



Rental Restrictions

Analysis of the 2008 Amendment to the Borough Of Edinboro Zoning Ordinance 561

Modifications to the Borough of Edinboro Zoning Ordinance took effect in mid May, 2008 to provide a stricter definition of “Regulated Rental Units.” The purpose of the amendment is to prohibit any further expansion of rental units within the Borough. Home to Edinboro University, Borough residents have lived among a large tenant population for decades. This amendment came 26 years after the Borough restricted the amount of non-related tenants to three (3) in a rental unit. Public accusations of poor student behavior and nuisance led to recent, more stringent amendment. New changes impose restrictions based on the distance between rental properties and the number of rentals allowed on each lot.

The population of Edinboro Borough is approximately 6,680 (2006) within a 2.32 square mile radius. The Borough has 2,087 occupied homes; 751 are owner occupied and 1,336 are occupied by renters. A growing number of parents opt to purchase investment properties in Edinboro instead of paying inflated rooming costs at the University. Typically, these homes house the owner’s child and two unrelated students. Citizen complaints and the desire to limit the growing number of rental units prompted the Borough to vote for a tighter zoning ordinance that would close all possible loopholes for future rentals. The new ordinance precludes parents from buying properties for this reason.

The changes to the zoning ordinance prohibit a single-family home that contains a “Regulated Rental Unit” to be located on a lot that is less than five (5) times the minimum lot width required for a single-family dwelling with a Regulated Rental Unit. Plainly, there must be five lots between newly created single-family rental units. The ordinance also limits the amount of rental units per property to one (1). At this time all single-family homes used as rental units that do not meet this requirement may remain through a “Grandfather Clause” incorporated into the ordinance. It is normal for landlords to rent the homes from August to May and reside in the home for the summer. When the families live there and allow the rental permit to expire, the home can no longer be rented if it is within a five lot radius. The small size of the Borough and the large amount of existing rentals will more than likely revoke the owner’s ability to rent the home in the future.

Lakeside, a resort community in Edinboro will be drastically impacted by the amendment. Most of the homes are rented during the summer months to people from out of town. It is common for owners to allow the rental permits to expire during the non-peak season. The

updated ordinance will force owners to sell their properties in an undesirable market for investment buyers.

As a REALTOR®, it is important for you to be aware of the changes when selling homes in Edinboro Borough. To be safe, it would be best for agents to inform all potential buyers of this ordinance and provide instructions on how to check with the appropriate Borough officials to determine if a particular property would be suitable for a rental unit. Because of the fluid nature of the restrictions it is generally not advisable to make any representations about the location or estimated distance of other rental properties or whether any particular property would likely be approved as a new rental. Remember that even if this particular buyer says he or she doesn't plan on using the property for a rental today, these restrictions could affect the future use and resale of the property, so informing all buyers will be the safest route.

Changes to the ordinance that affect REALTORS®

Changes to the Zoning Ordinance that affect REALTORS® pertain to the definition and regulations of a “*Regulated Rental Unit*”.

Regulated Rental Unit: A dwelling unit, with separate and exclusive cooking and sanitary facilities, used as a rental property, accessible from the outside or a common hallway.

- No single-family home that contains a Regulated Rental Unit shall be located on a lot any portion of which is closer to another lot used to house a Regulated Rental Unit than a distance determined by multiplying five (5) times the minimum lot width required for a single-family dwelling.
 - The distance requirements shall be measured from the closest portion of the existing residential regulated unit lot to the closest portion of the proposed regulated rental unit lot.
- No more than one dwelling unit in a two-family dwelling may be used as a regulated rental unit.
- No more than one structure on a lot may contain a regulated rental unit