Questions from the Housing Needs Assessment Q and A

August 31, 2026

Question: *How many people attended the Q and A?*

Answer: Approximately 10 people attended the Q and A session.

Question: *Are the existing IZ overlay districts still for a mandatory inclusionary housing program?*

Answer: Yes, the existing IZ overlay districts remain unchanged. Developments of 20 or more units need to comply with the affordable housing requirements of those districts.

Question: *What's the fee-in-lieu for the mandatory inclusionary housing program and how is it different than the voluntary one?*

Answer: The fee-in-lieu option for the IZ overlay district refers to the off-site inclusionary standards in 907.04A.7. In the mandatory IZ overlay, a developer who opts for the off-site option must identify an off-site development that they own a controlling interest in or they must enter into an agreement to provide the developer of that site $200,000 or greater per inclusionary unit for that developer to provide the affordable units. Note: the specific fee amount for this is also moving to the City's fee schedule to be adjustable to keep pace with construction costs.

The voluntary program's fee-in-lieu is a one-time contribution to the City's Affordable Housing Payment Fund. The Fund can then be used to support new or existing affordable housing units within the same neighborhood as the development that paid into the Fund. This payment is based on a per square foot basis at a payment rate set annually in the City's fee schedule.

Question: *Is the trust fund for the Voluntary IZ program going to be a separate piece of legislation?*

Answer: Yes, there will need to be a separate resolution to create the Affordable Housing Payment Fund.

Question: *Could the existing IZ Overlay be expanded to include more parts of the city?*

Answer: Yes, the existing IZ Overlay can be expanded as a zoning map amendment to cover more parts of the city. The zoning map amendment process is detailed in Section 922.05 of the Zoning Code.

Question: *If City Council were to vote against the Planning Commission recommendation for the 20-year affordability period and go back to the 35-year period, would it require an amendment and a 7-member (supermajority) vote from City Council?*

Answer: Yes, the Planning Commission made a positive recommendation to City Council with the condition for the 20-year affordability period rather than the 35-year period. Council could reject that condition and go back to the 35-year period. This would require 7 affirmative votes from City Council to pass the amendment per Section 922.05.G as the Planning Commission implicitly gave a negative recommendation for the 35-year period.

Question: *Can the presentation could be shared?*

Answer: Yes, the presentation is uploaded to the EngagePGH page.

Question: *How are the Inclusionary Zoning affordability requirements monitored by the city to ensure the project is compliant with the affordability period?*

Answer: The applicant is required to submit to the city a recorded deed restriction that notes compliance with the inclusionary zoning standards, or separate documentation if the project is entering into a master lease agreement with an affordable housing provider prior to the issuance of a certificate of occupancy. An Affirmative Fair Housing Marketing Plan is required to be submitted to and approved by the Department of City Planning. The City has guidelines regarding annual monitoring that includes submitting a compliance report consisting of the unit mix, an update on rent and utility allowance increases, and the Inclusionary Marketing Report. Additionally, the property is to provide annual data for all Eligible Households residing in the affordable units. The Department of City Planning has a dedicated staff person whose role includes compliance work with the Inclusionary Zoning requirements.

Question: *If a tenant moves out of an affordable unit, how does the city ensure that unit continues to be an affordable unit? What would happen if it were instead rented as a market-rate unit? What penalties would be enforced and how would the city detect whether it was rented as an affordable unit or a market rate unit?*

Answer: The annual monitoring procedures are intended to detect if the property owner is no longer in compliance with the requirements of the Inclusionary Zoning Overlay District. If it is found that the property owner is no longer in compliance, enforcement would be taken in accordance with the Enforcement and Penalties of Chapter 924 of the Zoning Code. The applicant would receive a notice of non-compliance and given a 30-day corrective period to come into compliance. If non-compliance persists after the 30-day period, the City may take additional enforcement that results in fines or more severe penalties involving the occupancy permit.

The same monitoring and enforcement processes will apply to the optional program.