



BOROUGH OF AVALON

ALLEGHENY COUNTY, PA



HOW TO: SHORT-TERM RENTALS IN THE BOROUGH OF AVALON CHECKLIST, PROCESS, AND APPLICATION



Note: This packet is a guide. See the attached Avalon Borough Ordinances for specific details.

JUNE 2025

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What is the Purpose of this Packet?

Interested in operating a short-term rental in Avalon Borough? Great! BUT, before getting started, there's a few things you should know. Luckily for you, this packet will walk you through the process.

Zoning is an important part of maintaining a happy, healthy community, but it is often extensive and riddled with jargon, making it difficult to know what you can and cannot do.

Due to the rise of short-term rental companies like Airbnb, in 2019, Avalon Borough amended its zoning ordinance to include short-term rental usage (Ordinance No. 1387).

The purpose of the rules regarding short-term rentals outlined in this ordinance are as follows:

- Preserve neighborhood character
- Ensure the safety of the community
- Prevent parking problems
- Balancing the well-being of neighbors and guests

According to Ordinance No. 1387, short-term rentals are a permitted use by special exception. This requirement is explored in the "How to: Short-Term Rentals in Avalon" section, but it requires you to present an application to the Zoning Hearing Board. You **MUST** obtain approval from the Zoning Hearing Board prior to listing your short-term rental on sites such as Airbnb or VRBO.

Explore each of the following sections to learn about Ordinance No. 1387, Special Exception Procedures of Approval, and the application.

On behalf of Avalon Borough, thank you for your interest in operating a short-term rental unit and your compliance with our Borough's rules, regulations, and procedures.

How to: Short-Term Rentals in Avalon

This section provides background information on the rules regarding Short-Term Rentals in the Avalon Borough as well as checklists to guide you through the process.

Avalon Borough Ordinance No. 1387 (Short Term rentals)

Definition for Short Term Rentals:

“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.”

Step 1:

Use this checklist to determine if your rental is a Short-Term Rental:

- Am I the owner renting out part of my dwelling?
 - ☐ Yes
 - ☐ No
- Am I receiving any form of payment or exchange for the rental?
 - ☐ Yes (This includes money, fees, or trading services/goods, whether or not guests stay overnight or have separate rooms.)
 - ☐ No
- Is the rental period less than 30 days consecutively?
 - ☐ Yes
 - ☐ No
- Is my property a residential dwelling (e.g., single-family, duplex, apartment, vacation home)?
 - ☐ Yes
 - ☐ No

If you answered "Yes" to all of the above, your rental is considered a Short-Term Rental under the ordinance.

Step 2:

Use this checklist to determine if your Short-Term Rental complies with Article VI, Short Term Rentals, §2000-661, Short Term rentals shall be a permitted special exception.

- My Short-Term Rental will only exist in the main or accessory structures
 - ☐ Yes
 - ☐ No
- My Short-Term Rental will not have signs or exterior displays (advertising it as a Short-Term Rental)
 - ☐ Yes (it *will not* have signs)
 - ☐ No (it will have signs)
- My Short-Term Rental will not result in objectionable noise, vibration, smoke, dust, electrical disturbance, odors, heat, or glare
 - ☐ Yes (it *will not* result in these)
 - ☐ No (it will result in these)
- My Short-Term Rental will not significantly increase normal vehicle or pedestrian traffic in the neighborhood
 - ☐ Yes (it *will not* increase traffic)
 - ☐ No (it will increase traffic)
- My Short-Term Rental will not require alterations or construction features (inside or outside) that 1) are not typically associated with residential homes or 2) that change the fire rating of the structure
 - ☐ Yes (it *will not* require these types of alterations)
 - ☐ No (it will require these types of alterations)
- My Short-Term Rental will not require materials or equipment beyond what is typical for a normal residential dwelling. In other words, will it only use items that would ordinarily be owned or used by a typical resident?
 - ☐ Yes (it will *only* require typical residential materials/equipment)
 - ☐ No (it will require materials/equipment beyond what is typical for a resident)

- My Short-Term Rental will not cause an increase in the use of water, sewage, garbage, public safety or any other municipal services beyond what is normal in the neighborhood
 - ☐ Yes (it *will not* cause an increase in municipal services)
 - ☐ No (it will cause an increase in municipal services)
- My Short-Term Rental will not have a negative impact on lot values in the neighborhood
 - ☐ Yes (it *will not* have a negative impact on lot values)
 - ☐ No (it will have a negative impact on lot values)
- My Short-Term Rental will not involve the use of commercial vehicles (for delivery or parking purposes)
 - ☐ Yes (it *will not* involve commercial vehicles)
 - ☐ No (it will involve commercial vehicles)

If you answered "Yes" to all of the above, your property complies with Article VI, §2000-661.

Step 3:

Do you meet the Off-Street Parking Requirements? (Article VIII, Parking and Loading, §2000-800, Off-Street Parking Requirements)

- My Short-Term Rental has 1 space for each guest room
 - ☐ Yes
 - ☐ No

OR

- If more than 2 guests per guest room, my Short-Term Rental has 1 space per every 2 guests
 - ☐ Yes
 - ☐ No

If you answered "Yes" to the above, your property complies with Article VIII, Parking and Loading, §2000-800, Off-Street Parking Requirements.

Principal Use Permitted by Special Exception

Ordinance No. 1387 amends Article IV, District Regulations, §2000-405, Land Uses of the Tri-Borough Joint Zoning Ordinance to designate Short Term Rentals as **Principal Use Permitted by Special Exception** (denoted “S”). [see Table 1: Land Use Table, under the Non-residential Land Use category in Ordinance No. 1387 under the Additional Resources section]

What does "Principal Use Permitted by Special Exception" mean?

- The Zoning Hearing Board will decide on whether to approve the use of your property as a Short-Term Rental
- The Board conducts hearings to make decisions, in this case, to approve or deny Short-Term Rentals as Land Use as seen in Table 1 in the Tri-Borough Joint Zoning Ordinance

Step 4:

- ☐ Submit a **Zoning Hearing Board Application** [attached] to the Avalon Borough Administrative Office **with** payment for required fees (non-refundable application fee & escrow deposit)

This application must include:

- ☐ A detailed description of the special exception
- ☐ A written statement showing compliance with the standards of Article IX, Performance Standards, §2000-900, Compliance Required

This statement should include:

- ☐ Availability of Fire Protection Equipment (e.g. fire extinguisher)
- ☐ The use of the property as a short-term rental will not emit radioactivity or cause electrical disturbances
- ☐ The use of the property as a short-term rental will not result in the following: excessive noise, vibrations, odors, smoke, air pollution, glare, or water pollution
- ☐ The use of the property as a short-term rental will not result in erosion

- ☐ A survey, sketch, or plot plan, drawn to scale, of the property for which request is being filed. (Include: owners name, address, size of parcel, location, and direction, etc.)
- ☐ Justification for request
- ☐ **If applicant is not the owner**, authorization to act on property owner's behalf
- ☐ Citation of all applicable sections of the Zoning Ordinance
- ☐ Names and addresses of all adjoining property owners
- ☐ Any pictures, building plans, or other representation needed in determination of request. (Include: setbacks, parking, access, and dimensions of all structures, etc.)
- ☐ Signed and dated, with required fees
- ☐ Eight copies of all information to the Zoning Officer

Step 5:

- ☐ Prepare for your presentation to the Zoning Hearing Board
 - Be prepared to present how your Short-Term Rental complies with the Tri-Borough Joint Zoning Ordinance. One way to approach this would be to make a statement on each of the points of the checklists in Steps 2 & 3.

What will this look like?

- These hearings are semi-judicial proceedings
- Parties are sworn in
- Testimonies are recorded by a court reporter
- Zoning Hearings will be held on the 2nd Monday of the month as necessary
- Applications must be received at least 30 days before the scheduled Zoning Hearing Board meeting. This allows the Borough to provide proper public notice of the hearing as required by law. The Borough must advertise the hearing in the newspaper, post a notice on the property, and notify all neighbors who live within 200 ft of the property.

- Applicants bear the burden of proof that they have satisfied all necessary statutory requirements to operate a short-term rental. This means that you must prepare a presentation for the Zoning Hearing Board. Members of the Zoning Hearing Board and any neighboring residents will be permitted to ask questions.
- After you have finished your presentation, other community members will be able to speak. You may have friends or neighbors who wish to speak in support of your application. Other neighbors may want to offer objections to the application.
- At the conclusion of the Hearing, the Zoning Hearing Board will meet in executive session to discuss your application. The hearing will then reconvene. The Board may announce their decision at that time. However, they are not required to do so. The Board has 45 days from the hearing date to issue a written decision to approve or deny the application.

Still have questions? Please contact Assistant Borough Manager Leanne McLaughlin at (412) 761-5820 x1004 or lmclaughlin@boroughofavalon.org.

Additional Resources

- 1. Avalon Borough Ordinance No. 1387**
- 2. Tri-Borough Joint Zoning Ordinance, Article XI Application and Review Process,
§2000-1101, Special Exception Procedures of Approval**
- 3. Zoning Hearing Board Application**

**AVALON BOROUGH
ORDINANCE NO. 1387**

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 Sponsor Borough for this amendment, the Borough of Bellevue, did hold a public hearing on the 27th day of December, 2018, after giving due public notice in compliance with Article XIV Section 2000-1400(D); 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, this 19th day of February, 2019.

ATTEST:

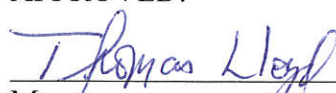
BOROUGH OF AVALON


Borough Secretary

By:


Council President

APPROVED:


Mayor

2/19/2019
Date

THE TRI-BOROUGH COMMUNITIES
JOINT ZONING ORDINANCE

§2000-1101. Special Exception Procedures of Approval.

A. Approval of Uses by Special Exception. The applicable Zoning Hearing Board shall hear and decide requests for uses by special exception. The applicable Zoning Hearing Board shall not evaluate an application for a use by special exception unless and until:

2000.125

- (1) A written application for approval of a use by special exception is submitted to the Applicable Zoning Officer. The application shall indicate the section of this Ordinance under which approval of the use by special exception is sought and shall state the grounds upon which it is requested. The application shall include the following:
 - (a) A Development Plan, as defined by the Tri-Borough Communities Subdivision Ordinance or its designated equivalent(s);
 - (b) A written statement showing compliance with the applicable express standards and criteria of this Article for the proposed use.
 - (c) A map showing and identifying all lots within two hundred (200) feet of the property for which use by special exception approval is requested and a list of the names and addresses of the owners of these lots from the most recent records of the Allegheny County Tax Assessors Office.
 - (d) A traffic impact analysis, if required by the Tri-Borough Communities Subdivision Ordinance or its designated equivalent(s).
 - (e) The application fee required by Article XVII of this Ordinance.
 - (2) A hearing pursuant to public notice per MPC §908 (1) is held by the applicable Zoning Hearing Board. Said hearing shall be conducted in accordance with the procedures specified provisions of MPC §908 (1.2) and (MPC §908 (2) through (8)).
 - (3) Decision and approval procedures for the Zoning Hearing Board shall be as those defined as part of MPC §908(9).
 - (4) The delivery of decision for the Zoning Hearing Board shall be as those defined as part of MPC §908(10).
 - (5) In considering an application for approval of a use by special exception, the applicable Zoning Hearing Board may prescribe appropriate conditions and safeguards in conformity with the spirit and intent of this Ordinance. A violation of such conditions and safeguards, when made part of the terms and conditions under which approval of a use by special exception is granted, shall be deemed a violation of this Ordinance.
- B. Expiration of Approval of Use By Special Exception. An approved special exception use shall be complete within eighteen (18) months following the date of approval, unless the applicable Zoning Hearing Board has established a different completion date at the time of approval. Also, the applicable Zoning Hearing Board may grant an extension of time for any completion date if the applicant or his agent requests such an extension and if good cause for the extension is shown. There are no other exceptions to this rule. If, at the end of the eighteen (18) month period or extended completion period, the special exception use is not completed, and if no extension has been granted, the approval of the special exception use shall be null and void.
- C. Expiration of Approval of Use by Special Exception Granted Prior to Effective Date of this Ordinance. Approval of a use by special exception granted prior to the effective date of this Ordinance shall expire automatically without written notice to the applicant if no application for a grading permit, building permit or zoning certificate to undertake the construction or authorize

2000.126

the occupancy described in the application for approval of the use by special exception is submitted within twelve (12) months of the effective date of this Ordinance or as specified in the approval, unless the applicable Zoning Hearing Board, in their sole discretion, extends approval of the use by special exception upon written request of the applicant received prior to its expiration. The maximum extension permitted shall be one (1) twelve- (12) month extension.

2000.127

August 2009



ZONING HEARING BOARD APPLICATION

BOROUGH OF AVALON **ALLEGHENY COUNTY, PENNSYLVANIA**

APPLICATION DATE: _____

I. PROPERTY INFORMATION

Address of Property _____
County Department of Real Estate Parcel Number(s) _____
Acreage of Property _____ Present Use of Property _____
Proposed Use of Property _____ Zoning Classification of Property _____

II. APPLICANT INFORMATION

Name of Applicant _____
Address of Applicant _____
Telephone No. _____ E-mail Address _____
Name of Landowner _____
(If different than Applicant)
Address of Landowner _____
Telephone No. _____ E-mail Address _____

III. TYPE OF APPLICATION

Check Appropriate Application Type:

- ☐ Appeal from Zoning Enforcement Notice / Zoning Officer Determination
- ☐ Use by Special Exception
- ☐ Variance:
 - ☐ Use
 - ☐ Dimensional Setback
- ☐ Validity Challenge
- ☐ Curative Amendment
- ☐ Other (please explain)

Cite All Applicable Sections of the Zoning Ordinance: _____



IV. DESCRIPTION OF PROPERTY, DEVELOPMENT OR IMPROVEMENT FOR WHICH APPEAL IS FILED

Location: _____
Zoning Classification: _____ Lot Size: _____
Present Use: _____ Proposed Use: _____
Existing Improvements on the Land: _____
Description of Variance / Appeal Requested: _____

Justification for Request: (please include grounds for application, and if physical hardship is claimed as basis for variance, state specific hardship) (attach narrative if needed)

Has a Previous Application been filed with the Board for this property? (If yes, please provide Date and disposition):

Please provide names & addresses of all property owners within 200 feet of the property for which This application is filed as shown on the latest assessment rolls of the County of Allegheny (attach list if needed):

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____



Please print clearly. Illegible and incomplete forms will not be accepted. Please remit payment with this application. For corporate entities, a form of identification of an authorized officer of the company, or copy of a written agreement of the corporation's registered agent is required.

The undersigned hereby represents that, to the best of his/her knowledge, belief that all Information listed above is true, correct, and complete; and that all attachments contain the required information.

V. APPLICANT SIGNATURE

Print Name: _____

Signature: _____ Date: _____

If Applicant differs from Property Owner, please attach Property Owner authorization: _____

Non-Refundable Application Fee: \$200.00

Escrow Deposit: \$500

The escrow deposit covers hearing expenses such as advertising, postage, court reporter and transcript, and legal fees incurred by the Zoning Hearing Board. Additional funds may be requested if costs exceed the initial escrow deposit.

Note: The required fee and eight copies of all required information must accompany this application or it will not be accepted as complete.

Please see page 5, Zoning Hearing Board Application Submittal Requirements, to be sure your application is complete.



For Office Use Only

Date Application Received: _____ Fee Received: _____

Date of Hearing: _____

Received by: _____

ZHB Determination: **APPROVED / DENIED** (Attach Copy of Decision / Findings)



Zoning Hearing Board Application Submittal Requirements

*** Insufficient information may delay the board's hearing of your request ***

Have you submitted the following?

_____ A detailed description of the requested variance, special exception, validity challenge, or appeal from municipal action.

_____ A survey, sketch, or plot plan, drawn to scale, for the property which request is being filed. (Include: owners name, address, size of parcel, location, and direction, etc.)

_____ Justification for request, including grounds for appeal and specific hardship.

_____ Authorization to act on property owner's behalf if applicant is not the owner.

_____ Citation of all applicable sections of the Zoning Ordinance.

_____ Names and addresses of all adjoining property owners.

_____ Any pictures, building plans, or other representation needed in determination of request. (Include: setbacks, parking, access, and dimensions of all structures, etc.)

_____ Completed application, signed and dated, along with required fee.

_____ Eight copies of all information to the Zoning Officer.

*** Additional information and or testimony may be necessary before the board. ***