



**City of Duluth  
Planning and Construction Services**

411 West First Street • Room 210 • Duluth, Minnesota • 55802-1194  
218-730-5240 • Fax: 218-730-5901 • www.duluthmn.gov/onestop/

An Equal Opportunity Employer

**Check One Box**

- Accessory Home Share-**\$100**
- Appeal to Planning Commission - **\$350**
- Concurrent Use of Streets Permit - **\$700**
- District Plan Adoption or Amendment- **\$1,000**
- Environmental Review (EAW or EIS)- **\$2,500**
- Historic
  - Construction/Demolition - **\$50**
  - Resource Designation - **\$75**
- Interim Use Permit **\$650**
- Planning Review - **\$800**
- Sidewalk Use Permit
  - New Permit- **\$150**
  - Renewal Permit - **\$75**
- Special Use Permit, General - **\$800**
- Special Use Permit, Wireless Telecommunications\*
  - Modifying or Co-locating – **\$2,500\***
  - New Facility or Tower – **\$5,000\***
  - Escrow Deposit - **\$8,500\***
- Subdivision Plat Approval or Amendment:
  - Concept Plan - **\$250**
  - Preliminary Plat - **\$1000**
  - Final Plat - **\$750**
  - Minor Subdivision/RLS- **\$400**
  - Plat Amendment or Boundary Line Adjustment - **\$250**
- Temporary Use Permit - **\$150**
- UDC Zoning Map (Rezoning) Amendment - **\$800**
- Vacation of Street or Utility Easement - **\$700**
- Variance - **\$600**
- Wetland,
  - De Minimus, Delineation, or No Loss- **\$150**
  - Replacement Plan - **\$400**
- Zoning Verification Letter-**\$85**

**APPLICATION COVER SHEET**

**CONTACT INFORMATION:**

Applicant/Owner \_\_\_\_\_  
 Phone \_\_\_\_\_ Email \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Owner's Agent (if applicable) \_\_\_\_\_  
 Phone \_\_\_\_\_ Email \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**APPLICATION INFORMATION:**

Street Address and Zoning of Property \_\_\_\_\_  
 Parcel ID Number \_\_\_\_\_

Describe the Reasons for this Request (Attach Additional Pages if Necessary):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

The undersigned hereby represents upon all of the penalties of law for the purpose of inducing the City of Duluth to take the action herein requested, that all statements herein and attached are true and that all work herein mentioned will be done in accordance with the Ordinances of the City of Duluth and the laws of the State of Minnesota. Undersigned also understands that all documents provided to the City may be considered public data, per Minnesota Government Data Practices Act.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

**Reminder:** include application checklist and all supporting information, including pre-application verification (if applicable). Submit completed information to Room 210, One Stop Shop.

\*Special Use Permit Checklist required to be submitted with this application coversheet and fee.



## AFFIDAVIT

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

Purpose: Verification of Owner Occupancy

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.

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

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

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

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



## Home Share Permit Regulations

### Definitions:

Accessory home share - A habitable room or space in an owner-occupied dwelling offered for trade or sale, whether for money or exchange of goods or services, for periods of 29 days or less.

### Accessory home share Application Requirements:

1. Application fee \$100.00
2. The application for the permit would consist of:
  - a. A hotel/motel license
  - b. Lodging license from State Department of Health
  - c. Fire operational permit inspection certificate
  - d. City of Duluth lodging tax certificate
  - e. State tax certificate – Tax ID #
  - f. Signed affidavit for verification of owner occupancy
3. A floor plan of the dwelling unit identifying which room(s) will be rented.
4. A site plan indicating location of parking spaces.
5. All certificates of inspection must be submitted at time of application for Permit.

### Accessory home share Permit Standards:

An accessory home share may be created within those districts shown where allowed by Table 50.19.8 provided these standards are met:

1. The rental or purchase period shall be for 29 days or less.
2. The maximum number of overnight guests allowed is 4 persons in addition to the owner occupants.
3. The property owner must obtain all Permits from the City of Duluth and State of Minnesota required for guest occupancy on the property.
4. 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.
5. The Permit shall expire upon change in ownership of the property or one year from issuance date, whichever occurs first.
6. At least one permanent resident must be generally present on or about the premises at all times that the property is rented.
7. A permit holder may not advertise an accessory home share for an accessory

structure that is a storage shed or garage.

8. A permit holder may not advertise an accessory home share in any area exterior to the dwelling unit without a principle dwelling.

In addition to the Permit requirements listed above, Accessory home share Permit holders must adhere to the following regulations:

1. Permit holder must keep a guest record including the name, address, phone number, and vehicle (and trailer) license plate information for all guests and must provide a report to the City upon 48 hours' notice.
2. Permit holder must disclose in writing to their guests the following rules and regulations:
  - a. The maximum number of guests allowed at the property;
  - b. The maximum number of vehicles allowed at the property and where they are to be parked;
  - c. Property rules related to use of exterior features of the property, such as decks, patios, grills, recreational fires, pools, hot tubs, saunas and other outdoor recreational facilities;
  - d. Applicable sections of City ordinances governing noise, parks, parking and pets;
3. Violations of the home share permit requirements are subject to Section 50-39 Enforcement and Penalties of the UDC.
4. Permit holder must post their Permit number on all print, poster or web advertisements;
5. Prior to rental, the building must be inspected and an Operational Permit issued by the Fire Prevention office. Contact the Fire Prevention office at 218-730-4397 for information.
6. Permit holder must apply for and be granted State and local sales tax numbers, including Hotel and Motel Use Sales Tax.

### Minnesota State Building Code Requirements

The following summarizes applicable Minnesota State Building Code regulations for vacation rental units as defined in the Duluth Unified Development Chapter. Contact a Plans Examiner in the Construction Services Division at 218/730-5300 with questions about building code requirements.

### **One and Two Family Dwellings**

Use of existing one and two family dwellings not more than three stories above grade plane in height with separate means of egress as an accessory home share is not a change of use for purposes of building code applicability.

Additions, alterations and repairs to one and two family dwellings not more than three stories above grade plane in height with separate means of egress must comply with the Minnesota State Residential Code.

The Minnesota Accessibility Code does not apply to one or two family dwellings. Owners of vacation rental properties should research federal regulations related to accessibility.

### **Three and More Dwelling Units**

Conversion of apartments in buildings with three or more units to rentals of less than 30 days duration is a change of use from an R-2 occupancy (permanent) to an R-1 occupancy (transient.) A permit is required for a change of use and plans and a code summary prepared by a Minnesota licensed architect showing compliance with applicable provisions of the Minnesota State Building Code must be submitted for review with the permit application.

Required alterations will vary with each building. Owners should consult with a licensed architect for an evaluation of changes needed to comply with applicable building code provisions.

### **Additional Contacts**

To comply with the new accessory home share permit you will also need to do the following, if you have not already done so:

- 1.) Obtain a **Hotel/Motel License** from the City Clerk's office by calling 218-730-5500 or visiting <http://www.duluthmn.gov/clerk/permits/hotlmotl.cfm>.
- 2.) Obtain a **Lodging License** from the State Department of Health by calling Sara Schaffer, 218-302-6184, or visiting <http://www.health.state.mn.us/divs/eh/food/license/index.html>.
- 3.) Obtain a **Fire Operational Permit** from Deputy Fire Marshall Sandy McComb of the City's Fire Prevention by calling 218-730-4397.
- 4.) Obtain State **Tax Identification Numbers** by calling 651-282-5225 or visiting <http://www.duluthmn.gov/clerk/permits/salestax.cfm>.
- 5.) Obtain a permit for **City of Duluth Tourism Tax** by contacting Ruthann Grace in the City Treasurers office at 218-730-5047 or [rgrace@duluthmn.gov](mailto:rgrace@duluthmn.gov).

## SECTION 2 — NUMBER, TYPE AND ACCESS TO EXITS

### 2.1 Number and type of exits

Every room shall have access to at least one exit. This exit usually takes the form of the interior halls, stairs and doors found within the building.

In addition, every room used for sleeping and any room used for day care proposes in a basement (SFM policy) shall have at least one approved emergency escape (second means of egress) that is separate from the main exit from the space. Any one of the following four options will satisfy the requirement for an emergency escape from a room [MSFC (2007) Section 1026.1]

1. The space is provided with an escape window complying with MSFC (2007) Section 1026.1, as amended or State Fire Marshal Policy INS-04. Because this is the most common type of emergency escape, additional information on escape windows is provided in the next section of this fact sheet.
2. An automatic sprinkler system is protecting the building (NFPA 13D systems are acceptable for one and two family homes).
3. The room has a door leading directly to the exterior of the building.
4. There is a second separate means of escape. The second means of escape may be through an adjacent non-lockable space, independent of and remote from the primary exit. The adjacent non-lockable space must be provided with a code complying exit or egress window.. Travel through an attached garage may be permitted as a second separate means of escape if there is no distinct hazard and all of the following conditions are met:
  - Unobstructed access with an aisle at least 36 in. in clear width is provided from the dwelling door to the garage service door.
  - The attached garage is fire-separated from the dwelling as required by the MSFC (2007). See Section 7.1 of this information sheet for occupancy separations.
  - A side-hinged, swinging door to the exterior is provided.

Sliding glass doors may be accepted as qualifying exit doors provided that the doors are maintained operational at all times [MSFC (2007) Section 1008.1.2 exception 4.

### 2.2 Access to doors and windows

Exit doors from individual dwelling units may be provided with a night latch, dead bolt or security chain provided that such devices are openable from the inside without the use of a key or tool and mounted at a height not to exceed 48 inches above the finished floor. [MSFC (2007) Section 1008.1.8.3] All locking devices shall be of an approved type.

## SECTION 3 — APPROVED ESCAPE WINDOWS

### 3.1 Types of approved escape windows

Approved escape windows include the following [MSFC (2007) Section 1026.1]:

- Double hung windows;
- Sliding windows; or,
- Casement windows

**Awning style windows do not meet this requirement.**

### 3.2 Minimum size

When used as an emergency escape, only a single window in each room need meet the minimum size requirements listed below. The window sash cannot be removed to meet the size requirements and windows must be measured with the window fully opened by the normal window opening mechanism.

**For escape windows installed prior to July 10, 2007:** (State Fire Marshal Policy INS-04)

- A minimum of 20 inches in width
- A minimum of 20 inches in height
- A minimum of 648 square inches (4.5 square feet) of clear opening
- A maximum of 48 inches from the floor to the sill opening

*\*Note: The above is considered the absolute minimum regardless of existing or window replacement.*

**For escape windows installed above or below the level of exit discharge on or after July 10, 2007:**

- A minimum of 20 inches in width
- A minimum of 24 inches in height
- A minimum of 820 square inches (5.7 square feet) of clear opening
- A maximum of 44 inches from the floor to the sill opening

**For grade floor escape windows installed on or after July 10, 2007:**

- A minimum of 20 inches in width
- A minimum of 24 inches in height
- A minimum of 720 square inches (5.0 square feet) of clear opening
- A maximum of 44 inches from the floor to the sill opening

See the attached diagrams for additional description of acceptable escape windows and a worksheet for determining compliance with the requirements of the MSFC (2007).

### 3.3 Special situations

For unique situations, please see the State Fire Marshal Division policy INS-04 titled, *Escape Windows* for information on how to treat situations that do not fit the conditions outlined here.

## SECTION 4 — WINDOW WELLS

Escape and rescue windows with a finished sill height below the adjacent ground elevation shall have a window well. Window wells at escape or rescue windows shall comply with MSFC (2007) Section 1026.5. See the attached diagrams for additional description of acceptable egress window wells and a worksheet for determining compliance with the requirements of the MSFC (2007).

### 4.1 Window well size

The window well shall have clear horizontal dimensions that allow the window to be fully opened and provide a minimum accessible net clear opening of 9 square feet with minimum dimensions of 36 inches. Window wells with a vertical depth of more than 44 inches shall be equipped with an approved permanently affixed ladder or stairs that are accessible with the window in the fully open position. The ladder shall not encroach more than 6 inches into the 36-inch clear open space. Please see MSFC (07) Section 1026.5 for additional window well requirements.

### 4.2 Obstructions

Emergency escape or rescue windows, doors or window wells shall be maintained free of any obstruction, including bars, grates or similar devices that would impair egress