

## 3.18 Checklist

### Accessory Home Share Permits

An accessory home share permit applies when a property owner would like to have a short-term rental, and plans to reside at the property during the rental period. A maximum of 4 guests can stay in up to 2 rooms (but only one listing allowed), for 1-29 nights. This process does not apply for other short-term rentals, including vacation dwelling units and accessory vacation dwelling units, which require an Interim Use Permit.

#### Starting the Application Process

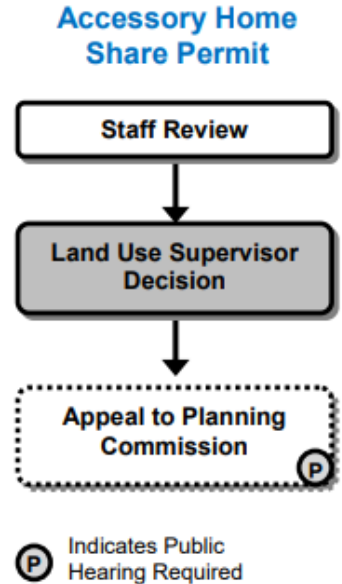
- Review information on the Short-Term Rental web site, including information about building code information and Frequently Asked Questions.
- Submit your application. There are numerous in-person and electronic application methods available; visit <https://duluthmn.gov/planning-development/land-use-zoning-and-applications/applications-checklists/> for current information. Your application must include the following:
  - Application Cover Sheet, available at <https://duluthmn.gov/planning-development/land-use-zoning-and-applications/applications-checklists/>, and Applicable Fee
  - A site plan, drawn to scale, that shows lot lines, all structures on a lot, location of parking spaces, any outdoor spaces to be used, and any buffering from adjacent properties (such as vegetation or fencing)
  - A floor plan of the dwelling unit identifying which room(s) will be rented
  - Signed affidavit for verification of owner occupancy during guest rental
  - Life Safety Request Inspection Application and inspection fee. If renewal, submit directly to Life Safety Division. Life Safety's Operational Permits need to be renewed every 3 years.

#### After Submitting Your Application

Construction Services will review your application and contact you when the permit is approved.

You may need to obtain other licenses and permits from other State and City offices. Please see the Frequently Asked Questions for details.

*Note that other City codes may apply to your project. Please be aware of any applicable Building Code (Construction Services Division), Fire Code (Life Safety Division), and stormwater/engineering (Engineering Division) regulations. The zoning approval may be only the first step in a several step process.*



# AFFIDAVIT

Date: \_\_\_\_\_

Purpose: Verification of Owner Occupancy during guest rental

Address: \_\_\_\_\_ Parcel ID#: \_\_\_\_\_

(PRINT FULL NAME) \_\_\_\_\_ personally came and appeared before me, the undersigned Notary, the within named (PRINT FULL NAME) \_\_\_\_\_ who is the owner and occupant of the above address makes this his/her statement and General Affidavit upon oath and affirmation of belief and personal knowledge that the following matters, facts and things set forth are true and correct to the best of his/her knowledge:

- I am currently the whole or partial owner of the above listed address and I reside at the address and will abide by the requirements for owner occupancy during the rental of the property as an accessory home share listed in UDC Sec. 50-20.5.G.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

Signature of Affidavit Petitioner: \_\_\_\_\_

Sworn to subscribed before me, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

Signature of Notary Public: \_\_\_\_\_



**Planning & Development Division**  
Planning & Economic Development Department

Room 160  
411 West First Street  
Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

## **Zoning Standards Related to Accessory Home Shares Amended Nov 2021**

### **Definitions:**

**Accessory home share.** A habitable room or space in an owner-occupied single-family dwelling or owner occupied twinhome or duplex two family dwelling, or attached accessory dwelling unit subordinate to an owner occupied single family, twinhome, or duplex two family dwelling, offered for trade or sale, whether for money or exchange of goods or services, for periods of 29 nights or less.

An Accessory Home Share is allowed in R-C, RR-1, RR-2, R-1, R-2, R-P, MU-N, and F-1 to F-9 districts. This permit is reviewed and approved by city staff.

### **Accessory Home Share Standards**

1. **Eligible Applicant.** Property owners that reside in the owner-occupied homestead property may apply for one accessory home share in their owner-occupied homesteaded property.
2. **Rental Period.** The rental or purchase period shall be for 29 consecutive nights or less;
3. **Guests.** The maximum number of overnight guests allowed is 4 persons in addition to the owner occupants. The maximum number of bedrooms that may rented may not exceed two. Only one rental listing per night is allowed.
4. **Other Licenses Required.** In addition to the permit issued pursuant to this chapter, the property owner must obtain all permits from the city of Duluth and state of Minnesota required for guest occupancy on the property;
5. **Other Standards.** The property owner must provide required documents and adhere to additional requirements listed in the City of Duluth's UDC Application Manual related to the keeping of a guest record, property use rules, taxation, and home share permit violations procedures;
6. **Termination.** The permit shall terminate upon change in ownership of the property or three year from issuance date, whichever occurs first. Upon permit termination, property owner may apply to renew the permit. The permit shall be non-transferable is only valid for the property and applicant or property owner that it was initially issued to and the permit shall not be transferred to a new applicant or property owner, or to a new property or different address.
7. **Residency.** At least one permanent resident must be generally present on or about the premises at all times that the property is rented and occupied by the guests;
8. **Advertisement.** A permit holder may not advertise an accessory home share for an accessory structure that is a storage shed or garage or in any area exterior to the dwelling unit or any lot without a principle dwelling. The permit holder must include the permit number on all print, poster or web advertisements.

### **Minnesota State Building Code Requirements**

Contact a Plans Examiner in the Construction Services Division at 218/730-5250 with questions about building code requirements.



**Life Safety Division • City of Duluth Fire Department**

615 West First Street • Duluth, MN 55802

Phone: 218-730-4380 • Fax: 218-730-5902

Email: [lifesafety@duluthmn.gov](mailto:lifesafety@duluthmn.gov) • Website: [www.duluthmn.gov/fire/](http://www.duluthmn.gov/fire/)

**Request Inspection Application- Vacation Rental** - \$200.00 fee

**Property Address:**

**Type of Property:**

Single Family       Duplex       Multi-Dwelling: specify # of units: \_\_\_\_\_

**Applicant Information:**

Name(s): \_\_\_\_\_

Address: \_\_\_\_\_

Preferred Phone: \_\_\_\_\_ Alternate Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

**Agent/Representative Information (if different than above):**

Name(s): \_\_\_\_\_

Address: \_\_\_\_\_

Preferred Phone: \_\_\_\_\_ Alternate Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner Name (Printed): \_\_\_\_\_