

Bill No. 1319
Introduced: July 15, 2024
Advertised: Oct 31 & Nov 7, 2024
Adopted By Council: DECEMBER 9, 2024
Signed By Mayor: DECEMBER 10, 2024

THE BOROUGH OF BRENTWOOD

MUNICIPAL BUILDING – 3735 BROWNSVILLE ROAD
PITTSBURGH, PA 15227-
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ORDINANCE NO. 2024-1320

AN ORDINANCE OF THE BOROUGH OF BRENTWOOD, COUNTY OF ALLEGHENY AND COMMONWEALTH OF PENNSYLVANIA, AMENDING, IN LIMITED PART, CHAPTER 210 OF THE BRENTWOOD BOROUGH CODE, TO ADD A DEFINITION FOR MIXED USE APARTMENT BUILDING AND TO AUTHORIZE SUCH USE A CONDITIONAL USE IN THE MIXED-USE NEIGHBORHOOD AND COMMERCIAL REDEVELOPMENT ZONING DISTRICTS.

WHEREAS, the Borough of Brentwood is a municipal corporation organized and existing under the laws of the Commonwealth of Pennsylvania and the Borough Code; and

WHEREAS, the Borough of Brentwood seeks to amend its Zoning Ordinance in accordance with the provisions of Section 609 of the Municipalities Planning Code; and

WHEREAS, the Planning Commission of the Borough of Brentwood reviewed the proposed amendments at its November 20, 2024 meeting; and

WHEREAS, citizens' comments regarding the proposed text amendments were heard a public hearing held on December 9, 2024; and

WHEREAS, all other procedural requirements associated with the proposed Zoning Ordinance amendment have been satisfied consistent with relevant law.

NOW THEREFORE, it is hereby Enacted and Ordained by the Council for the Borough of Brentwood, that:

PART I

Chapter 210, Section 9 of the Code of the Borough of Brentwood is hereby amended in limited part. Text marked in ***bold italics*** is hereby added to the section in alphabetical order.

MIXED USE APARTMENT BUILDING: A structure containing one or more independent residential dwelling units and one or more permitted non-residential uses, and with such residential and non-residential uses located on separate floors.

PART II

Chapter 210, Section 21 of the Code of the Borough of Brentwood is hereby amended in limited part. Specifically, "Table 4- Bulk and Area Regulations: MUN Zoning District" shall be restated in its entirety to read as follows:

Use Type	Minimum Lot Area Per Dwelling Unit (square feet)	Minimum Lot Width Per Unit (feet)	Height (maximum) (feet)	Front Building Line (minimum) (feet)	Side Building Line (minimum) (feet) ¹	Rear Building Line (minimum) (feet)	Lot Coverage (maximum)
Single-family	5000	50	40	10 from curb line	5	10	90
Conversion dwelling	2500	25	40	10 from curb line	5	10	90
Duplex	2200	25	40	10 from curb line	5	10	90
Townhouse	2200	20	40	10 from curb line	5	10	90
Quadruplex	2500	75	40	10 from curb line	5	10	90
Multifamily	1000	20	Variable ²	10 from curb line	5	10	90
Mixed-Use Apartment Building	1000	20	Variable ²	10 from curb line	5	10	90
All others	5000	40	Variable ²	10 from curb line	5	10	90

¹ No minimum side building line required in buildings that share a common wall along the shared wall.

² A maximum height of 40 feet shall apply to all lots with an area of 0.5 acres or less. A maximum height of 60 feet shall apply to lots with an area of greater than 0.5 acres.

PART III

Chapter 210, Section 26 of the Code of the Borough of Brentwood is hereby amended in limited part. Specifically, the "Residential" portion of the "Table 8- Table Authorized Principal Use" shall be restated in its entirety to read as follows:

Use	R-1	R-2	R-3	P	MUN	CRD	I
Conversion dwelling		CU	CU		CU		
Duplex		R	R		R		
Group home	R	R	R		R		
Manufactured house, residential design	R	R	R				

Mobile home park							CU
Mixed-use apartment building					CU	CU	
Multifamily dwelling			R		CU	CU	
Quadruplex			R		CU		
Single-family	R	R	R		R		
Townhouses		R	R		R		

PART IV

Chapter 210, Section 53 of the Code of the Borough of Brentwood is hereby amended in limited part. Specifically, "Table 11 - Parking Ratios" shall be amended in limited part as follows. Text marked in ***bold italics*** is hereby added to the section in alphabetical order.

Land Use/Activity	Minimum Vehicle Spaces
<i>Mixed-use apartment building</i>	<i>1.2 per dwelling unit, exclusive of separate parking requirements for non-residential uses within the structure.</i>

PART V

Chapter 210, Section 35 of the Code of the Borough of Brentwood is hereby amended in limited part to add new Subsection DD "Mixed-use apartment buildings," which shall read as follows:

DD. Mixed use apartment buildings

1. In the MUN Zoning District, no residential units may be located on the ground floor.
2. No commercial uses may be located on a third or higher floor.
3. Either residential units or professional offices may be located on the second floor, but a combination of such uses shall be prohibited.
4. The residential units shall be accessed by a distinct and separate entrance from the commercial uses.
5. The front facade shall utilize architectural details to provide a clear visual distinction between the residential and commercial portions of the structure.
6. Structures in excess of 40 feet in width shall be visually divided into smaller increments through articulation of the facade.
7. Lighting for commercial uses shall be appropriately shielded to avoid or mitigate negative impacts on the residential units.

8. Commercial loading areas shall be located as far as practically feasible from the residential units and shall be screened from view from the residential portion of the structure to the extent feasible.
9. Commercial uses within a mixed-use structure shall limit operations to the hours of 7:00AM to 11:00PM.

PART VI: REPEALER

All ordinances or parts of ordinances in conflict with the terms of this Ordinance are repealed and rescinded to the extent that such conflict exists.

PART VII: SEVERABILITY

If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion thereof.

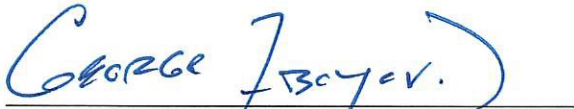
PART VIII: EFFECTIVE DATE

This Ordinance shall become effective immediately upon enactment by Borough Council.

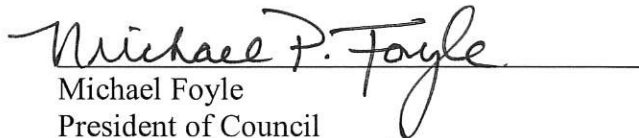
ORDAINED AND ENACTED THIS 9th DAY OF DECEMBER, 2024, BY THE BOROUGH COUNCIL OF THE BOROUGH OF BRENTWOOD.

ATTEST:

BOROUGH OF BRENTWOOD

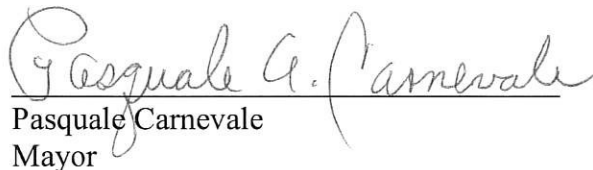


George Zboyovsky, PE, ICMA-CM
Borough Manager



Michael Foyle
President of Council

EXAMINED AND APPROVED BY ME THIS 10th DAY OF 2024
2024.



Pasquale Carnevale
Mayor

C E R T I F I C A T E

I, the undersigned, a Designated Officer of the named Local Government Unit, hereby certify that the foregoing and attached is a true copy of an Ordinance which was duly adopted by the affirmative vote of a majority of all the members of the Governing Body thereof at a meeting held on the date of the execution thereof; that due notice of such meeting was given and the meeting was at all times open to the public; that such Ordinance was duly recorded; that this Ordinance is still in full force and effect as of the date hereof; that the vote upon said Ordinance was called and duly recorded upon the minutes of the Governing Body; and that the members of the Governing Body voted in the manner following:

Name	Yes	No	Abstain	Absent
Michael Foyle	<u>X</u>	_____	_____	_____
Melissa Lenigan	<u>X</u>	_____	_____	_____
Robert Pasquantonio	<u>X</u>	_____	_____	_____
Richard Schubert	<u>X</u>	_____	_____	_____
Harold Smith	<u>X</u>	_____	_____	_____
Stephen Thomas	<u>X</u>	_____	_____	_____
Erin Troup	_____	_____	_____	<u>X</u>

WITNESS my hand and seal of the Local Government Unit this 9th day of December, 2024.

BOROUGH OF BRENTWOOD


George Zboyovsky, PE, ICMA-CM
Borough Manager