Drawn

by: _____

Corey Layman, Zoning Administrator

Ordinance amending the Pittsburgh Code, Title Nine: Zoning Code, Article V: Use Regulations, Chapter 911: Primary Uses and Chapter 912 Accessory Uses; and Article VIII, Review and Enforcement, Chapter 922 Development Review Procedures, all to amend Outdoor Retail Sales and Service Primary and Accessory Uses

In accordance with Planning Commission action July 29, 2025

_____

Ordinance amending the Pittsburgh Code, Title Nine: Zoning Code, Article V: Use Regulations, Chapter 911: Primary Uses and Chapter 912 Accessory Uses; and Article VIII, Review and Enforcement, Chapter 922 Development Review Procedures, all to amend Outdoor Retail Sales and Service Primary and Accessory Uses.

Section 1. **The Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Regulations, is hereby amended as follows:**

911.02 Use Table

	Base Zoning Districts																								
Outdoor Retail Sales and Service ~~[Non-Accessory Use]~~ Primary Use-means the sale of goods and services, including food items, situated outdoors on property other than public rights-of-way, **not meeting the definition of an Accessory Use 926.01.** ~~.wherein the sale of goods and services is separate and distinct from the commercial activities being conducted in the existing establishment or property located on the zoning lot or is not consistent with the use specified on the certificate of occupancy for the zoning lot or is being conducted pursuant to a different business identification number from the existing establishment or property~~. **Typical uses include food truck parks, farmers markets, and outdoor flea markets.**	Residential					Mixed Use										Special			DT	RIV					Standard See Section 911.04.x
	R1D	R1A	R2	R3	RM	NDO	LNC	NDI	UNC	HC	GI	UI	UC-MU	UC-E	R-MU	P	H	EMI	GT	RM	MU	NS	GI	IMU	
						P	~~S~~ **P**	**P**	**P**	**P**	**P**	**P**	P	P	~~S~~ **P**	**P**		**P**	**P**		~~A~~ **P**	~~A~~ **P**	~~A~~ **P**	~~A~~ **P**	§ 911.04A.91

Section 2. The Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Regulations, is hereby amended at Chapter 911 Primary Uses as follows:

911.04 Use Standards

A.91 Outdoor Retail Sales and Services (~~Non-Accessory~~ **Primary** Use)

Outdoor Retail Sales and Service (~~Non-Accessory~~ **Primary** Use) shall be subject to the following standards:

~~**(a)** A lot containing outdoor retail sales and service shall not be located within one hundred (100) feet of a lot with a certificate of occupancy for the sale of similar goods and service or an approved vending location selling similar goods and service; and~~

~~**(b)** When applicable to the proposed type of goods and service being sold the applicant must present a letter of compliance from Fire Prevention, Allegheny County Health Department and any other appropriate agency or department; and~~

(a) The applicant shall obtain a license pursuant to Chapter 719, Vendors and Peddlers, if applicable, however the license is not required prior to issuance any required zoning approval;

(b) The applicant shall ~~Must~~ provide and have available sufficient on-site **space** ~~area~~ to accommodate a standing area for customers purchasing or attempting to purchase goods and service without encroaching on the public right-of-way or adjacent property; and

(c) The applicant shall ~~Must~~ provide sufficient trash receptacles for wrappers, containers and other disposable products associated with the sale of goods and service.

Section 3 The Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Regulations, is hereby amended at Chapter 912 Accessory Uses as follows:

912.02 Residential Accessory Uses and Structures

The following accessory uses, activities and structures shall be permitted by-right in Residential and H Districts:

(1) Dumpsters;

(2) Fences, walls and retaining walls, provided that the finished side faces adjacent property;

(3) Gardens;

(4) Garages used exclusively for the parking of non-commercial automobiles, or for the temporary keeping of small pleasure boats with trailer mounts therefore, other wheeled vehicles designed to be drawn by passenger automobiles, normal household paraphernalia and the like;

(5) Carports and off-street parking areas;

(6) Gates and guard houses;

(7) Storm shelter and fallout shelters;

(8) Home occupations, subject to § **912.05**;

(9) Playhouses, patios, cabanas, porches, decks, gazebos and incidental household storage buildings;

(10) Radio and television receiving antennas and support structures, including satellite dishes less than thirty-two (32) inches in diameter;

(11) Swimming pools and other recreational and play facilities for the use of residents;

(12) Solar energy systems;

(13) Extensive Green Roofs as described in § 912.04.I;

(14) Intensive Green Roofs as described in § 912.04.J;

(15) HVAC and similar equipment~~; and~~

(16) Outdoor Retail Sales and Service accessory to Agriculture, Community Center (Limited); Parks and Recreation (Limited); Religious Assembly; School, Elementary or Secondary; and

(17) Other necessary and customary uses determined by the Zoning Administrator to be appropriate, incidental and subordinate to the primary use on the lot.

Section 4 The Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Regulations, is hereby amended at Chapter 912 Accessory Uses as follows:

912.03 Nonresidential Accessory Uses and Structures

The following accessory uses, activities and structures shall be permitted by-right in nonresidential districts:

(1) Dumpsters;

(2) Dwelling units, other than mobile homes, for security or maintenance personnel;

(3) Fences, walls and retaining walls, provided that the finished side faces adjacent property and/or public rights-of-way;

(4) Gates and guard houses;

(5) Cafeterias, dining halls and similar food services when operated primarily for the convenience of employees, residents, clients, or visitors to the primary use;

(6) Gift shops, news stands and similar commercial activities operated primarily for the convenience of employees, residents, clients, or visitors to the primary use;

(7) Parking garages and off-street parking areas;

(8) Radio and television receiving antennas and support structures, including satellite dishes less than thirty-two (32) inches in diameter;

(9) Solar energy systems;

(10) Extensive Green Roofs as described in § 912.04.I;

(11) Intensive Green Roofs as described in § 912.04.J;

(12) HVAC and similar equipment~~; and~~

(13) Outdoor Retail Sales and Services; and

(14) Other necessary and customary uses determined by the Zoning Administrator to be appropriate, incidental and subordinate to the primary use on the lot.

Section 5 The Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Regulations, is hereby amended at Chapter 912 Accessory Uses as follows:

912.06 Outdoor Retail Sales and Services (Accessory Use)

Outdoor retail sales and service means the sale of goods and services, including food items, situated outdoors on property other than public rights-of-way, wherein the sale of goods and services is subordinate ~~and integral~~ to the use specified in the certificate of occupancy ~~and pursuant to the business identification number~~ for the existing establishment or property located on the zoning lot.

A. Standards. (Accessory Use). Outdoor retail sales and service (accessory use) shall be subject to the following standards:

~~(1) When applicable to the proposed type of goods and service being sold the applicant must present a letter of compliance from fire prevention, Allegheny County Health Department and any other appropriate agency or department; and~~

(1) The applicant shall obtain a license pursuant to and follow all requirements outlined in Chapter 719, Vendors and Peddlers if applicable; and

(2) ~~Must provide and have available s~~**Sufficient** on-site **space** ~~area~~ to accommodate a standing area for customers purchasing or attempting to purchase goods and service without encroaching on the public right-of-way or adjacent property **shall be provided**; ~~and~~

(3) ~~Must provide s~~**Sufficient** trash receptacles for wrappers, containers and other disposable products associated with the sale of goods and service **shall be provided**.~~:~~

(4) Operators must meet all of the above standards, even if a Record of Zoning Approval is not required.

Section 6. The Pittsburgh Code, Title Nine, Zoning Code, Article VIII, Review and Enforcement, is hereby amended as follows:

922.02.A Record of Zoning Approval and Certificate of Occupancy

A**.** Applicability.

A Record of Zoning Approval shall be required for all development subject to the regulations of this Code as described in Section 922.02.A.1 whether or not a Certificate of Occupancy shall be required according to Section 922.02.A.2.

A Certificate of Occupancy shall be required for the lawful use or occupancy of all lands, structures or premises, or parts thereof as described in Section 922.02.A.2 whether or not a Record of Zoning Approval shall be required according to Section 922.02.A.1.

1. Record of Zoning Approval. A Record of Zoning Approval shall be required for all Development subject to the regulations of this code, except that the following actions may be exempted from obtaining a Record of Zoning Approval, unless located within a Chapter **906** Environmental Overlay District. Exempted actions still subject to enforcement for compliance with all relevant requirements within this code:

a. Signs no larger than four (4) square feet;

b. Interior renovations that do not result in a change of use in accordance with the use provisions of Chapter **911**;

c. Retaining walls no taller than four (4) feet;

d. Prefabricated swimming pools accessory to a Single-Unit Residential or Two-Unit Residential dwelling that are less than twenty-four (24) inches deep;

e. One (1) story, detached accessory structures used as storage sheds, or similar unoccupied structures, provided the floor area does not exceed one hundred twenty (120) square feet in area, accessory to a Single-Unit Residential or Two-Unit Residential dwelling;

f. Swings and other playground equipment accessory to a Single-Unit Residential or Two-Unit Residential dwelling; and

g. Accessory in-home Child Care for 3 or few children where the home is the primary residence of the Child Care provider.

h. Outdoor Retail Sales & Services as an Accessory Use if no sales are made to the general public.

i. Outdoor Retail Sales & Services as a Primary or Accessory Use if all the following are met:

i) The Use is not located in a Residential Zoning District or located such that Residential Compatibility Standards apply and;

ii) No permanent structures, site features, or vehicles related to the Use remain when the Outdoor Retail Sales and Service Use is not occurring and;

iii) If a Primary Use, there is another Primary Use on the Zoning Lot.