

**HOME RULE BOROUGH OF EDINBORO ORDINANCE  
NO. 628**

**AN ORDINANCE AMENDING CHAPTER 27 OF THE EDINBORO BOROUGH, PERTAINING TO ZONING, AMENDING SECTION 202, ENTITLED “SPECIFIC TERMS”, TO ADD A DEFINITION OF THE TERMS “SHORT-TERM RENTAL”; AMENDING SECTION 306, ENTITLED “PERMITTED USES, CONDITIONAL USES AND SPECIAL EXCEPTIONS,” TO PERMIT THE USE OF SHORT-TERM RENTALS AS PERMITTED USES IN THE R-3 LAKESIDE RESIDENTIAL, THE RLB- RESIDENTIAL LIMITED USE, THE R-4 MULTI-FAMILY RESIDENTIAL T, THE C-1 DOWNTOWN BUSINESS DISTRICT, THE C-2 PERIPHERY BUSINESS DISTRICT, AND THE R-2 SINGLE-FAMILY AND LIMITED MULTI-FAMILY RESIDENTIAL DISTRICT; PROVIDING FOR NONCONFORMING USE; AND PROVIDING FOR SEVERABILITY, A REPEALER, DIRECTIONS TO THE BOROUGH MANAGER AND AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Edinboro Borough Ordinance No. 585, adopted on or about September 12, 2011, the Borough of Edinboro codified its Ordinances, including Ordinance No. 457, adopted on or about January 31, 1994, and amended from time to time, known as the Zoning Ordinance of the Borough of Edinboro (the “Zoning Ordinance”); and

**WHEREAS**, the Borough has the power and duty to enact ordinances that promote the health, safety, and general welfare of the residents and visitors, including zoning ordinances; and

**WHEREAS**, the Edinboro Borough Council further recognizes the emergence of short-term rentals of residential dwellings, including but not limited to those accessed through booking websites such as AirBnB and VRBO as a new accommodation option for travelers, tourists, and short-term transient tenants; and

**WHEREAS**, the Borough Council has determined that it is necessary to amend the Zoning Ordinance to account for the use of short-term rentals in the various Zoning districts within the Borough and further allow for proper permitting thereof.

**NOW THEREFORE**, this 10<sup>th</sup> day of June, 2024, the Edinboro Borough Council hereby ordains and enacts the following:

**Section 1.** That § 202 of Part 2 the Zoning Ordinance, entitled “Specific Terms”, is hereby amended by inserting new definitions in the proper alphabetical order as follows:

**SHORT-TERM RENTAL**

An establishment in which the owner rents any area of the establishment to one, or more, individuals for compensation, rent or fee, including offer or exchange in kind, of any type, whether or not involving overnight accommodations or separate sleeping quarters, for a period of time which is primarily less than thirty (30) consecutive days. The term shall not include a hotel, motel, bed-and-breakfast, inn, boarding or rooming house, group home, or regulated rental unit (as defined by section 415 of the Borough Zoning Ordinance), when the property owner or representative is present on-site at the property on a twenty-four hour per day basis.

**Section 2.** That Table 27-306-1 of § 306 of Part 3 of the Zoning Ordinance, entitled “Permitted Uses, Conditional Uses and Special Exceptions”, is hereby amended through the inclusion of Short-Term Rentals as a Permitted Use in the R-3 Lakeside Residential District, the RLB- Residential Limited Use District, the R-4 Multi-Family Residential District, the C-1 Downtown Business District, the C-2 Periphery Business District, and the R-2 Single-Family and Limited Multi-Family Residential District, as shown through the insertion of the underlined language as follows:

<b>Table 27-306-1</b>		
<b>Zoning Districts</b>		
<b>Permitted Uses, Conditional Uses and Special Exceptions</b>		
<b>R-2 Single-Family and Limited Multi-family Residential District</b>		
<b>Permitted Uses</b>	<b>Conditional Uses</b>	<b>Special Exceptions</b>
Single-Family Dwellings	Schools (§ <u>27-308</u> , Subsection <u>1A</u> )	Churches (§ <u>27-308</u> , Subsection <u>1A</u> )
Two-Family Dwellings		Public Utility Substations (§ <u>27-308</u> , Subsection <u>1B</u> )
Accessory Uses		Family Day Care Homes (§ <u>27-308</u> , Subsection <u>1R</u> )
Public Parks and Playgrounds		Rooming/Boarding Houses (§ <u>27-308</u> , Subsection <u>1E</u> )
Accessory Buildings		Home Occupations (§ <u>27-308</u> , Subsection <u>1O</u> )
Essential Services		Bed and Breakfast (§ <u>27-308</u> , Subsection <u>1T</u> )
Planned Residential Development (Part 8)		Conversion Dwellings (§ <u>27-308</u> , Subsection <u>1Y</u> )

**Table 27-306-1  
Zoning Districts**

**Permitted Uses, Conditional Uses and Special Exceptions**

**R-2 Single-Family and Limited Multi-family Residential District**

<b>Permitted Uses</b>	<b>Conditional Uses</b>	<b>Special Exceptions</b>
Forestry Activities		
No-Impact Home-Based Business (§ <u>27-308</u> , Subsection <u>1CC</u> )		
<u>Short-Term Rental</u>		

**R-3 Lakeside Residential District**

<b>Permitted Uses</b>	<b>Conditional Uses</b>	<b>Special Exceptions</b>
Single-Family Dwellings		Public Utility Stations (§ 308, Subsection 1B)
Public Parks and Playgrounds		Nursery Schools (§ 308, Subsection 1G)
Two-Family Dwellings		Boat Rental and Repair (§ 308, Subsection 1F)
Accessory Uses		Home Occupations (§ 308, Subsection 1O)
Accessory Buildings		Bed and Breakfast (§ 308, Subsection 1T)
Essential Services		
No Impact Home-Based Business (§ <u>27-308</u> , Subsection 1CC)		
Forestry Activities		
<u>Short-Term Rental</u>		

**R-4 Multi-Family Residential District**

<b>Permitted Uses</b>	<b>Conditional Uses</b>	<b>Special Exceptions</b>
Single-Family Dwellings	Schools (§ <u>27-308</u> , Subsection 1A)	Nursery Schools (§ <u>27-308</u> , Subsection 1G)
Two-Family Dwellings	Mobile Home Parks (§ <u>27-308</u> , Subsection 1N)	Churches (§ <u>27-308</u> , Subsection 1A)

Multi-family Dwellings	Public Utility Stations (§ <u>27-308</u> , Subsection 1B)
Rooming/Boarding Houses	Family Day Care Homes (§ <u>27-308</u> , Subsection 1R)
Accessory Uses	Group Day Care Homes (§ <u>27-308</u> , Subsection 1R)
Accessory Buildings	Bed and Breakfast (§ <u>27-308</u> , Subsection 1T)
Essential Services	Home Occupations (§ <u>27-308</u> , Subsection 1O)
Individual Mobile Homes (§ <u>27-414</u> )	Personal Care Boarding Homes for Adults, Group Homes and Adult Day Care (§ <u>27-308</u> , Subsection 1R)
No-Impact Home-Based Business (§ <u>27-308</u> , Subsection 1CC)	Dormitories (§ <u>27-308</u> , Subsection 1BB)
Forestry Activities	Fraternity and Sorority Houses (§ <u>27-308</u> , Subsection 1BB)
<u>Short-Term Rental</u>	

**RLB — Residential Limited Use District**

<b>Permitted Uses</b>	<b>Conditional Uses</b>	<b>Special Exceptions</b>
Single-Family Dwellings		Funeral Homes (§ <u>27-308</u> , Subsection 1H)
Two-Family Dwellings		Churches (§ <u>27-308</u> , Subsection 1A)
Essential Services		Nursing Homes (§ <u>27-308</u> , Subsection 1A)
Accessory Uses		Professional Offices (§ <u>27-308</u> , Subsection 1D)
Accessory Buildings		Day Care Facilities (§ <u>27-308</u> , Subsection 1S)

No Impact Home-Based  
Business (§ 27-308,  
Subsection 1CC)

Forestry Activities

Short-Term Rental

Medical and Dental Clinics  
(§ 27-308, Subsection 1D)

Public Utility Substations (§ 27-308, Subsection 1B)

Personal Care Boarding Homes  
for Adults, Group Homes and  
Adult Day Care (§ 27-308,  
Subsection 1R)

Bed and Breakfast (§ 27-308,  
Subsection 1T)

Home Occupations (§ 27-308,  
Subsection 1O)

Conversion Dwellings (§ 27-308,  
Subsection 1Y)

### **C-1 Downtown Business District**

#### **Permitted Uses**

Retail Business

Professional Services

Eating and Drinking  
Places (Not Drive-  
Through)

Theaters

Accessory Uses

Essential Services

Accessory Buildings

Dog Grooming

Home Occupations

Banks and Financial  
Institutions

#### **Conditional Uses**

Shopping Centers  
(§ 27-308, Subsection  
1U)

Bottle Clubs (§ 27-308,  
Subsection 1AA)

#### **Special Exceptions**

Gasoline Service Stations (§ 27-308, Subsection 1Q)

Public Utility Substations (§ 27-308, Subsection 1B)

Residence on an Upper Story  
(§ 27-308, Subsection 1P)

Automotive Service (§ 27-308,  
Subsection 1Q)

Car Wash (§ 27-308, Subsection  
1I)

Eating and Drinking Places-  
Drive-Through (§ 27-308,  
Subsection 1W)

### **C-1 Downtown Business District**

#### **Permitted Uses**

Recreational Facilities

Short-Term Rental

#### **Conditional Uses**

#### **Special Exceptions**

### **C-2 Periphery Business District**

#### **Permitted Uses**

Retail Business

Professional Services

Eating and Drinking  
Places (Not Drive-  
Through)

Theaters

Accessory Uses

Accessory Buildings

Essential Services

Dog Grooming

Home Occupations

Banks and Financial  
Institutions

Recreational Facilities

Short-Term Rental

#### **Conditional Uses**

Shopping Centers  
(§ 27-308, Subsection  
1U)

Bottle Clubs (§ 27-308,  
Subsection 1AA)

Public Utility Substations (§ 27-308,  
Subsection 1B)

Multi-family Dwellings (§ 27-308,  
Subsection 1J)

Automotive Service (§ 27-308,  
Subsection 1Q)

Car Wash (§ 27-308, Subsection  
1I)

Eating and Drinking Places —  
Drive-Through (§ 27-308,  
Subsection 1W)

#### **Special Exceptions**

Gasoline Service Stations (§ 27-308,  
Subsection 1Q)

Public Utility Substations (§ 27-308,  
Subsection 1B)

Multi-family Dwellings (§ 27-308,  
Subsection 1J)

Automotive Service (§ 27-308,  
Subsection 1Q)

Car Wash (§ 27-308, Subsection  
1I)

Eating and Drinking Places —  
Drive-Through (§ 27-308,  
Subsection 1W)

**Section 3. Nonconforming Use.**

Short Term Rentals that were, as of January 1, 2024, licensed as Regulated Rental Units under Part 2, Subpart I, of Chapter 5 of the Edinboro Borough Code, have been operating as a Short Term Rental prior to January 1, 2024, registered as such with the Borough, and which are located in zoning districts that do not permit Short Term Rentals, shall be considered a nonconforming use in accordance with Part 4 of Chapter 27 of the Edinboro Borough Code.

**Section 4. Repealer**

Any ordinances, rules or resolutions, or parts of ordinances, rules, or resolutions, in conflict herewith shall be, and the same are hereby repealed.

**Section 5. Severability**

The provisions of this Ordinance are severable. If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Borough Council that this ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

**Section 6. Directions to Borough Manager**

The Borough Manager is hereby directed to affix the Borough Seal upon this Ordinance, insert the date of enactment upon the same, record the ordinance in the Borough Ordinance Book and take all such actions as are required by the Home Rule Charter of the Borough and to amend the Borough Code as may be necessary.

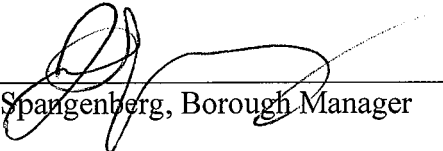
**Section 7. Effective Date.**


This Ordinance shall be effective on the tenth (10th) day following the enactment of this Ordinance, as indicated below.

ORDAINED AND ENACTED by the BOROUGH COUNCIL OF THE HOME RULE BOROUGH OF EDINBORO on the date first indicated above.

ATTEST:

BOROUGH OF EDINBORO

  
\_\_\_\_\_  
Jason Spangenberg, Borough Manager

  
\_\_\_\_\_  
Aaron Gast, Mayor

**CERTIFICATION**

I hereby certify that the above is a true copy of the Borough of Edinboro Ordinance No. 628 adopted by a roll call vote signifying the majority vote of the members present of the Borough Council of the Borough of Edinboro on June 10, 2024, the same being advertised in the Meadville Tribune and recorded in the Borough Ordinance Book.

  
Secretary Jason Spangenberg