

3.19 Checklist

Accessory Vacation Dwelling Unit, Limited Permit

An accessory vacation dwelling unit, limited permit applies when a homeowner of an owner-occupied property would like to have a short-term rental of that property for a limited number of nights a year. Properties can be rented for periods of 2 to 7 nights, for a maximum of 21 nights a year. This process does not allow use 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 eligibility for Vacation Dwelling Unit, Limited
 - A copy of the current year's tax statement showing homestead status
 - 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.

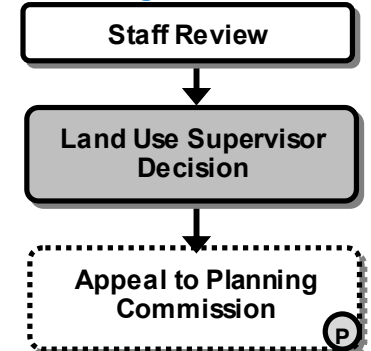
After Submitting Your Application

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.

Accessory Home Share Permit or Vacation Dwelling Unit, Limited



P Indicates Public Hearing Required

AFFIDAVIT

Date: _____

Purpose: Verification of Eligibility for Accessory Vacation Dwelling Unit, Limited

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 of the property being used for an Accessory Vacation Dwelling Unit, Limited, as listed in UDC Sec. 50-20.5.N.
- I testify that this property will only be rented for periods of 2 to 7 nights, and for no more than a total of 21 nights in a calendar year, which will be the following 21 nights:

| Dates Unit Will Be Rented | | | | | | |
|---------------------------|-----|-----|-----|-----|-----|-----|
| 1. | 2. | 3. | 4. | 5. | 6. | 7. |
| 8. | 9. | 10. | 11. | 12. | 13. | 14. |
| 15. | 16. | 17. | 18. | 19. | 20. | 21. |

(Note: You may ONLY advertise for the dates listed above)

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 Vacation Dwelling Units, Limited Amended Nov 2021

Definitions:

Accessory vacation dwelling unit, limited. A dwelling unit, as defined by this Chapter, that is an owner-occupied homesteaded property, offered for trade or sale, whether for money or exchange of goods or services, for periods of no less than 2 consecutive nights and no more than 7 consecutive nights, and not exceeding 21 nights in total per year.

An accessory Vacation Dwelling, Limited is allowed in 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 Vacation Dwelling Unit, Limited, Standards

1. Eligible Applicant. Property owners that reside in the owner-occupied homestead property may apply for an accessory vacation dwelling unit, limited, in their owner-occupied homesteaded property;
2. Rental Period. The minimum rental period shall not be less than two consecutive nights no more than 7 consecutive nights. The maximum total number of nights for which an accessory vacation dwelling unit, limited, may be rented may not exceed 21 nights per year. The rental period must be specified in the permit at the time that the permit was applied for, and may not be altered;
3. Other Standards. Accessory vacation dwelling units, limited, must adhere to the same standards as Vacation Dwelling Unit, 50-20.3.U, in regards to maximum number of visitors, off-street parking, motorhome/ATV, guest records, nuisance reductions, advertisement, and application materials;
4. Other Licenses Required. In addition to the permit issued pursuant to this chapter, the property owner must obtain all licenses and permits from the city of Duluth and state of Minnesota required for guest occupancy on the property. The property owner must provide required documents and adhere to additional requirements listed in the City of Duluth's UDC Application Manual;
5. Maximum Number of Accessory Vacation Dwelling Units, Limited. There is no maximum to the number of permits that may be issued;
6. Termination. The permit shall terminate upon change in ownership of the property or one year from issuance date, whichever occurs first. The permit shall be non-transferable;
7. Principle dwelling. A permit holder may not advertise the accessory vacation dwelling unit, limited, in any area exterior to the dwelling unit or any lot without a principle dwelling.

State Building Code Requirements

Contact a Plans Examiner in the Construction Services Division at 218/730-5300 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 • Website: www.duluthmn.gov/fire/

Request Inspection Application- Vacation Rental - \$100.00 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) : _____