

TO THE RESIDENTS OF THE BOROUGH OF MIDDLETOWN

Notice is hereby given that the Borough Council of the Borough of Middletown will consider for adoption the following Ordinance at the Regular Business Meeting on June 2, 2026 at 7 P.M. in the Council Chambers of Middletown Borough Council located at Borough Hall, 60 West Emaus Street, Middletown, PA 17057.

ORDINANCE NO. 2026-1428

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF MIDDLETOWN, DAUPHIN COUNTY, PENNSYLVANIA, PART II, CHAPTER 260, ZONING, TO ADD, MODIFY, AND UPDATE REGULATIONS RELATING TO SHORT-TERM RENTAL DWELLING UNITS AND BED-AND-BREAKFAST ACCOMMODATIONS; TO AMEND THE ZONING MAP TO CREATE A SHORT-TERM RENTAL OVERLAY DISTRICT IN WHICH SHORT-TERM RENTAL DWELLING UNITS SHALL BE ALLOWED BY SPECIAL EXCEPTION; AND TO REPLACE RESIDENTIAL HOTEL REGULATIONS WITH EXTENDED STAY HOTEL AND MOTEL REGULATIONS ALLOWING FOR SUCH USE BY SPECIAL EXCEPTION IN THE C-1 COMMERCIAL DISTRICT, SHOPPING AND C-2 COMMERCIAL DISTRICT, GENERAL ZONING DISTRICTS.

WHEREAS, the Council for the Borough of Middletown (the “Borough”) previously duly enacted a Zoning Ordinance of Middletown Borough, Dauphin County, Pennsylvania (“Zoning Ordinance”), pursuant to its statutory authority under the Pennsylvania Municipalities Planning Code (“MPC”), Act 247 of 1968, as amended (53 P.S. § 10101 *et seq.*); which Zoning Ordinance was codified as Chapter 260 of the Middletown Borough Code of Ordinances; and

WHEREAS, since its adoption, the Borough Council has from time to time amended the Zoning Ordinance; and

WHEREAS, the Borough has met the procedural requirements of the MPC and of the Borough’s ordinances for the adoption of the proposed ordinance, including notice review, posting and holding a public hearing; and

WHEREAS, the Borough amends Chapter 260 (Zoning) to provide for updated regulations relating to the short-term rental dwelling units and bed-and-breakfast accommodations; and

WHEREAS, the Borough further amends Chapter 260 to delete obsolete provisions relating to “Residential Hotels” and add updated regulations relating to “Extended Stay Hotels and Motels”; and

WHEREAS, the Borough Council, after due consideration of the proposed Ordinance Amendment, and after a duly advertised public hearing, has determined that the health, safety, and general welfare of the residents of the Borough will be served by the proposed Ordinance amendment.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED, by the authority of the Borough Council of the Borough of Middletown, Dauphin County, Pennsylvania, that the Code of Ordinances of the Borough of Middletown, Part II, Chapter 260, Zoning, be amended as follows:

SECTION 1. The Code of Ordinances of the Borough of Middletown, Part II, Chapter 260, Zoning, Article II, Terminology, Section 260-12, Definitions, shall be amended to delete in their entirety the definitions of “Tourist Home, Commercial,” and “Tourist Home, Residential.”

SECTION 2. The Code of Ordinances of the Borough of Middletown, Part II, Chapter 260, Zoning, Article II, Terminology, Section 260-12, Definitions, shall be amended to add, in alphabetical order, the following two new definitions:

SHORT-TERM RENTAL UNIT, RESIDENTIAL

A Uniform Construction Code compliant dwelling unit which contains no more than three (3) bedrooms rented to a family on one or more occasions per year for the purpose of transient living and overnight lodging, for a period of not less than one day and not more than thirty (30) consecutive days. The term shall not include a bed-and-breakfast accommodation, residential; bed-and-breakfast accommodation, commercial; boarding, lodging or rooming house; hotel; motel; or group home. Unlike a bed-and-breakfast establishment, a short-term rental unit may provide for the exclusive possession of the guest family without the host-owner/operator being present on site during the term of the rental.

SHORT-TERM RENTAL UNIT, COMMERCIAL

A Uniform Construction Code compliant dwelling unit which contains more than three (3) bedrooms rented to a family on one or more occasions per year for the purpose of transient living and overnight lodging, for a period of not less than one day and not more than thirty (30) consecutive days. The term shall not include a bed-and-breakfast accommodation, residential; bed-and-breakfast accommodation, commercial; boarding, lodging or rooming house; hotel; motel; or group home. Unlike a bed-and-breakfast establishment, a short-term rental unit may provide for the exclusive possession of the guest family without the host-owner/operator being present on site during the term of the rental.

SECTION 3. The Code of Ordinances of the Borough of Middletown, Part II, Chapter 260, Zoning, Article II, Terminology, Section 260-12, Definitions, shall be amended to delete the current definitions of “Bed-and-Breakfast Accommodation, Commercial” and “Bed-and-Breakfast Accommodation, Residential” and replace them, in alphabetical order, with the following three new definitions:

EXTENDED STAY HOTEL OR MOTEL

Extended stay hotel or motel, and facility shall be defined as a hotel or motel, as the case may be, where rooms or suites may be rented by guests for periods of 14 days or longer; provided that this definition shall not apply to single-family or multi-family residences that are leased for a period of one month or longer.

BED-AND-BREAKFAST ACCOMMODATION, COMMERCIAL

An owner-occupied or operator-occupied single-family detached dwelling in which more than three (3) bedrooms are rented for compensation to overnight guests, not to exceed ten (10) guests on a daily basis, for periods not exceeding thirty (30) days per guest. Meals for lodging guests shall be included, however, no cooking facilities are permitted in any rental room. For the avoidance of doubt, unlike a short-term rental unit, for a bed-and-breakfast accommodation the host owner or operator must be on site and supervising the dwelling during the period of any guest’s stay at the facility.

BED-AND-BREAKFAST ACCOMMODATION, RESIDENTIAL

An owner-occupied or operator-occupied single-family detached dwelling in which between not more than three (3) bedrooms are rented for compensation to overnight guests, for periods not exceeding thirty (30) days per guest. Meals for lodging guests shall be included, however, no cooking facilities are permitted in any rental room. For the avoidance of doubt, unlike a short-term rental unit, for a bed-and-breakfast accommodation the host owner or operator must be on site and supervising the dwelling during the period of any guest’s stay at the facility.

SECTION 4. The Code of Ordinances of the Borough of Middletown, Part II, Chapter 260, Zoning, Article VII (R-2 Residential District, Multifamily), Section 260-62 (Special Exception Uses), Paragraph C is hereby

amended as follows to add the underlined text, and delete the text indicated by strikethrough, with ellipses indicating text in the Ordinance in which no amendments are proposed to be made:

- C. Residential bed-and-breakfast accommodations ~~and residential tourist homes~~, in accordance with § 260-189.

SECTION 5. The Code of Ordinances of the Borough of Middletown, Part II, Chapter 260, Zoning, Article IX (C-1 Commercial District, Shopping), Section 260-74 (Permitted Uses), Paragraph A, Subparagraph (18) is hereby amended as follows to add the underlined text, and delete the text indicated by strikethrough, with ellipses indicating text in the Ordinance in which no amendments are proposed to be made:

In the C-1 District, the following uses shall be permitted by right:

- (18) Hotels ~~(other than extended stay hotels) and~~, motels (other than extended stay motels), ~~and commercial tourist~~.

SECTION 6. The Code of Ordinances of the Borough of Middletown, Part II, Chapter 260, Zoning, Article X (C-2 Commercial District, General), Section 260-84 (Special Exception Uses), Paragraph D is hereby deleted in its entirety.

SECTION 7. The Code of Ordinances of the Borough of Middletown, Part II, Chapter 260, Zoning, Article XVI (Off-Street Parking), Section 260-172 (Facilities Required), Paragraph G is with respect to the portion of the table currently relating to “motels, tourist homes, and hotels” hereby amended as follows to add the underlined text, and delete the text indicated by strikethrough, with ellipses indicating text in the Ordinance in which no amendments are proposed to be made:

- G. For any building or use not covered above, the Zoning Officer shall apply the standard for off-street parking spaces in the below schedule deemed to most closely approximate the proposed building or use.

Type of Use	Number of Parking Spaces Required
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Motels, tourist homes <u>short-term rental units</u> or hotels	4 for every 3 sleeping rooms
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SECTION 8. The Code of Ordinances of the Borough of Middletown, Part II, Chapter 260, Zoning, Article XVIII (Specific Criteria for Certain Permitted Uses), Section 260-189 (Bed-And-Breakfast Accommodations And Residential Tourist Homes) is hereby amended to change the title of the Section to “Bed-and-Breakfast Accommodations and Short-Term Rental Units” and to change the text of the introductory paragraph and of Paragraph G, Subparagraph (2) of such Section as follows to add the underlined text, and delete the text

indicated by strikethrough, with ellipses indicating text in the Ordinance in which no amendments are proposed to be made:

Residential bed-and-breakfast accommodations ~~and residential tourist homes~~ shall be permitted by special exception within the R-2 Zone and as a permitted use in the C-2 Zone, and short-term rental units shall be permitted by special exception in the Short Term Rental Overlay District by special exception subject to the following criteria:

- (G) Off-street parking shall be provided on the premises for all uses improved in accordance with Article XVI.

- (2) Spaces for residential bed-and-breakfast accommodations and for ~~tourist home accommodations~~ short-term rental units shall be as specified in Article XVI for motels, ~~tourist homes~~ short-term rental units or hotels.

SECTION 9. CREATION OF SHORT TERM RENTAL OVERLAY DISTRICT.

The Zoning Map is hereby amended to reflect the addition of the Short Term Rental Overlay District as reflected in the copy of the zoning map attached hereto as “Exhibit A” and incorporated herein by reference.

The parcels included in the Short Term Rental Overlay District at the time of passage of this Ordinance are identified in the attached “Exhibit B.” Changes in parcel numbers following the date of this Ordinance will not affect the application of the Short Term Rental Overlay District to the land identified in the Zoning Map as being in the Short Term Rental Overlay District.

SECTION 10. The Code of Ordinances of the Borough of Middletown, Part II, Chapter 260, Zoning, Article IX (C-1 Commercial District, Shopping), Section 260-57 (Special Exception Uses) is hereby amended to add the following new Paragraph B:

Extended stay hotels or motels in accordance with the standards in Section 26-209.2.

SECTION 11. The Code of Ordinances of the Borough of Middletown, Part II, Chapter 260, Zoning, Article X (C-2 Commercial District, General), Section 260-54 (Special Exception Uses), Paragraph B is hereby amended to delete the words struck through and add the underlined words:

B. ~~Residential hotels~~ Extended stay hotels or motels in accordance with the standards in Section 26-209.2.

SECTION 12. The Code of Ordinances of the Borough of Middletown, Part II, Chapter 260, Zoning, Article XVIII (Specific Criteria for Certain Permitted Uses), is hereby amended to add the following new Section 26-209.2 entitled “Extended Stay Hotels or Motels,” to read as follows:

Within the C-1 Commercial District, Shopping or the C-2 Commercial District, Shopping zoning districts, Extended Stay Hotels or Motels shall be permitted by special exception subject to the following criteria:

1. Extended stay room equipment and service requirements.

- (a) All extended stay rooms shall have facilities for both storage and preparation of food (kitchens and kitchenettes).
- (b) All extended stay rooms with less than 300 square feet of floor area are limited to a maximum capacity of two persons per such room.
- (c) All extended stay rooms with more than 300 square feet of floor may allow an additional person per each additional 75 square feet of floor area.
- (d) No exterior access to extended stay rooms is permitted. This requirement shall only apply to buildings and structures built after the date of the adoption of this section.
- (e) Each extended stay room containing a stove-top unit or other type burner unit shall be required to also include a maximum 60-minute automatic power off timer for each room containing such stove-top unit or other type burner.
- (f) A hard-wired smoke detector with battery backup shall be provided and installed in each extended stay room as required under the Uniform Construction Code as adopted by the Township. It shall be a violation of this Code for any person to disable, tamper with or modify any type of smoke detector or other safety device installed in each extended stay room.
- (g) No extended stay hotel, motel, or facility shall rent or provide a room for any number of persons greater than the sleeping accommodations provided within the particular rental unit or temporary sleeping accommodations provided by the extended stay hotel, motel, or facility.
- (h) Housekeeping shall be included within the standard extended stay room rate of any extended stay hotel, motel, or facility. At a minimum, rooms must be cleaned before each new guest checks in and no less frequently than twice every seven days.
- (i) Each extended stay hotel, motel and facility must maintain a log that documents when each room is serviced and cleaned. The log must be maintained for 120 days. Any extended stay hotel, motel, or facility must make these records available to the Township within a reasonable time upon request.
- (j) All extended stay hotels, motels, and facilities must have in place laundry facilities consisting of washer and dryer machines available to patrons. The equipment shall be maintained and in good repair at all times. Washers and dryers shall be provided at a ratio of one washer and dryer for every 20 rooms or fraction thereof.

2. General property requirements and restrictions.

- (a) A minimum lot size of one (1) acre is required to construct an extended stay hotel, motel, or facility or to convert an existing hotel, motel or facility into an extended stay hotel, motel, or facility in the Township.
- (b) No building may be placed within three hundred (300) feet of the property line of any residentially zoned property.
- (c) No extended stay hotel, motel, or facility shall provide lodging at an hourly rate.
- (e) Extended stay hotels, motels, or facilities shall include, on any public facing entry points to the premises, a magnetic or electronic keyboard/locking device for access.
- (f) All entry point doors shall have operating automatic closures, key entry and shall remain locked at all times between the hours of 9:00 p.m. and 6:00 a.m.
- (g) All entry point doors shall be equipped with an alarm or other device that will alert security, attendants, or other employees that the door has been opened or remains open.
- (h) These requirements are not applicable to entry points that enter directly into the lobby of the extended stay hotel, motel, or facility as long as the lobby is manned by a bona fide employee 24 hours a day.

SECTION 13. SEVERABILITY. If any section, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance is declared by any reason to be illegal, unconstitutional or invalid by any court

of competent jurisdiction, such decision shall not affect or impair the validity of this Ordinance or Chapter 260 of the Code of the Borough of Middletown as a whole, or any other section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of this Ordinance or Chapter 260 of the Code of the Borough of Middletown. Borough Council hereby declares that it would have adopted this Ordinance and each section, phrase and word thereof, irrespective of the fact that any one or more of those sections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases or words may be declared illegal, unconstitutional or invalid.

SECTION 14. REPEALER. All ordinances or parts of ordinances that are inconsistent herewith shall be and the same expressly are repealed.

If you would like to obtain a copy of the proposed Ordinance prior to the Regular Business Meeting, please contact the Borough Secretary at 717-902-0706 or at gmler1@middletownborough.com.

BOROUGH OF MIDDLETOWN
Grace Miller, Borough Secretary