

Ordinance amending and supplementing the Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Table, Section 911.02, and Use Regulations, Section 911.04.A.2 to expand the Agricultural Use Zoning Classification into two categories, and to add additional standards and procedures; and supplementing Chapter 912, Accessory Uses and Structures, by adding a new subsection to permit Urban Agriculture as an accessory use.

Be it resolved that the Council of the City of Pittsburgh hereby enacts as follows:

Section 1. The Pittsburgh Code, Title Nine, Zoning Code, Article V, Chapter 911, Use Regulations, is hereby amended at Section 911.02, Use Table, as follows:

911.02 Use Table

Use Classification The Pittsburgh Urban Zoning Code P = Permitted by Right A = Administrators Exception S = Special Exception C = Conditional Use	Base Zoning Districts*															Standard See Section 911.04.x		
	Residential					Mixed-Uses					Special			DT				
* As Base Zoning District Regulations, all uses may be subject to additional regulations imposed by applicable Overlay Zoning Districts.	R 1 D	R 1 A	R 2	R 3	R M	N D C	L N C	N D I	U N C	H C	G I	U I	P O	H	E M I	G T	D R	
Agriculture [Use (General)] means the growing of crops and raising of livestock and domestic small farm animals for domestic and commercial uses. <u>The minimum lot size required is three (3) acres.</u>	[A] S	[A] S	[A] S	[A] S	[A] S						S	[A] S	S	S				A.2 (a)
Agriculture (Limited) means the growing of crops and raising honey bees for domestic and commercial uses. <u>No minimum lot size required.</u>	A	A	A	A	A						A	A	A	A				A.2 (b)

Section 2. The Pittsburgh Code, Title Nine, Zoning Code, Article V, Chapter 911, Use Regulations, is hereby amended at Section 911.04.A.2, as follows:

911.04.A.2(a) Agriculture [Uses] (General)

Agriculture [Uses] (General) shall be subject to the following standards:

- (1) The site shall be at least three (3) [five (5)] acres in size;
- (2) No structure, including beehives, chicken coops, or any similar accessory structures, except a dwelling unit shall be located within fifty (50) feet of any lot line;
- (3) The sale of non-mechanical agricultural and farm products [nursery stock and poultry] that are grown, used, produced on-site, or are part of an affiliated Community Supported Agriculture program shall be permitted [only if produced or raised on the premises], and shall comply with the standards of Section 912.06, Outdoor Retail Sales and Service (Accessory Use);
- (4) Killing or dressing of animals raised on the premises shall be permitted if conducted entirely within an enclosed building;
- (5) The keeping of poultry birds, livestock, and domestic small farm animals shall be permitted within a securely fenced and enclosed area only where there is also a residential use of the property;
- (6) All seed, fertilizer, and animal feed shall be stored in a sealed, rodent-proof container and housed within an enclosed structure; and
- (7) All applications shall be in compliance with Environmental Overlay District regulations of Chapter 906.

911.04.A.2(b) Agriculture (Limited)

Agriculture (Limited) shall be subject to the following standards:

- (1) No dwelling shall be demolished for the sole purpose of Agriculture (Limited) unless it is condemned or deemed unlivable by the City of Pittsburgh;
- (2) The sale of non-mechanical agricultural and farm products that are grown, used, produced on-site, or are part of an affiliated Community Supported Agriculture program shall be permitted, and shall comply with the standards of Section 912.06, Outdoor Retail Sales and Service (Accessory Use);
- (3) Killing or dressing of any animal is prohibited;
- (4) The keeping of poultry birds, livestock, and domestic small farm animals is not permitted;
- (5) For property with a minimum of two-thousand (2,000) square feet in size, the property owner is permitted to keep two (2) beehives. For every additional two-thousand (2,000) square feet of property, the owner is permitted two (2) additional beehive;;
- (6) All structures necessary for and related to the housing of honeybees shall be subject to any required setbacks of the underlying zoning district, but shall in all cases be a minimum of ten (10) feet from any property line;
- (7) Ground mounted beehives shall be located no higher than six (6) feet from grade;
- (8) Ground mounted beehives shall be permitted in side and rear yards, and shall be provided an enclosed barrier along the property line six (6) feet in height

consisting of a solid fence, dense vegetation or combination thereof, and in cases where there is ample yard-area, a flyway may be substituted for perimeter barriers, consisting of six (6) foot high barriers on both sides of the bee colony, creating a channel extending twenty (20) feet in each direction beyond each bee colony entrance;

- (9) All seed, fertilizer, and animal feed shall be stored in a sealed, rodent-proof container and housed within an enclosed structure; and
- (10) All applications shall be subject to the Environmental Overlay District regulations of Chapter 906.

Section 3. The Pittsburgh Code, Title Nine, Zoning Code, Article V, Chapter 912, Accessory Uses and Structures, is hereby supplemented by adding Section 912.07 as follows:

912.07 Urban Agriculture (Accessory Use)

The Urban Agriculture standards of this section are intended to permit the growing and off-site selling of legal agricultural products on properties throughout the City of Pittsburgh, and shall authorize the Zoning Administrator to consider and approve applications for *Urban Agriculture (Accessory Use) With Animals* as a Special Exception in accordance with the provisions of Section 922.07. The property owner need not apply for any type of permit if the sole intent of growing crops is for personal/non-commercial use.

912.07.A Urban Agriculture (Accessory Use) With No Animals

Urban Agriculture (Accessory Use) applications which do not include the housing of poultry birds and honeybees shall be subject to the following standards:

- (1) The sale of non-mechanical agricultural and farm products that are grown, used, produced on-site, or are part of an affiliated Community Supported Agriculture program shall be permitted only in non-residential districts, and shall comply with the standards of Section 912.06, Outdoor Retail Sales and Service (Accessory Use);
- (2) All seed, and fertilizer, shall be stored in a sealed, rodent-proof container and housed within an enclosed structure;
- (3) All applications shall be subject to the Environmental Overlay District regulations of Chapter 906;
- (4) All applications shall include a detailed plot plan with scaled representation of all proposed structures and uses; and
- (5) Signage shall not be permitted.

912.07.B Urban Agriculture (Accessory Use) With Animals

Urban Agriculture (Accessory Use) applications for the housing of poultry birds and honeybees shall be authorized as a Special Exception, in accordance with Section 922.07, and shall be subject to the following standards:

- (1) The sale of non-mechanical agricultural and farm products that are grown, used, produced on-site, or are part of an affiliated Community Supported Agriculture program shall be permitted only in non-residential districts, and shall comply with the standards of Section 912.06, Outdoor Retail Sales and Service (Accessory Use);
- (2) All applications shall be subject to the Environmental Overlay District regulations of Chapter 906;
- (3) All applications shall include a detailed plot plan with scaled representation of all proposed structures and uses;
- (4) Signage shall not be permitted;
- (5) All seed, fertilizer, and animal feed shall be stored in a sealed, rodent-proof container and housed within an enclosed structure;
- (6) All structures related to the housing of poultry birds shall be at least 6 Sq. Ft. in size and a minimum of 2 Sq. Ft. per additional poultry bird;
- (7) Roosters are not permitted;
- (8) For property with a minimum of two-thousand (2,000) square feet in size, the property owner is permitted three (3) poultry birds. For every additional one-thousand (1,000) square feet of property, the owner is permitted one (1) additional poultry bird;
- (9) For property with a minimum of two-thousand (2,000) square feet in size, the property owner is permitted to keep two (2) beehives. For every additional two-thousand (2,000) square feet of property, the owner is permitted two (2) additional beehive;
- (10) All structures necessary for and related to the housing of honeybees shall be subject to any required setbacks of the underlying zoning district, and shall otherwise be set back at least ten (10) feet from any property line;
- (11) Ground mounted beehives shall be located no higher than six (6) feet from grade;
- (12) Ground mounted beehives shall be permitted in side and rear yards, and shall be provided an enclosed barrier along the property line six (6) feet in height consisting of a solid fence, dense vegetation or combination thereof, and in cases where there is ample yard-area, a flyway may be substituted for perimeter barriers, consisting of six (6) foot high barriers on both sides of the bee colony, creating a channel extending twenty (20) feet in each direction beyond each bee colony entrance;
- (13) Roof mounted beehives shall be located on primary and accessory structures no lower than ten (10) feet from grade and shall not be within the required setback;
- (14) Outdoor roaming areas for poultry birds shall be sufficiently enclosed and screened from the street and neighboring properties to protect them from vehicular traffic, and to minimize external impacts of the outdoor roaming areas; and
- (15) The keeping of poultry birds or honeybees shall be permitted only where there is an occupied residence.