

[AVALON, BELLEVUE, BEN AVON] BOROUGH
ORDINANCE No. 18-05

AN ORDINANCE AMENDING THE AVALON, BELLEVUE & BEN AVON JOINT ZONING ORDINANCE TO PROVIDE THAT SHORT TERM RENTALS SHALL BE AVAILABLE USES IN AND ONLY IN CERTAIN DESIGNATED ZONING DISTRICTS, AND ESTABLISHING CERTAIN OTHER REQUIREMENTS PERTAINING TO SUCH USES

WHEREAS, the Avalon, Bellevue & Ben Avon Joint Planning Commission recognizes the emergence of Short Term Rentals within the Tri-Borough communities; and

WHEREAS, the Avalon, Bellevue & Ben Avon Joint Planning Commission has recommended that the Short Term Rental use be available in and only in the R-L (Low Density Residential), R-M (Moderate Density Residential), and R-H (High Density Residential) Districts; and

WHEREAS, The Councils of the Boroughs of Avalon, Bellevue and Ben Avon did hold a public hearing on the 27th day of December, 2018, after giving due public notice; and

WHEREAS, the Allegheny County Department of Economic Development has been duly informed of the proposed amendment.

NOW, THEREFORE BE IT ORDAINED by the Council of the Borough of [Avalon, Bellevue or Ben Avon], pursuant to the authority conferred by 1984 Pa. Laws 164, codified at 74 Pa. Cons. Stat. §§ 5912, *et seq.*, and the Pennsylvania Municipalities Planning Code, that the Joint Zoning Ordinance be amended as follows:

- I. Article III, Definitions, §2000-300(B), Definitions, is revised by adding the following defined term:

Short Term Rental – A dwelling in which the owner rents any area of the dwelling to one (or more) individuals for compensation or fee, including offer of exchange in kind, of any type (whether or not involving overnight accommodations or separate sleeping quarters) for less than thirty (30) consecutive days. This definition applies to all types of residential dwellings including (but not limited to) single family residential, multi-family residential, and residential properties commonly considered

as seasonal homes, vacation homes, or tourist homes. The use shall comply with the performance standards of §2000-900 of the Avalon-Bellevue-Ben Avon Joint Zoning Ordinance.

II. Article IV, District Regulations, § 2000-405, Land Uses, is revised to:

A. Add the following uses to Table 1: Land Use Table, under the Non-residential Land Use category:

	Land Use	R-L	R-M	R-H	MU	C-NC	C-HC	C-BE	C-MW	C-OS	T
[#]	Short Term Rental	S	S	S							

III. Article VI, Uses by Special Exception, §2000-632, "Home Based Business, other" is revised to add the following subsection to paragraph (M):

(10) Short Term Rentals.

IV. Article VI, Short Term Rentals, §2000-661, Short Term rentals shall be a permitted special exception.

- A. Short Term Rentals shall be carried on wholly within the principal or accessory structures.
- B. Exterior displays or signs other than those permitted in Article X of this Ordinance, exterior storage of material and exterior indication of the Short Term Rental or variation from the residential character of the principal structure shall not be permitted.
- C. Objectionable noise, vibration, smoke, dust, electrical disturbance, odors, heat, or glare shall not be produced. The use shall comply with the performance standards of §900 of this Ordinance.
- D. The use shall not significantly intensify vehicular or pedestrian traffic, which is normal for the residences in the neighborhood.
- E. The use shall not require internal or external alterations or construction features which are not customary to a dwelling or which change the fire rating of a structure.
- F. There shall be no use of materials or equipment except that of similar power and type normally used in a residential dwelling for domestic or household purposes.
- G. The use shall not cause an increase in the use of water, sewage, garbage, public safety or any other municipal services beyond that which is normal for the residences in the neighborhood.
- H. The use shall not cause a negative impact on lot values in the immediate neighborhood.

I. The Short Term Rental shall not involve the use of commercial vehicles for regular delivery of materials to or from the premises, and commercial vehicles shall not be permitted to be parked on the premises.

V. Article VIII, Parking and Loading, § 2000-800, Off-Street Parking Requirements, is revised to add the following uses and parking requirements to the Parking and Loading Requirements Table set forth in Subsection (E):

Short Term Rental	1 space for each guest room or 1 space per every 2 guests if more than 2 guests per guest room	N/A
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VI. Repeal. Any ordinance or part of any ordinance conflicting with this Ordinance is repealed to the extent of such conflict.

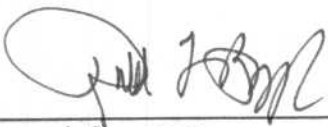
VII. Severability. It is intended that the provisions in this Ordinance are severable, and if any provisions are held or declared illegal, invalid or unconstitutional by a court of competent jurisdiction, the decision shall not affect or impair any of the remaining sections.

VIII. Effective Date. This Ordinance shall be effective upon recordation in the Borough ordinance book, or upon the thirtieth day after passage by the Council, whichever comes first, provided further, the foregoing notwithstanding, that this Ordinance will not be effective until such time as it has also been approved by all of the Boroughs participating in the Joint Zoning Ordinance.

DULY ORDAINED AND ENACTED at a public meeting of the Council of the Borough of [Avalon, Bellevue, Ben Avon], this 27th day of December 2018.

ATTEST:

BOROUGH OF [AVALON, BELLEVUE, BEN AVON]



Borough Secretary

By: 

Council President

APPROVED:



Mayor

12/27/18
Date

