



Frequently Asked Questions: Residential Rentals Permitted in the Town of Duluth

What Types of Rentals are Allowed in the Township?

Long-Term Rental

- A Long-Term Rental is the rental of a principal single-family residential dwelling for greater than 30 days. The dwelling cannot be occupied by the owner of the dwelling during the rental period.
- There are no specified requirements for long-term rentals.

High-Frequency Short-Term Rental

- A High-Frequency Short-Term Rental is a rental of a single-family residential dwelling for less than or equal to 30 days at a frequency greater than 4 times per calendar year. The owner is not present during the rental period.
- See below for requirements for High-Frequency Short-Term Rentals.

Hosted High-Frequency Short-Term Rental

- A Hosted High-Frequency Short-Term Rental is a rental of part of a principal, single-family dwelling where the owner occupies the dwelling during the rental period. The rental is for less than or equal to 30 days at a frequency greater than 4 times per calendar year.
- See below for requirements for Hosted High-Frequency Short-Term Rentals.

Residential Bed & Breakfast

- A principal single-family dwelling containing from 1 to 6 dwelling units providing lodging accommodations by prior arrangement, for compensation, with restrictions on the time involved. The primary residence in the building must be occupied by the building owner on a permanent basis. It includes serving of meals to guests.
- See below for requirements for Residential Bed and Breakfasts.

Low-Frequency Short-Term Rental

- A rental of a principal, single-family dwelling for less than or equal to 30 days that does not occur more than 4 times per calendar year.
- See below for requirements for Low-Frequency Short-Term Rentals.

Where can I have a rental property?

Rentals are allowed in all zone districts in the Township that permit single family residential dwellings, provided they meet the requirements for the rental type and have an approved permit, if required for the rental type.

Do I need a permit for a rental?

- **Long-Term Rentals** do not require a Land Use Permit nor notification to the Town that the rental is occurring.
- **High-Frequency Short-Term Rentals, Hosted High-Frequency Short-Term Rentals, and Residential Bed & Breakfasts** all require an Interim Use Permit. An Interim Use Permit is a type of conditional use and requires a public hearing. *See below for Interim Use application information.*

- **Low-Frequency Short-Term Rentals** require a Land Use Permit with Performance Standards that is renewed annually.

What are the requirements for a High-Frequency Short-Term Rental (HFSTR)?

- HFSTRs are only allowed in principle single-family residential dwellings that are occupied by the owner as a primary residence for at least 9 months of the year.
- HFSTRs can be rented a maximum of 60 days per year.
- An owner can only have one HFSTR in the Township.
- HFSTRs require a minimum lot size of 2 acres or the minimum lot size required by the zone district, whichever is larger.
- The dwelling used for the HFSTR must be set back at least 50 ft from the side and rear yards, or the minimum setback required by the zone district, whichever is larger.
- If the property does not meet the minimum dimensional standards described above, the owner may still apply for high frequency short term rental if the owner lives within 2 miles of the rental property, measured from the center of the rental dwelling, and they are in residence on their property during rentals *and* the rental property is at least 1 acre in size or meets one half the minimum lot size and minimum setbacks for the zone district, whichever is larger.
- If the HFSTR property is adjacent to property that is zoned commercial, FL or LIM, then the setbacks shall be as required for the applicant's land use district. All SENSO, LSSLO and SSLO setbacks apply regardless of adjacent property zoning.
- HFSTRs require an Interim Use Permit which requires an application and a public hearing (see below).
- Upon approval of a HFSTR Interim Use, the following requirements must be met:
 - Any licenses, permits, or other governmental approvals required by any governmental agency, board, department, or other governmental entity with jurisdiction must be obtained by the owner.
 - The property owner must provide the name and phone number of a contact person with the capability and authority to address complaints or concerns regarding the property. This contact information shall also be provided to all other property owners within 500 feet of the property boundary. The contact person must be available at all times during rental periods, and able to be at the property within 30 minutes.
 - A log of renters and dates of arrival and departure for all rentals must be kept and provided to Planning Staff upon request.
 - Off street parking must be provided.
 - No temporary sleeping facilities may be used on the property during rentals (i.e., recreational camping vehicles, tents, etc.).
 - Additional requirements may be imposed by the Planning Commission.

What are the requirements for a Hosted High-Frequency Short-Term Rental?

- Upon approval of a Hosted HFSTR Interim Use, the following requirements must be met:
 - Any licenses, permits, or other governmental approvals required by any governmental agency, board, department, or other governmental entity with jurisdiction must be obtained by the owner.
 - Off street parking must be provided.
 - No temporary sleeping facilities may be used on the property during rentals (i.e., recreational camping vehicles, tents, etc.).
 - Additional requirements may be imposed by the Planning Commission, including the number of days per year the Hosted HFSTR can be rented.

What are the requirements for a Residential Bed & Breakfast?

- Upon approval of a Residential Bed & Breakfast Interim Use, the following requirements must be met:
 - Any licenses, permits, or other governmental approvals required by any governmental agency, board, department, or other governmental entity with jurisdiction must be obtained by the owner.
 - Off street parking must be provided.
 - No temporary sleeping facilities may be used on the property during rentals (i.e., recreational camping vehicles, tents, etc.).
 - Additional requirements may be imposed by the Planning Commission, including the number of days per year the Bed and Breakfast can operate.

What are the requirements for a Low-Frequency Short-Term Rental Permit?

A Land Use permit application for a Low-Frequency Short-Term Rental must be completed and submitted to the Town with the appropriate fee. This permit must be renewed annually for the duration of the rental.

- Any licenses, permits, or other governmental approvals required by any governmental agency, board, department, or other governmental entity with jurisdiction must be obtained by the owner.
- The property owner must provide the name and phone number of a contact person with the capability and authority to address complaints or concerns regarding the property. This contact information shall also be provided to all other property owners within 500 feet of the property boundary. The contact person must be available at all times during rental periods, and able to be at the property within 30 minutes.
- The dwelling can be rented up to 4 times per calendar year and no more than once during any 30-day period.
- A log of renters and dates of arrival and departure for all rentals must be kept and provided to Planning Staff upon request.
- Off street parking must be provided.
- No temporary sleeping facilities may be used on the property during rentals (i.e., recreational camping vehicles, tents, etc.).

How do I apply for an Interim Use Permit for a Rental?

- Submit an Interim Use Permit Application for Short-Term Rentals to the Town with the required fee. The fee is nonrefundable.
- A date will be set for the Public Hearing and the notification area will be determined. The neighboring property owners identified in the notification area will be sent notice of your proposal.
- You will be required to complete a Community Participation Report. Planning staff will provide you with a list of your neighbors within the notification area along with their addresses. You are required to contact these neighbors, providing information on your proposed rental and giving them an opportunity to express any concerns, issues, or problems they may have with the proposal. You will submit a report to the Town with the results of your conversations with your neighbors prior to the Public Hearing.
- At the Public Hearing the public is invited to comment on the proposal. The Planning Commission will approve or deny the application based on whether it meets all of the criteria for an interim use (see *Article IX, Section 7*).
- By definition an interim use is a special use not considered generally appropriate within the zone district for which it is proposed. As such, the applicant bears the burden of demonstrating a right to the permit.