built with conduit serving the space to allow for future wiring and installation of charging stations. This does not require that the electric panel has dedicated space for these future charging connections, although this may be cost effective. Specifically, it shall mean a parking space that is provided with conduit that meets the following requirements:

1. The conduit shall be continuous between a junction box or receptacle located within 3 feet (914 mm) of the parking space and an electrical panel serving the area of the parking space with sufficient dedicated physical space for a dual-pole, 40-amp breaker.
2. The conduit shall be sized and rated to accommodate a 40-amp, 208/240-volt branch circuit and have a minimum nominal trade size of 1 inch.
3. The electrical junction box and the electrical panel directory entry for the dedicated space in the electrical panel shall have labels stating "For future electric vehicle charging."

**Bird Safe Glazing** shall mean glazing treatments or visual markers that minimize the impact of bird collisions that has been treated to a maximum threat factor of 30 in accordance with the American Bird Conservancy Bird Collision Threat Factor Rating, or with a relevant ASTM standard. These may include fritting, netting, frosted glass, exterior screens or physical grids placed on the exterior of glazing that are visible to birds.

**Whole-Building Life-Cycle Assessment** shall mean an assessment of the embodied carbon impact of a whole building. This includes the impact of all materials used in the project, or a subset of the project, like structure and/or envelope, throughout the life cycle of the building. Life-Cycle Assessment shall comply with ISO 14044.

**Zero Carbon** shall mean not using no fossil fuel, greenhouse-gas-emitting energy to operate and are instead 100% powered by on-site and/or off-site renewable energy.

## **New Base Zoning Districts**

### **Urban Center –Employment (UC-E)**

Urban Center - Employment (UC-E)

#### Intent Statement

The intent of the UC-E District is to support life sciences, healthcare, and other industrial sectors that benefit from locating together and provide employment a variety of workers and educational levels. The priority is on employment over residential uses. As this district draws the most users and visitors, new development shall provide publicly accessible open space, active ground floor uses, adequate sidewalk width, and varied community services and amenities to create an active and inviting public realm experience. Multi-modal transportation is encouraged, especially transit, and where parking is provided it should be shared.

#### Height

a. Base height without Performance Points is as illustrated in the Height Map, including limits in the mapped Height Reduction Zone.

b. A minimum height of forty (40) feet is required for Primary Structures.

c. The maximum height of a Primary Structure may exceed sixty eighty-five (85) feet, up to the maximum height illustrated in the Height Map, provided the following conditions are met:

##### (1) Height Bonus

To exceed the height of sixty (60) feet, a development must qualify for a height bonus as described in Sections (TBD) and [915.07](#).

##### (2) Height Design Standards

To exceed the height as permitted in the Height Map, buildings must meet the following design standards:

(a) Where a building exceeds sixty-five (65) feet in height, step-backs are required as follows:

- (i) A minimum front and street-side step-back of ten (10) feet is required for structures of sixty-five (65) feet in height or greater.
- (ii) Structures in excess of eighty-five (85) feet in height shall meet one of the following standards beginning no higher than eighty-five (85) feet:
  - (A) Additional front and street-side step-backs of ten (10) feet are required, in addition to the ten (10) foot step-back required at sixty-five (65) feet.
  - (B) The portion of the structure that exceeds eighty-five (85) feet in height must be no more than eighty (80) percent of the building footprint. The required ten-foot step-back at sixty-five (65) feet shall be maintained.
- (iii) Any required building step-back may begin at a lower height, including at ground level, but at a minimum must occur at the portion of a building exceeding sixty-five (65) feet or six (6) stories, whichever occurs first.
- (iv) In the required stepbacks above grade, projections may include open balconies and other architectural design features that project from the façade, provided they are not enclosed square footage. At ground level, open space shall be provided that meets Urban Open Space standards and may be used to meet Urban Open Space Requirements.
- (b) For structures that exceed sixty-five (65) feet in height, applicants must submit a shadow study demonstrating the effects of the proposed structure to the Zoning Administrator. Pre- and post-development shadows must be included in the shadow study. The study must depict, at a minimum, mid-morning and mid-afternoon shadows cast on the following dates: March 21, June 21, September 22, and December 21, corresponding to the first day of each season.

## **Open Space**

Urban Open Space shall be provided at ground level on lots of twenty thousand (20,000) square feet or more in an amount at least equal to ten (10) percent of the lot area.

## **Sidewalks**

Along Fifth Avenue and Forbes Avenue, continuous pedestrian sidewalks at least twenty (20) feet wide shall be provided, with clear path exclusive of obstructions of at least ten (10) feet. In all other locations in this district, continuous pedestrian sidewalks of at least ten (10) feet along a Street, with a clear path exclusive of obstructions of at least five (5) feet. The continuous pedestrian sideway is inclusive of obstructions including street furniture, tree pits, and Green Infrastructure. If the sidewalk does not have the necessary width available in the public right-of-way as determined by the City, the additional width must be provided on the development parcel. Where the sidewalk is extended onto private property, this portion of the site may be used to meet to Urban Open Space requirements.

## Urban Center Mixed Use (UC-MU)

### Intent Statement

The intent of the UC-MU District is to allow for commercial uses while also providing diverse housing options, including affordable and workforce housing. To ensure each new development contributes to the public realm, publicly accessible open spaces are required, along with active ground floor uses, and adequate sidewalk width. To transition from smaller scale residential adjacent to this district, green spaces and other buffers are required between lower scale residential and taller new buildings.

### Height

- a. Base height without Performance Points is as illustrated in the Height Map, including limits in the mapped Height Reduction Zone.
- b. A minimum height of twenty-four (24) feet is required for Primary Structures.
- c. The maximum height of a Primary Structure may exceed the base height, up to the maximum height illustrated in the Height Map, provided the following conditions are met:

- (1) Height Bonus To exceed the base height as illustrated in the height map, a development must qualify for a height bonus as described in Sections (TBD) and [915.07](#).

- (2) Height Design Standards

To exceed the height of sixty-five (65) feet, as permitted in the Height Map, buildings must meet the following design standards:

- (a) Where a building exceeds sixty-five (65) feet in height, step-backs are required as follows:

- (i) A minimum front and street-side step-back of ten (10) feet is required for structures of sixty-five (65) feet in height or greater.

- (ii) Structures in excess of eighty-five (85) feet in height shall meet one of the following standards beginning no higher than eighty-five (85) feet:

- (A) Additional front and street-side step-backs of ten (10) feet are required, in addition to the ten (10) foot step-back required at sixty-five (65) feet.

- (B) The portion of the structure that exceeds eighty-five (85) feet in height must be no more than eighty (80) percent of the building footprint. The required ten-foot step-back at sixty-five (65) feet shall be maintained.

(iii) Any required building step-back may begin at a lower height, including at ground level, but at a minimum must occur at the portion of a building exceeding sixty-five (65) feet or six (6) stories, whichever occurs first.

(iv) In the required stepbacks, above grade can be open air balconies and other architectural design features that project from the façade, provided they are not enclosed square footage. At ground level, open space shall be provided that meets Urban Open Space standards and may be used to meet Urban Open Space Requirements.

(d) When a development includes a new primary structure with a maximum height of more than twice the average height of an existing adjacent primary structure, a Green Buffer shall be provided. The Green Buffer(s) shall be located as an interior sideyard(s) or rear yard along the lot line(s) abutting the lot with the shorter structure. Additions to existing structures in the Green Buffer shall be permitted as a Special Exception, subject to the provisions of 922.07.

(e) For structures that exceed sixty-five (65) feet in height, applicants must submit a shadow study demonstrating the effects of the proposed structure to the Zoning Administrator. Pre- and post-development shadows must be included in the shadow study. The study must depict, at a minimum, mid-morning and mid-afternoon shadows cast on the following dates: March 21, June 21, September 22, and December 21, corresponding to the first day of each season.

### **Urban Open Space**

Urban Open Space shall be provided at ground level on lots of twenty thousand (20,000) square feet or more in an amount at least equal to ten (10) percent of the lot area.

### **Sidewalks and Build to Line**

#### **Street Build-To Zone and Pedestrian Sidewalks**

(1) When abutting a Street, a build-to zone is imposed between zero (0) and ten (10) feet inward from the property line (See Figure (TBD)).

(2) When abutting a Street, a minimum of sixty (60) percent of the building frontage or façade must be located in the Build-To Zone.

Along Boulevard of the Allies, continuous pedestrian sidewalks at least twelve (12) feet wide shall be provided, with clear path exclusive of obstructions of at least six (6) feet. Street trees and other landscaping is required in this sidewalk to manage stormwater and provide an improved pedestrian experience. In all other locations in this district, continuous pedestrian sidewalks of at least ten (10) feet along a Street, with a clear path exclusive of obstructions of at least five (5) feet. The continuous pedestrian sideway is inclusive of obstructions including street furniture, tree pits, and Green Infrastructure. If the sidewalk does not have the necessary width available in the public right-of-way as determined by the City, the additional width must be provided on the development parcel.

Where the sidewalk is extended onto private property, this portion of the site may also be counted to Urban Open Space requirements, if that portion of the site otherwise meets the Urban Open Space standards.

## **Residential Mixed Use (R-MU)**

### Intent Statement

The intent of this district is to provide healthy, attractive, and affordable rental housing in multifamily buildings. Encourage a mixture of restored historic homes and modern apartment buildings, with neighborhood serving retail.

### **Height**

- a. Base height without Performance Points is as illustrated in the Height Map, including limits in the mapped height reduction zone.
- b. A minimum height of twenty-four (24) feet is required for Primary Structures.
- c. The maximum height of a Primary Structure may exceed the base height up to the maximum height illustrated in the Height Map, provided the following conditions are met:

((1) Height Bonus To exceed the base height, a development must qualify for a height bonus as described in Sections (TBD) and [915.07](#).

#### (2) Height Design Standards

To exceed the height of forty (40) feet, as permitted in the Height Map, buildings must meet the following design standards:

(a) Where a building exceeds forty-five (45) feet in height, step-backs are required as follows:

(i) A minimum front and street-side step-back of ten (10) feet is required for structures of sixty-five (45) feet in height or greater.

(ii) Structures in excess of sixty-five (65) feet in height shall meet one of the following standards beginning no higher than sixty-five (65) feet:

(A) Additional front and street-side step-backs of ten (10) feet are required, in addition to the ten (10) foot step-back required at forty-five (45) feet.

(B) The portion of the structure that exceeds sixty-five (65) feet in height must be no more than eighty (80) percent of the building footprint. The required ten-foot step-back at forty-five (45) feet shall be maintained.

(iii) Any required building step-back may begin at a lower height, including at ground level, but at a minimum must occur at the portion of a building exceeding sixty-five (65) feet or six (6) stories, whichever occurs first.

(iv) In the required stepbacks, above grade can be open air balconies and other architectural design features that project from the façade, provided they are not enclosed square footage. At ground level, open space shall be provided that meets Urban Open Space standards and may be used to meet Urban Open Space Requirements.

(d) When a development includes a new primary structure with a maximum height of more than twice the average height of an existing adjacent primary structure, a Green Buffer shall be provided. The Green Buffer(s) shall be located as an interior sideyard(s) or rear yard along the lot line(s) abutting the lot with the shorter structure. Additions to existing structures in the Green Buffer shall be permitted as a Special Exception, subject to the provisions of 922.07.

(e) For structures that exceed sixty-five (65) feet in height, applicants must submit a shadow study demonstrating the effects of the proposed structure to the Zoning Administrator. Pre- and post-development shadows must be included in the shadow study. The study must depict, at a minimum, mid-morning and mid-afternoon shadows cast on the following dates: March 21, June 21, September 22, and December 21, corresponding to the first day of each season.

## **Setbacks**

### **Rear Setback**

Five (5) foot rear setback when not adjacent to a way, two (2) feet if adjacent to a way.

## **Sidewalks and Build To Lines**

### **Street Build-To Zone and Pedestrian Sidewalks**

(1) When abutting a Street, a build-to zone is imposed between zero (0) and twenty (20) feet inward from the property line.

(2) When abutting a Street, a minimum of sixty (60) percent of the building frontage or façade must be located in the Build-To Zone.

(3) Where a project has frontage on two (2) or more Streets, a build-to zone is imposed on all the Street frontages, except where the applicant can document that the frontage requirements cannot be met due to setback, Green Buffer, or Urban Open Space requirement.

Continuous pedestrian sidewalks at least ten (10) feet wide shall be provided, with clear path exclusive of obstructions of at least five (5) feet. The continuous pedestrian

sidewalk is inclusive of obstructions including street furniture, tree pits, and Green Infrastructure. If the sidewalk does not have the necessary width available in the public right-of-way as determined by the City, the additional width must be provided on the development parcel. Where the sidewalk is extended onto private property, this portion of the site may also be counted to Urban Open Space requirements, if that portion of the site otherwise meets the Urban Open Space standards

### **Urban Open Space**

Urban Open Space shall be provided at ground level on lots of twenty thousand (20,000) square feet or more in an amount at least equal to ten (10) percent of the lot area.

## **Regulations Applicable to the UC-E, UC-MU, and R-MU Zoning Districts**

### **Whole-Building Life-Cycle Assessment**

All projects requiring Planning Commission Review and Approval under section (TBD) shall submit an initial draft Whole-Building Life-Cycle Assessment as part of application materials, except building demolitions and new open spaces.

The intent of the study is to have those proposing new buildings or significant additions to identify pathways to reducing to zero (0) the net carbon emissions from the project. The study will allow the applicant to understand what would be required to meet that goal, and clearly show through the application review process what recommendations from the study are being incorporated into the project, what are not, and why.

The study must include the following elements:

- Embodied carbon in existing structures. Includes consideration of how existing structures can be reused in whole through rehabilitation or in part through retaining components of the building or reusing significant portion of the building materials (e.g., bricks, timber, stonework).
- Carbon capture value of existing trees on the site. Includes options for development that retain existing and mature trees on already on the site in addition to inclusion of new trees and vegetation that would be added through development. Specifically, how can the building be shaped and massed around existing trees in ways that maintain their health and environmental function?
- Zero Carbon energy sourcing. How can the project's construction and operation result in zero net carbon emissions? How can energy for building operation be sources through on- or off-site renewables?



## **Parking**

In addition to the Parking, Loading and Access requirements of Chapter 914, the following limitations on parking shall apply. In the case of conflict with other provisions of the Code, these provisions control in this District.

### **Required Parking**

The minimum parking required in this District is fifty (50) percent of the minimum parking required in Schedule A of Section 914.02.A, unless otherwise provided.

The maximum parking limitation is the minimum parking required listed in Schedule A of Section 914.02.A.

Uses requiring parking demand analysis shall provide parking in accordance with [Section] 914.02.E without modification.

Reduction below to fifty (50) percent of the minimum parking required in Schedule A required parking minimums requires contributing to a mobility improvement trust.

### **Surface Parking**

Surface parking is prohibited, except as accessory to single and two-unit residential when located at the rear of the property. Tuck-in parking, located at the rear and underneath multi-unit residential structures shall not be considered surface parking.

### **Structured and Integral Parking**

New structured and integral parking with six (6) or more spaces, whether a primary or accessory use, must have at least ten (10) percent of spaces EV Ready or twenty (20) percent of spaces EV Capable. When the minimum number of EV spaces required results in a fractional number, a fraction of less than one-half ( $\frac{1}{2}$ ) shall be rounded down to next lowest number and a fraction of one-half ( $\frac{1}{2}$ ) or more shall be rounded to the next highest whole number. Prior to issuance of the Record of Zoning Approval, an electrical engineer or other qualified, licensed professional shall document that the building and/or electrical permit drawings approved by the Department of Permits, Licenses, and Inspections are in compliance with requirement.

Structured parking must be designed to allow for conversion to other uses or the applicant must provide analysis that clearly demonstrates this requirement cannot be met including engineering diagrams and/or other schematics.

On any Street frontage, ground level parking is prohibited except if lined with an active use. Active uses include residential, retail, office, lobbies, and bike facilities.

## Urban Open Space

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

### 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 this District.

### Development Standards

There are two types of Urban Open Space:

- Urban Open Space designed to facilitate pedestrian circulation or relieve pedestrian congestion. This type of Urban Open Space 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.
- Urban Open Space designed to provide passive recreation space or informal activity areas. This type of Urban Open Space 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 nighttime 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.

Urban Open Space located under a colonnade is discouraged. If it is provided, the underside of the colonnade shall be two stories above grade. This style of colonnade should be at grade and lined with active uses. The colonnade shall be accessible at the entry and exits and to the extent possible, continuously open to the sidewalk.

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

Loading and service uses, including trash storage, shall be separate from Urban Open Space to the largest extent feasible.

Landscaping in the Urban Open Space shall assist in managing stormwater and an operations and maintenance plan shall be provided for all stormwater management features. Landscaping selections shall be appropriate for the urban environment and seventy-five (75) percent of planting area shall be composed of native species as defined by the Pennsylvania Department of Conservation and Natural Resources' (DCNR's). Development applications shall include a

statement from a registered landscape architect or other qualified professional regarding species selected for durability, survivability, and potential air pollution mitigation.

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; or
- (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 within the same neighborhood. 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.

Open air restaurants shall be permitted within the area of an Urban Open Space provided that seventy-five (75) percent of the urban open space is still available to the public without charge.

Enlargement of a structure on a lot that does not comply with the required Urban Open Space at ground level may be permitted only if the enlargement does not reduce any of the existing Urban Open Space.

### **Building Length**

Building length is limited to a maximum of four hundred (400) feet. Where a zoning lot has a building at a length of four hundred (400) feet, any new buildings or building addition on the same zoning lot shall be separated by at least ten (10) feet. Separate buildings connected by an above ground pedestrian bridge shall exclude the length of the pedestrian bridge from this calculation.

### **Design Standards for Commercial and Mixed Uses**

#### **Alternative Compliance**

The Zoning Administrator may approve alternative design standard compliance where the alternative design is determined to achieve the purpose of this District equally or more so than through strict adherence to the standards.

## **Façade Design**

The ground floor of a multi-story building must be a minimum of fifteen (15) feet in height measured floor to floor, to promote mixed-use and accommodate a variety of ground-floor uses.

No facade adjacent to a street shall contain a non-articulated condition greater than 50 linear feet in length. Building wall articulation must be achieved through changes in the façade depth of no less than six inches.

Façades must be designed with consistent building materials and treatments that wrap around all façades. A unifying architectural theme must be used for the entire development, using a common vocabulary of architectural forms, elements, materials, and/or colors.

## **Building Entry**

All buildings must maintain a public entrance from the sidewalk along the primary street frontage.

Public entrances on any façade must be designed as visually distinct elements of the facade.

## **Fenestration Design**

The street level facade shall be transparent between the height of three (3) feet and eight (8) feet above the walkway grade for no less than sixty (60) percent of the horizontal length of the building facade.

## **Roof Design**

Cool Roofs are required for new construction and for roof replacement on existing buildings. Solar Reflective Index values of cool roofs must be consistent with Energy Star Roof Products Key Product Criteria, except where Green Roofs are installed.

Reflective roof surfaces that produce glare are prohibited, except for solar panels or cool roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.

## **Site Design**

Security elements, such as bollards, and site amenities, like bike racks, should be coordinated with the architectural theme of the building and/or the surrounding landscape and hardscape design and shall not impede the five (5) foot accessible pedestrian route in the sidewalk.

No curb cuts should be permitted along primary streets when access to a lot is otherwise available via a secondary street or a way, unless technically infeasible. Requests for curb cuts on primary streets shall include documentation from a licensed transportation professional and the Zoning Administrator shall consult with the Department of Mobility and Infrastructure on these requests.

## **Flat Roof Features**

Green roofs, rooftop decks, rooftop gardens, and stormwater management systems are permitted to extend above the parapet of any flat roof building.

Accessory rooftop features of a flat roof, including green roofs, rooftop decks, rooftop gardens, and stormwater management systems are excluded from the calculation of maximum building height.

## **Design Standards for Residential Uses**

### **Alternative Compliance**

The Zoning Administrator may approve alternative design standard compliance where the alternative design is determined to achieve the purpose of this District equally or more so than through strict adherence to the standards

### **Design Standards**

Single-Unit Attached Residential, Two-Unit Residential, Three-Unit Residential and Multi-Unit Residential uses must meet the following requirements:

a. Façades must be designed with consistent building materials and treatments that wrap around all façades. There must be a unifying architectural theme for the entire development, using a common vocabulary of architectural forms, elements, materials, and/or colors.

b. Façades of structures containing Multi-Unit Residential uses abutting a street must be articulated through the use of architectural elements to break up blank walls, add visual interest, and present a residential character. Two (2) or more of the following forms of building articulation must be incorporated into the design of structures containing Multi-Unit Residential uses:

(1) For facades over fifty (50) feet in length, modulation of the façade through the use of features such as projections or indentations. Such building modulations must either be projected or be set back a minimum of two (2) feet in depth, and must be a minimum of four (4) feet in width. There may be no more than fifty (50) feet between such modulations.

(2) Architectural elements such as balconies, bay windows, patios, porches, or terraces. There may be no more than fifty (50) feet between such elements.

(3) Changes in color, texture, or material. Changes should occur at inside corners to convey solidity and permanence, and should not occur on a flat wall plane or an outside edge. There may be no more than fifty (50) feet between such changes.

(4) Lighting fixtures or other building ornamentation such as artwork, trellises, or green walls. There may be no more than fifty (50) feet between such fixtures or elements of ornamentation.

c. Public entrances on any façade must be designed as visually distinct elements of the facade.

d. Where private open space for residents is maintained, only forty (40) percent of the total of such area may consist of impervious surface. Any fencing that delineates the private open space from public space must be open fencing of at least sixty (60) percent open design with a maximum height of six and one half (6.5) feet. Shadowbox fencing is prohibited.

e. Single-Unit Attached Residential uses are subject to the following curb cut standards:

(1) Garages and parking spaces must be accessed from the rear yard if rear yard access is available. Corner lots, with or without rear access, may alternatively access garages and parking spaces from the exterior side yard.

(2) In cases where front-loaded garage design is the remaining option, shared driveways with one (1) curb cut are encouraged.

## **Mechanical Equipment**

Mechanical equipment includes heating, ventilation, and air conditioning (HVAC) equipment, electrical generators, and similar equipment. These standards do not apply to wind turbines and solar panels.

### **Ground-Mounted Equipment**

Mechanical equipment must be located to the side or rear of the structure. Any mechanical equipment visible from the public realm, must be screened from view by a decorative wall or solid fence that is compatible with the architecture of the building and/or landscaping. The wall or fence must be of a height equal to or greater than the height of the mechanical equipment being screened.

### **Roof-Mounted Equipment**

Roof-mounted equipment visible from the proximal public realm must be screened.

### **Wall-Mounted Equipment**

Wall-mounted mechanical equipment is not permitted on any façade abutting a primary street frontage.

Wall-mounted mechanical equipment on a secondary street-fronting façade that protrudes more than twelve (12) inches from the outer building wall must be screened from view by structural features that are compatible with the architecture of the subject building. This does not apply to window-mounted air conditioners.

### **Fences and Walls**

Fences and walls in the Build-To Zones are permitted to a maximum four (4) feet in height and shall be of an open design.

Fences and walls in the rear and interior side yard are permitted to a maximum height of six and one-half (6.5) feet and may be opaque.

Fences and walls shall meet the Materials and Methods Standards in 918.03.B.1.(b).

### **Residential Compatibility**

The Building Height and Setback Standards of 916.02 shall not apply. The Screening standards of 916.03; the Site Design standards of 916.04, the Operating Hours standards of 916.05; Noise standards of 916.06; and Lighting standards of 916.07; and Odor standards of 916.08 shall apply.

### **Green Buffers**

Green Buffers shall be a minimum of fifteen (15) feet. There are two types of Green Buffers.

A Green Buffer designed for pedestrian access and use. This type of Green Buffer shall provide at least one pedestrian connection through the site. It shall be at the same level as abutting public sidewalks, shall provide a clear path or area for movement to avoid foot or wheel traffic damaging vegetation and soil, and shall be accessible to persons with disabilities throughout the entire area. This portion of the site shall be open to the public during daylight hours and shall include signage indicating such. This type of Green Buffer may count toward the Urban Open Space requirement.

Green Buffer designed for ecological benefit. This type of Green Buffer shall be designed to provide native habitat function and may include green infrastructure for stormwater management. Plantings must be native species that are appropriate for the urban environment, especially tree and plant species that have the largest impact to reduce air pollutants. Each application for this type of Green Buffer shall include a statement from a registered landscape architect or other qualified professional regarding plant species selected for durability, survivability, and potential mitigation on air pollution. An operations and maintenance plan shall be provided for all stormwater management features. This type of buffer is not required to be open to the public and may include an open fence of high-quality material meeting the standards of 918.03.B.1.(b), not more than 6 feet tall, that allows easy and free access of non-human animals.

### **Bird Safe Glazing**

Bird Safe Glazing shall be required in the following applications:

1. New Construction, except single-unit residential.
2. Replacement of fifty (50) percent of the glazing on an existing structure except single-unit residential.
3. Additions to existing buildings totaling of 15,000 sf or greater.
4. New or renovated above grade pedestrian bridges.

On the first sixty (60) feet of the building from the ground floor, Bird Safe Glazing is required. Above sixty (60) feet, where Intensive Green Roof or Extensive Green Roof exists or trees and vegetation are architecturally integrated into patios or balconies, bird safe glazing is required on the façade of the floor immediately adjacent and the two floors above.

For locally designated historic structures and structures in local historic district subject to the provisions of Chapter 1101, reversible treatment methods may be used such as netting, glass films, grates and screens.

For additions and window replacements, bird safe glazing shall apply to replacements and new additions only.

Where ground floor transparency is required, applicant shall work through the Design Review Process to ensure that the Bird Safe Glazing still meets the design intent of ground floor transparency, including visibility into the building from the adjacent pedestrian realm.

### **Mapped Height Reduction Zone**

Where identified in Height map, the height reduction zone restricts building height for twenty (20) feet into the development parcel. Structures or portions of structures in this zone may not exceed the maximum height permitted in the adjacent zoning district plus twenty (20) feet. The height reduction zone is not a setback, it restricts height within the first twenty (20) feet as shown on the adopted height map.

### **Performance Points**

#### **Bonus Goals and Points**

New buildings and renovations in this district can utilize the bonus system of [Section 915.07](#). The list below identifies the bonus options available to projects by district, any prerequisites for points, and any modifications to the points earned. Points may be transferred from a development



site to another, if approved by Planning Commission as part of a Master Development Plan, based on procedures as developed by the Department of City Planning.

### **Pre-requisites**

All projects pursuing bonus options for the districts below shall meet the following requirements:

- Minority and Women Business Enterprise (MWBE) compliance intent. All projects seeking Performance Points must show satisfactory efforts made to meet City of Pittsburgh policies regarding minority and women business enterprises found in Section 177A.02 of the City Code.
- One-site energy consumption. All projects seeking Performance Points must meet the standards for the lowest point of the relevant energy consumption point for the project type (i.e., new construction or existing buildings).

The Department of City Planning shall work with Urban Redevelopment Authority (URA) for the review and compliance documentation that applicants using the Performance Points system have made satisfactory efforts to meet with MWBE goals.

1. At time of application, applicant shall submit the MWBE Narrative to the URA. Upon documentation the Narrative is sufficient, the applicant may proceed to the second phase of MWBE compliance.
2. In the second phase, the applicant shall submit to the URA, the MWBE Total Project Cost Calculator and updated Narrative. The URA shall deem these documents sufficient prior to the project proceeding to Planning Commission hearing.
3. The applicant shall submit to the URA the complete MWBE Plan. The URA shall deem these documents sufficient prior to the project receiving the Record of Zoning Approval (ROZA).

In the Urban Center - Employment (UC-E), the following bonus points are available:

- Zero Energy or Zero Carbon Buildings 915.07.D.1.a—1.d; Points as listed
- On-Site Energy Generation .3.a—3.c.; Points as listed
- Affordable housing: Section 915.07.D.4.a—4.c.; Points modified as follows: 4.c is four (4) points; 4.d is six (6) points.
- On Site Public Art Section 915.07.D.9.a-9.c; Points as listed
- Workforce development: Section 915.07.D 12.-12.c a: Points modified as follows: 12.c is five (5) points

In the Urban Center - Mixed Use (UC-MU), the following bonus points are available:

- Zero Energy or Zero Carbon Buildings 915.07.D.1.a—1.d; Points as listed
- On-Site Energy Generation 915.07.D.3.a—3.c.; Points as listed

- Affordable housing: Section 915.07.D.4.a—4.c.; points modified as follows: 4.c is four (4) points; 4.d is six (6) points.
- On Site Public Art Section 915.07.D.9.a-9.c; Points as listed
- Workforce development: Section 915.07.D.12.-12.c a: points modified as follows: 12.c is five (5) points

In the Residential - Mixed Use (R-MU), the following bonus point is available:

- Zero Energy or Zero Carbon Buildings 915.07.D.1.a—1.d; Points as listed
- On-Site Energy Generation 915.07.D..3.a—3.c.;
- Rainwater 915.07.D.5.a-5c; Points as listed.
- Affordable housing: Section 915.07.D.4.a—4.c.; Points modified as follows: 4.c is 4 (four) points; 4.d is 6 (six) points.
- Building Reuse Section 915.07.D 6.b-6.c; Points as listed
- On Site Public Art Section 915.07.D.9.a-9.c

### Bonus Height

New buildings and renovations in this district can exceed the maximum heights permitted without bonuses in each district by using the Performance Points System. Each point equates to fifteen (15) feet of additional building height. Maximum heights with bonuses are regulated for each district.

Bonus height earned through the Performance Points System may not be applied in addition to any other height or FAR bonus or exception. These bonuses may not be applied in addition to any additional height or FAR variances or special exceptions granted by the Zoning Board of Adjustment.

### Signage

Signage in the R-MU shall follow the standards of 919.03.M.3, for RP, EMI, GPR, and OPR Zoning Districts.

Signage for the UC-E and UC-MU shall follow the standards of 919.03.M.5 LNC, UNC, RIV-MU, RIV-IMU, CP, and AP Districts.

All three districts shall be allowed Projecting Signs as per 919.03.M.8.

## Review Thresholds

The following development actions are subject to Site Plan Review and approval per [Section 922.04](#), unless such actions meet the thresholds of Section (TBD), in which case they are subject to Project Development Plan review and approval:

- All new construction of primary structures.
- Any expansion or any exterior renovation to an existing primary structure.
- All new construction of parking structures.

Any existing single-family detached dwellings located within this District are exempt from Site Plan Review, unless otherwise specifically required by the Zoning Code.

The following development actions are subject to Project Development Plan review and approval by Planning Commission per [Section 922.10](#).

- All new construction of fifteen thousand (15,000) square feet or more in gross floor area.
- Any addition or expansion of fifteen thousand (15,000) square feet or more in gross floor area or building footprint.
- Commercial structured parking of fifty (50) or more spaces.
- Demolition of any Primary Structure of 15,000 square feet or greater or a total of five (5) or more Primary Structures under the same ownership or control
- New Parks and Recreation (Limited and General) uses of two thousand four hundred 2,400 square feet or greater, where Art Commission review and approval is not required.

Project Development Plans that are filed for building demolitions not part of an application for new construction shall include a report, study, or statement of the property's future use that meets the review criteria of Section 922.10.E.2.

Editor's Note: For the purposes of review, we have included the proposed amendments to the Performance Points here. Only relevant current Zoning Code text and proposed amendments are included here. (Other language can be reviewed on [Municode](#).)

## Performance Points System

### Definitions

~~National Median Site Energy Use Intensity~~ shall mean the middle of the national population—half of buildings use more energy, half use less. ~~The National median source EUI is published regularly by the U.S. Environmental Protection Agency's Energy Star program.~~

**Pittsburgh 2030 District** shall mean the initiative led by the Green Building Alliance that supports business and building owners and managers in working and toward fifty (50) percent reductions in energy use, water consumption, and transportation emissions (below baselines) by the year 2030.

**Site Energy Use Intensity (EUI)** shall mean the total, annual building energy use normalized by its gross square footage. Site energy is the amount of energy consumed by a building or development on site, usually reflected on utility bills, but including heat and power generated and used on site. Site EUI is a building's total annual on-site energy usage in kBtu/ft<sup>2</sup> and can be determined by using an online calculator to aid in the assessment of energy performance of commercial building designs and existing buildings such as the U.S. Environmental Protection Agency's Target Finder.

**Zero Carbon Building** shall mean a highly energy-efficient building that produces onsite, or procures, carbon-free renewable energy or high quality carbon offsets in an amount sufficient to offset the annual carbon emissions associated with building materials and operations.

**Underrepresented Groups** shall mean existing residents of the Pittsburgh Metropolitan Statistical Area who are of low-income (i.e., those making 80% AMI or less); or lack a four-year degree; or reside in neighborhoods with an unemployment rate that is more than double the city average.

**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 a City of Pittsburgh resident.

## Performance Points

Goal	Points
<b>1. On-Site Energy Consumption— <u>Zero Energy or Zero Carbon Buildings - New Construction</u></b>	
1.a	Site energy use intensity is at AIA 2030 Commitment average savings levels. <u>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.</u> 1
1.b	Site energy use intensity is at least 70% below national median. <u>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.</u> 2

1.c	<del>Site energy use is 80% or more below national median. Demonstrate compliance with International Energy Conservation Code Appendix CC: Zero Energy Commercial Building Provisions.</del>	<u>34</u>
<u>Applicant may earn the following combinations:</u> <u>1.a = 1 pt</u> <u>1.b = 2 pts</u> <u>1.a plus 1.c = 5 pts (this means applicant could have fossil-fuel fired equipment)</u> <u>1.b plus 1.c = 6 pts</u>		
<del>2. On-Site Energy Consumption – Existing Buildings</del>		
2.a	<del>Site energy use intensity is at least 20% below national median.</del>	<u>4</u>
2.b	<del>Site energy use intensity is at least 35% below national median.</del>	<u>2</u>
2.c	<del>Site energy use is 50% or more below national median.</del>	<u>3</u>
<u>12 Equitable Development</u>		
12. a	<u>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</u>	<u>1</u>
	<u>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; or</u>	
	<u>A signed lease agreement between the applicant and a Local Workforce Group for a period not less than five (5) years.</u>	
12. b.	<u>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</u>	<u>2</u>
	<u>Contribution of a sum equal to \$5 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.</u>	
12. c	<u>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</u>	<u>3</u>
	<u>Contribution of a sum equal to \$6 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.</u>	

### 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:

#### ~~On-site energy consumption and production~~ Building Energy Performance:

(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. ~~the p4 Energy Declaration or other form as proscribed by the Zoning Administrator clearly indicating the EUI target of the building based upon percent reduction from the baseline. The baseline as determined by building use type, is based upon the 2003 Commercial Building Energy Consumption Survey (CBECS) data. In addition to EUI target of the building, the Declaration must also include the energy efficiency approaches and technologies that will be used to minimize demand, any on-site energy generation systems, and the amount of expected building demand that will be offset.~~

(2) Design completion and prior to construction: Provide design narrative and construction documents. ~~For projects with at least 20,000 square feet of gross floor area a~~ 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. ~~meet the desired site EUI reductions compared to national averages for the building type and size. All projects, including those with less than 20,000 square feet of gross floor area, are required to submit an updated p4 Energy Declaration or other form as proscribed by the Zoning Administrator.~~

(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. ~~or applicable third party certification of energy performance (e.g., Passive House, Leadership in Energy and Environmental Design, Living Building Challenge).~~

(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. ~~This requirement may be satisfied by ongoing participation in the Pittsburgh 2030 District.~~

Affordable housing

(1) All projects shall comply with On-Site Inclusionary Standards 907.04.A.6 (e) through (j).

(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.6 (e) 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. ~~identifying how the project satisfies the p4 Affordability component.~~

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) If a building should be found at any point out compliance with this Performance Point, the property owner shall from that year pay the fee per 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.

(3) 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.

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 developer 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 within three (3) years of receiving its initial certificate of occupancy:

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 within three (3) years of receiving its initial certificate of occupancy:

On-Site Energy Generation – Distributed Energy Systems

For 3.b, Connecting to distributed energy systems only, the developer 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 developer 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 developer 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 developer.

**Parking Reduction Zone**

914.04. - Off-Street Parking Exemption/Reduction Areas

The minimum off-street parking requirements of Section 914.02.A shall be decreased as shown in the following table for uses located in districts designated on the Official Zoning Map as "Parking Exempt Areas." Uses located in Parking Exempt Areas shall provide no more than the otherwise required minimum parking ratio established in Section 914.02.A.



Area	Use Type	Percent Decrease
SP Districts & PUDs	Any use	Parking Demand Analysis Required, see Sec. 914.02.B
Downtown	Any use	100
East Liberty	Any use except residential	50
SP-11 Lower Hill Planned Development	Any use	100
North Shore	Any use except residential	25
North Side	Any use except residential	25
<del>Oakland</del>	<del>Any use except residential</del>	<del>50</del>
Uptown Public Realm District	Any use	100
Riverfront Zoning Districts	Any use	50

The parking reductions of this section shall not be applicable to the minimum Bicycle Parking requirements of [Section 914.05](#).