

## REVISIONS FOR THE OCTOBER 10, 2019 PUBLIC HEARING

### ARTICLE II GENERAL PROVISIONS

#### Sections 2.7 Definitions

**Short Term Rental** - A short term rental dwelling unit is defined as any home, cabin, condominium or similar building represented to the public as a place where sleeping accommodations are furnished to the public on a nightly or weekly and for less than thirty days basis for compensation and is not a planned development, commercial, as defined.

**Planned Development, Commercial** - A use where the nature of residency is transient, short-term lodging spaces, rooms, or parcels and their operations are essentially service-oriented. For example, hotel/motel accommodations, resorts, recreational vehicle and camping parks, and other primarily service-oriented activities are commercial planned developments.

### ARTICLE V LAND USE CONTROLS

#### Section 5.5 Use Classification Definitions:

R. Residential Use – **Class I** – A category of uses that includes, but is not limited to: hunting shacks, residential dwellings (less than five units or sites), seasonal residences and accessory dwellings and structures for personal use without compensation.

S. Residential Use – **Class II (Short Term Rental)** – A category of uses that includes, but is not limited to: hunting shacks, residential dwellings (less than five units or sites), and seasonal residences for short term rental, as defined in Article II, Section 2.7.

### ARTICLE VI ADMINISTRATIVE, PERFORMANCE AND CONDITIONAL USE STANDARDS

#### Section 6.11 Accessory Dwelling Administrative Standards “V”

An accessory dwelling shall not be used for commercial or rental purposes, unless a permit for short term rental is applied for and on file as part of the overall property for rent. Accessory dwellings shall not be used for rental as separate from the overall property.

DRAFT Short term rental	FAM	MU	SMU	RES	COM	SENS	IND	LI	LSO	LCO	CL (400 FT)	CL (1,000 FT)
Residential Use Class I	ALUP	ALUP	ALUP	ALUP	CUP	CUP	N	N	ALUP	A	N	N
Residential Use Class II	APS	APS	APS	ACUP	ACUP	ACUP	N	N	APS	APS	N	N

Use Chart

A = Allowed no permit required\*

ALUP = Allowed land use permit required

APS = Allowed performance standard permit required

CUP = conditional use permit required

N = not allowed

\*In the LCO district, a permit may be required

## ARTICLE VI ADMINISTRATIVE, PERFORMANCE AND CONDITIONAL USE STANDARDS

### Section 6.32 Short Term Rental Standards “C” [location subject to change]

**A. Permit Required:** Residential Use – Class II: A category of uses that includes, but is not limited to: hunting shacks, residential dwellings (less than five units or sites), and seasonal residences for short term rental is allowed in the following zone districts: FAM, MU, SMU, LSO, and LCO with a performance standard permit. The following standards shall apply:

#### 1. General

- a. The permittee/owner/operator shall post within the rental unit the rules and regulations and emergency contact information for police, fire, hospital, septic tank pumper, and permittee/owner/operator.
- b. The permittee/owner/operator shall provide the St. Louis County Planning and Community Development Director with current contact information for person(s) responsible for property management.
- c. Aquatic Invasive Species (AIS) prevention guidelines must be posted for watercraft use.
- d. The permittee/owner/operator shall provide a visual demarcation of the property lines.
- e. All local, state and federal requirements shall be followed for taxing, licensing, permitting and other applicable requirements.
- f. If a property is used solely for rental purposes, then it shall be deemed a Commercial Use-Class II and subject to ordinance requirements regarding commercial use.
- g. A permit for a short term rental use shall not be transferrable upon new ownership of a property where a permit was issued.
- h. Any violation of this ordinance shall deem a short term rental permit null and void.

#### 2. Conforming Lot

- a. Rental dwelling unit must be located on a conforming lot or an existing lot of record.
- b. No more than one rental dwelling unit per parcel may be rented. Additional occupancy by use of recreational vehicles, tents, accessory structures, garages, boathouse, pole barn, shed, fish houses or similar structure is not **allowed permitted**. Accessory dwellings shall not be rented as per Zoning Ordinance 62, Article VI, Section 6.11.
- c. More than one rental dwelling unit on the same parcel or single units on contiguous parcels under common ownership shall require a conditional use permit where the use is conditionally permitted OR shall constitute a resort and must meet the applicable standards.
- d. The St. Louis County Planning and Community Development Director may impose additional **standards or** conditions that will reduce impacts of the proposed use on neighboring properties. Said **standards or** conditions include but are not limited to fences, vegetative screening along property lines or shoreline and quiet hours.

#### 3. Licenses

- a. The permittee/owner/operator shall obtain and maintain an applicable Minnesota Department of Health Lodging License and other applicable licenses. Copy of current license(s) shall be provided to and on file with the County prior to issuance of permit by the County.

#### 4. Taxes

A Minnesota tax identification number and other applicable identification numbers must be provided to the St. Louis County Planning and Community Development Director prior to issuance of permit.

#### 5. Septic/Solid Waste

- a. Sewage treatment must comply with St. Louis County Subsurface Sewage Treatment System Ordinance 61, and adopted Technical Standards or their successor or replacement.
- b. Disposal of solid waste must comply with St. Louis County Solid Waste Ordinance 45, or its successor or replacement.

#### 6. Parking

- a. The site shall provide on-site parking sufficient to accommodate the occupants of the rental dwelling unit.
- b. No person shall, for the purpose of camping, lodging, or residing therein, leave or park a vehicle or motor vehicle on or within the limits of any road highway or on any road highway right-of-way.

#### 7. Residential Zone District

- a. In a RES zone district private residential use should be considered preeminent over non-residential uses. Therefore, in a RES zone district the following additional standards shall be met:
  - i. Rental dwelling unit must be located on a parcel that meets the minimum zoning requirements.
  - ii. There shall be a minimum buffer of at least 500 feet (as measured from property lines) between each short term rental use.
  - iii. If a conditional use permit is required and issued on a parcel in a residential zone district, it shall not be transferrable upon new ownership of a property where a permit was issued.
  - iv. All property lines shall be located by a licensed land survey, unless there is written agreement filed with the Department between the adjoining property owner and the short term rental permittee/owner/operator.
  - v. Adequate vegetative screening shall be required to screen the use from any shoreline and adjacent property owners. If vegetative screening is not sufficient, the Director may require solid fencing that reduces the visual impact of a use upon adjacent structures or residential uses.

- B. Conditional Use Permit Required: Residential Use – Class II (Short Term Rental):** A category of uses that includes, but is not limited to: hunting shacks, residential dwellings (less than five units or sites), and seasonal residences for short term rental is allowed in the following zone districts: RES, COM and SENS with a conditional use permit. The standards above shall apply.