



Public Policy

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MACVB Process for Taking a Position or Action

MACVB PROCESS FOR TAKING A POSITION OR ACTION

The MACVB Board of Directors may consider endorsing a public policy initiative proposed by a business, organization or individual. Any policy given consideration must be consistent with the following:

- It has substantial impact on the tourism industry, making a significant contribution toward improving business environment.
- It must be consistent with the MACVB's efforts on key priority issues, the organization's strategic plan and mission.
- It must be within the charge of MACVB or handle it as a recommendation to another group or individuals.
- It must have member commitment based on feedback received by members.

A policy approved by MACVB's Board of Directors gives the sponsor (if any) the right to use the organization's name under circumstances specified by the Board. It may or may not commit the MACVB to actively lobby and/or use its members or network in support of this initiative.

The Board of Directors has final authority on adoption of policy.

Policy Process

- An issue is identified, or a request made to MACVB to develop a policy or endorse a project
- The Board of Directors shall assign the issue to the Public Policy Committee and/or lobbyist or form a temporary task force to research and provide facts regarding the policy.
- The committee (or a task force) and lobbyist will conduct the necessary research, collect the facts, list pros and cons and make a recommendation to the Public Policy Committee.
- The Public Policy Committee will support, modify or reject the recommendation. If approved, the recommendation is forwarded on to the Board of Directors.
- The Board of Directors approves, modifies or rejects the recommendation. If it is approved, the recommendation is adopted as policy.

Once a policy is adopted, the Board of Directors shall:

- Determine the notification process
- Provide action of implementation
- Monitor progress of implementation

Guidelines for Action

Before MACVB takes a position on, expends resources for, or includes an issue in the business plan, it must be tested by the following guidelines:

1. Does the issue comply with the mission and objectives of MACVB?
2. Is the issue industry oriented, having an impact on tourism in Minnesota?
3. Is involvement with the issue cost-effective? MACVB may act on an issue if required resources can be justified and if an obtainable goal may be reasonably expected.
4. Is involvement with the issue a duplication of effort? MACVB may act on an issue individually or in cooperation with other organizations if it can be demonstrated that MACVB's participation will enhance the efforts and not be duplicative of other organizations or individuals.
5. Have the appropriate committees considered the issue?

Legislative Priorities/Position



2019 Issue Brief

Preserving the limited use of local option sales to marketing

Position:

Support Minnesota Statutes 469.190 which limits the use of local lodging taxes to tourism marketing efforts. We oppose any changes to current law or the diversion of lodging taxes for any purpose beyond marketing.

Background:

Under existing law, a statutory or home rule charter city or town may impose a tax of up to three percent on lodging at a hotel, motel, rooming house or resort. The tax is limited to rentals of less than 30 days. The Attorney General's office has issued several opinions clarifying the limited use of these funds. This revenue system benefits local attractions, as well as the broader community. By collecting these taxes from visitors, the burden on local tax payers for marketing is reduced. The broad pro-Minnesota tourism organization, Explore Minnesota Tourism Council, also supports our position.

Supporting Facts:

Current law requires 95% of the proceeds from these taxes shall be used to fund a local convention or visitor bureau for marketing and promoting the location as a tourist destination. Cities have proposed expanding the use of these funds for activities such as building or maintaining local hockey or sports facilities, seasonal decorations, welcome signs or community pools.

Tourism spending creates jobs, drives spending and has a positive return-on-investment. A 2016 report prepared on behalf of the Minnesota Office of Tourism assessed the economic impact of their advertising dollars spent in 2016. The study concluded for every \$1 invested in their campaign, \$98 in visitor spending was generated along with \$9 in tax revenue benefit to Minnesota residents.

A second study by the Minnesota Office of Tourism and their Spring/Summer 2016 Tourism Ad Campaign identified the following positive economic benefits:

- The ad campaign generated 3.5 million trips to Minnesota, resulting in \$389 million in additional traveler spending.
- Including indirect and induced impacts, this ad campaign promoting Minnesota generated \$51.9 million in state and local taxes and \$47.6 million in Federal taxes.
- Travel-driven state and local tax proceeds of \$51.9 million helped offset the average household tax burden by \$24 per household. That is, were it not for the 2016 tourism ad campaign, Minnesota households would need to pay \$24 each to maintain the same level of government revenue.



2019 Issue Brief

Support Uniform Regulation and Taxation

Position:

Regardless of how or where a visitor books a stay in Minnesota it should be treated in a similar manner when it comes to taxation and regulation. We support legislation to require registrations, inspections and the collection of state and local taxes by online rental platforms or property owners.

Background:

We support the Minnesota Lodging Association's position that there is widespread under collection of sales and lodging taxes associated with online short-term rentals and online travel agencies such as Orbitz, Expedia and Travelocity. Rentals from entities like AirBnb also often avoid regulations such as those required by the State Fire Marshal or Department of Health.

Supporting Facts:

- The short-term rental marketplace continues to grow. By avoiding or under-collecting the sales and local lodging taxes private renters are at a competitive advantage in the marketplace. This behavior allows these entities to take advantage of local services and marketing paid for by their competitors.
- Minnesota law requires the state sales tax paid on lodging sold by online travel agencies be paid on the entire amount charged to the guest rather than the wholesale amount paid to a lodging property. The law needs to be clarified so local option lodging taxes are collected in the same manner.
- National research indicates many of the listings on AirBnb in some markets are commercial operators rather than owner-occupied accommodations. In some instances, these locations have been found to be hotels without any regulation or oversight.
- Minnesota Tourism is currently a \$15 billion industry, supports 265,000 full and part-time leisure and hospitality jobs paying \$5.4 billion in wages in communities across the state. Minnesota Tourism generates nearly 18% of all state sales tax collections. Tourism spending creates jobs, drives spending and has a positive return-on-investment.



2019 Issue Brief

Increase Funding for Explore Minnesota

Position:

An increase in General Fund support of \$_____ for Explore Minnesota would allow the state to compete with neighboring states in efforts to bring visitors and their dollars to Minnesota communities and attractions. Increased funding for Explore Minnesota should be directed to marketing and promotions activities. We also support a \$1 million increase in the Event Grant Fund program which has proven to be popular for communities across the state and helped to bring several new community events to Minnesota.

Background:

Tourism advocates have maintained a goal of making tourism a \$20 billion industry in Minnesota by 2020. The current budget for Explore Minnesota lags well behind the budget of neighboring states and further limits our ability to compete for tourism dollars and travelers. Increased spending on marketing and promotions supports a wide variety of Main Street businesses and supports jobs across numerous sectors.

Supporting Facts:

Minnesota Tourism is currently a \$15 billion industry, supports 265,000 full and part-time leisure and hospitality jobs paying \$5.4 billion in wages in communities across the state. Minnesota Tourism generates nearly 18% of all state sales tax collections. Tourism spending creates jobs, drives spending and has a positive return-on-investment.

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2019 Issue Brief

Support Minnesota's Limitation of Schools Starting Classes Prior to Labor Day

Position:

We recognize the need for a quality school system, however we support maintaining Minnesota's prohibition of school districts starting classes prior to Labor Day.

Background:

We support Minnesota's traditional summer and believe Minnesota can still maintain and develop strong academic standards without jeopardizing Minnesota traditions such as the State Fair, trips to local resorts and visits to community attractions. The current law lengthens the tourism season which benefits local units of government in the form of taxes collected, benefits tourism businesses by extending their opportunities for sales and school districts which receive local property taxes.

Supporting Facts:

A 2012 study by the Center of Tourism at the University of Minnesota found the following:

- Post Labor Day school start increases the likelihood that families report at least one trip of two or more nights away from home in the months of August or September by 50%.
- The likelihood of reporting such a trip in any month between May and September is 30% higher because of schools starting after Labor Day.

Many state-wide industries depend upon employees that are available due to the current state law. Those industries include tourism, agriculture, 4-H, State Fair, landscaping and farming. The current law also helps students by extending their opportunities earn money for college or to supplement a family's income.

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Sample City Ordinances: Duluth



Accessory Home Share Permit Regulations

Definition: 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.

NOTE: Accessory Home Share Permits are for property owners who will be generally present during the time of their guests' stay. If you will not be present during your guests' stay you must be approved for a Vacation Dwelling Unit Interim Use Permit.

Application Requirements:

Bring the documents listed below to the One Stop Shop, City Hall Room 210.

Questions can be directed to a Land Use Technician at 218-730-5240.

The applicant for an Accessory Home Share Permit must provide evidence of possession of the following permits and licenses before an Accessory Home Share Permit may be issued:

- Obtain a **Hotel/Motel License** from the City Clerk's office by calling 218-730-5500 or visiting <http://duluthmn.gov/licenses-permits/hotelmotelbbmotor-court-license/>.
- 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>.
- Obtain a **Fire Operational Permit** from the City's Fire Prevention by calling 218-730-4397 or 218-730-4399.
- 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 or visiting www.duluthmn.gov/finance/tourism-taxes/.
- Obtain State **Tax Identification Numbers** by calling 651-282-5225 or visiting <http://www.revenue.state.mn.us/businesses/Pages/Business-Registration.aspx>.

The applicant must also provide the following documents:

- Signed affidavit for verification of owner occupancy during guest rental.
- A floor plan of the dwelling unit identifying which room(s) will be rented.
- A site plan indicating location of parking spaces.
- A completed Application Cover Sheet with required fee.

Application materials will be reviewed for completion and compliance with the Accessory Home Share Permit Standards listed below.

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 Permit shall expire upon change in ownership of the property or one year from issuance date, whichever occurs first.
4. At least one permanent resident must be generally present on or about the premises at all times that the property is rented.
5. A permit holder may not advertise an accessory home share for an accessory structure that is a storage shed or garage.
6. A permit holder may not advertise an accessory home share in any area exterior to the dwelling unit without a principle dwelling.
7. 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.
8. 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 (see document titled "Selected City Ordinances on Parking, Parks, Pets & Noise")
9. Permit holder must post their Permit number on all print, poster or web advertisements;
10. Violations of the home share permit requirements are subject to Section 50-39 Enforcement and Penalties of the UDC.

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.



Selected City Ordinances on Parking, Parks, Pets & Noise

Thanks for choosing to visit our wonderful city. The summary of ordinances below was assembled to answer commonly asked questions related to vehicle parking, park use, pets and noise. We hope you enjoy all that Duluth has to offer and that you'll return again soon!

Vehicle Parking Rules:

Sec. 33-82. Prohibitions generally.

(c) 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 highway or on any highway right-of-way, except where signs are erected designating the place as a camp site;

Sec. 33-85. Parking more than 24 consecutive hours prohibited.

No vehicle shall be left standing or parked more than 24 consecutive hours on any street or highway within the city.

Sec. 33-97.8. Alternate side parking.

Except where signs direct otherwise, all vehicles parked on streets in Duluth must observe the alternate side parking program to enable street cleaning, plowing, and other maintenance. All vehicles must be parked on the side of the street designated for parking for the week with house numbers that are either odd or even, see <http://www.duluthmn.gov/> for the designation of "odd" or "even" side parking for the week. The following week vehicles must be parked on the opposite side of the street. Every Sunday between the hours 4:00 p.m. and 8:00 p.m. shall be a changeover period and the provisions of this Section shall not be in force during such time.

Park Rules:

Sec. 35-9.3. Use of parks between certain hours prohibited without prior registration. Nearly all parks and beaches in Duluth are closed to public use after 10:00 p.m., including the beaches along Park Point.

Sec. 35-6. Vehicles, parking and recreational trails and paths.

(b) No person shall operate any motor vehicle or bicycle or ride a horse in any area of any park except on the roadway portion of streets, or highways, or parking areas in such park.

Many of the trails in Duluth are reserved for specific users year round or only during certain times of the year. This information is posted near trailheads to designate where bicycles, skis, and hikers are allowed. Direction of travel for trails may also be designated. Please observe these rules.

Additionally, winter use of ski trails within the City of Duluth requires that users have a DNR Ski Pass. See <http://www.dnr.state.mn.us/licenses/skipass/index.html> for more info. on obtaining this pass.

Sec. 35-7. Setting fires, prohibited.

(a) Except as provided in this Section, no person shall start or maintain any fire or hot coals in any park other than in designated park grills or privately owned grills suitable for the purpose for which they are used;

(c) The director of parks and recreation or the fire chief may ban all burning, including burning in grills, in parks at times of high fire danger.

It is a violation of this section to create a recreational fire on the beaches of Park Point.

Sec. 35-8. Prohibited activities.

Within any public park, no person shall:

- (a) Discharge any firearm, air gun, crossbow, bow and arrow, slingshot or other missile firing device, provided that the director of parks may, by written permit, authorize archery exhibitions and contests
- (b) Do any hunting or trapping or in any other manner disturb or injure or attempt to disturb or injure any animal, including birds;
- (c) Urinate or defecate anywhere but in a proper toilet facility;
- (d) Throw, deposit or place or cause to be thrown, deposited or placed any papers, bottles, cans or any other garbage or waste at any place except into a trash container;
- (e) Tip over any trash container or otherwise cause the contents of a trash container to be deposited on the ground;
- (i) Possess any glass beverage container while outside of a motor vehicle;
- (j) Consume alcoholic beverages or possess opened or unopened alcoholic beverages.

Sec. 35-2. Animals running at large, animal control.

- (a) No dogs, cats or other domestic pets shall be allowed to run at large upon any park. Dogs, cats and other domestic pets shall be considered to be at large if they are not under control of the owner or other responsible person by means of a leash of suitable strength not exceeding six feet in length;
- (b) The director of parks and recreation may designate any park or area in a park as prohibited to pets or other animals. Any area so designated shall be clearly marked by signs indicating such prohibition. No person owning, controlling or caring for any animal shall allow such animal to enter any park area where such animal is prohibited.

Sec. 35-3. Fastening animals to fences, trees, etc., prohibited.

No person shall tie or fasten any animal to any fence, building, railing, tree, shrub or plant in or upon any park in the city.

Pet Rules:

Sec. 6-33. Animal noise.

- (a) No person shall harbor or keep any dog which, by loud and frequent or habitual barking, yelping or howling shall cause reasonable annoyance of another person or persons;

Sec. 6-36. Running at large prohibited.

No person shall suffer or permit any animal owned or controlled by that person to run at large within the city.

Sec. 6-38. Animal litter.

- (a) The owner of any animal or any person having the custody or control of any animal shall be responsible for cleaning up any feces of the animal and disposing of such feces in a sanitary manner;
- (b) It is unlawful for any person owning, keeping or harboring an animal to cause said animal to be on property, public or private, not owned or possessed by such person without having in his/her immediate possession a device for the removal of feces and depository for the transfer of animal feces to a receptacle located on property owned or possessed by such person. A device may include a plastic or paper bag which is used to recover animal feces;

(c) It is unlawful for any person in control of, causing or permitting any animal to be on any property, public or private, not owned or possessed by such person to fail to remove feces left by such animal to a proper receptacle located on the property owned or possessed by such person;

(d) For the purposes of this Section, the term public property includes, without limitation, streets, sidewalks, boardwalks, trails, boulevards, playgrounds and parks;

Noise Rules:

Sec. 34-5. Disturbing the neighborhood.

No person, within the city, shall keep a dwelling, gaming area, party room, or meeting area which attracts people to the neighborhood at times or in such a manner that their arrival or leaving or activities while in the neighborhood result in an unreasonable disturbance of the usual peace, quiet, comfort, or decency of the neighborhood.

Sec. 34-6. Disorderly conduct.

(a) No person shall commit or suffer to be committed in any apartment or other dwelling owned, occupied or controlled by him, any rioting, quarreling, fighting, reveling, shouting, loud music or electronically amplified noise, or disorderly conduct which disturbs or annoys another person in a neighboring apartment or other dwelling, or in a neighboring building, or lawfully in the vicinity of said neighboring dwelling or building;

(b) No person within any public or private place shall take part in or incite or encourage any brawling, shouting, dancing, or noise production, which unreasonably disturbs others lawfully in the vicinity.

Sec. 40-10. Definitions, User Charge for Excessive Consumption of Police Services.

Nuisance event. An event requiring special security assignment in order to protect the public peace, health, safety and welfare. A nuisance event includes, but is not limited to, the following:

- (e) Loud and boisterous conduct, noises and activities that disturb the peace;
- (f) Events between 11:00 p.m. and sunrise which disturb the peace and tranquility of the neighborhood;
- (g) Congregating in a tumultuous, noisy or rowdy crowd;
- (h) Fighting or use of obscene or inflammatory language;
- (i) Loud music constituting a nuisance or disturbing the peace;
- (j) Activities causing excessive pedestrian or vehicular traffic and parking problems and congestion.



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: _____



**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-**\$25**
- Appeal to Planning Com. - **\$360**
- Concurrent Use of Streets - **\$720**
- District Plan - **\$1,034**
- EAW or EIS- **\$2,585**, plus any applicable professional fees
- Historic
 - Construction/Demolition - **\$50**
 - Resource Designation - **\$78**
- Interim Use Permit **\$825**
- Planning Review - **\$825**
- Sidewalk Use Permit
 - New Permit- **\$155**
 - Renewal Permit - **\$78**
- Special Use Permit, General - **\$825**
- Special Use Permit, Wireless Telecommunications*
 - Modifying or Co-locating – **\$2,586***
 - New Facility or Tower – **\$5,173***
 - Escrow Deposit - **\$8,794***
- Subdivision Plat Approval or Amendment:
 - Concept Plan - **\$258**
 - Preliminary Plat - **\$1,030**
 - Final Plat- **\$775**
 - Minor Subdivision-**\$414**
 - Plat Amendment or Boundary Line Adjustment - **\$258**
 - Registered Land Survey-**\$668**
- Temporary Use Permit - **\$155**
- UDC Zoning Map Amendment/Rezoning
 - General - **\$825**
 - MU-P or R-P- **\$1,280**
- Vacation of Street or Utility Easement - **\$820**
- Variance - **\$665**
- Wetland,
 - De Minimus, Delineation, or No Loss- **\$205**
 - Exemption-**\$154**
 - Replacement Plan - **\$770**
- Zoning Verification Letter-**\$88**

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.

Accessory Home Share Permit Application Intake Checklist

Applicants, use this checklist to make sure your plans and application packet are complete. Permitting staff will check your application using this checklist. If all items are provided, your application will be accepted and routed for all required reviews. If items are missing, your application will not be accepted and you will be given a copy of this checklist indicating which items are missing. Bring this list to the permit counter when you come or return to make your permit application.

Project address _____

Applicant name _____

Applicant phone _____

Applicant email _____

Applicant Checklist	Required Items	Staff use only		
		Notes	Verified	Not Accepted
	Application Cover Sheet.			
	Application fee- \$25.			
	Hotel/Motel License.			
	Lodging Inspection Form from state Department of Health.			
	Fire Operational Permit inspection certificate.			
	City of Duluth Lodging Tax certificate.			
	State tax certificate- Tax ID#.			
	Signed affidavit for verification of owner occupancy.			
	A floor plan of the dwelling unit identifying which room(s) will be rented.			
	A site plan indicating location of parking spaces.			

3.13 Checklist

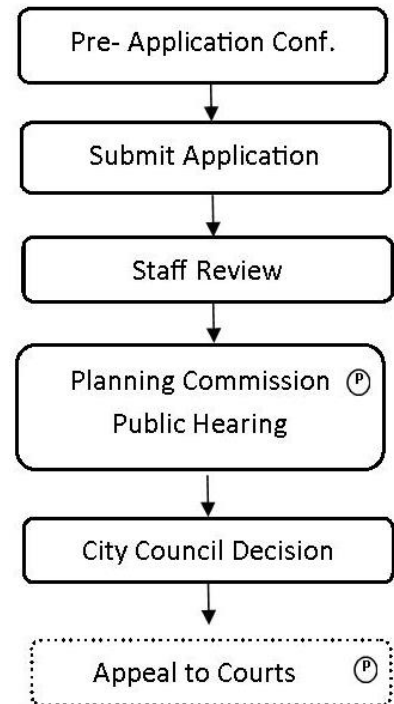
Interim Use Permit, Including Vacation Dwelling

An interim use permit applies to special uses that will be authorized only for a specified period of time. See UDC Section 50-37.10 for more information. This process is required for vacation dwelling unit applications, but not accessory home share permits. A maximum of 60 vacation dwelling units is allowed within the City of Duluth.

Starting the Application Process

- You must discuss proposed interim use permits with Planning Staff prior to submitting an application. Call 218-730-5580 to schedule a pre-application meeting, and make sure to get a Pre-App Verification at this meeting; you will need to submit this with your application. The pre-application meeting is intended to discuss the application process and general timeline. A comprehensive review of the proposed project is not possible at this meeting; detailed review of the project will occur once a complete application, with sufficient supporting information and exhibits, is submitted.
- Submit your application materials to the One Stop Shop, Room 210 City Hall, by the Planning Commission application deadline. Your application must include the following:
 - Application Cover Sheet and Applicable Fee
 - Pre-App Verification (received from staff at pre-application meeting)
 - Survey of the property (recommended); or a site plan with accurate depiction of the lot dimensions, existing structures with distance to property boundaries, any existing off-street parking, and any existing fencing.
 - Landscape or screening plan detailing species type and number of trees and shrubs, if application is proposing additional landscaping to screen property from adjoining neighbors.
 - Vacation Dwelling Unit Worksheet
 - Other materials needed to confirm compliance with applicable standards, to be determined at the pre-application meeting: _____

Interim Use Permit



(P) Indicates Public Hearing Required

Important Dates

Application Deadline:

Sign Notice Placed:

Planning Commission:

City Council*:

Effective*:

**Please note that these dates are approximate guidelines and may change*

After Submitting Your Application

1. Determination of Completeness. Within 15 business days of your application, you should expect to:

- Receive an "Applicant Letter," which acknowledges a complete application, shares the date of the Planning Commission meeting and the assigned staff person, and notifies you of state-mandated deadlines for the City to make a decision, **OR**
- Receive notification that your application is incomplete, with details on further information to submit.

2. Public Notice. A mailed notice will be sent by the City to property owners within 350 feet.

- You are required to post a sign notice** on the property at least two weeks before the date of the public hearing. See UDC Section 50-37.1.H for information on size, placement, and content of each sign; you may want to contact a sign company or printing company to have the sign made. You must provide evidence that the signs were in place; **submit photo(s) of the signs to the Planning Division at least two weeks before the date of the public hearing.**

3. Staff Review. Planning staff will evaluate your application and prepare a staff report. When considering a recommendation for an interim use, Planning Staff generally review the Comprehensive Plan (including the Future Land Use Map, Governing Principles, and Policies), surrounding land uses and zoning, individual factors that are unique or special to the proposal, compliance with any approved district plan for the area, any additional UDC criteria, and other related factors.

- You will receive an email with the Planning Commission agenda and a link to this staff report about 5 days prior to the meeting.

4. Planning Commission Hearing. Planning Commission meetings are scheduled at 5:00 pm on the second Tuesday of each month. **We ask that applicants or an agent attend this meeting.**

The Planning Commission will hold a public hearing and make a recommendation to adopt, adopt with modifications, or deny the application.

5. City Council Decision. The Planning Commission recommendation will be forwarded to City Council in the form of a resolution. City Council will make a decision whether to approve the permit, approve it with modifications, or deny it.

The City Clerk's office will send notice of the Council action to the applicant.

6. Development Agreement. Interim Use Permits require a development agreement, to be finalized and signed after City Council approval. Staff will discuss the format and content of the development agreement with you. Alternatively, a development agreement can be done prior to submitting your application; let Planning staff know if you would prefer this.

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.

Vacation Dwelling Unit Worksheet (April 2018)

1. The minimum rental period shall be not less than two consecutive nights. **What will be your minimum rental period? _____ nights**

2. The total number of persons that may occupy the vacation dwelling unit is one person plus the number of bedrooms multiplied by two.

How many legal bedrooms are in the dwelling? What will be your maximum occupancy?

3. Off-street parking shall be provided at the following rate:

a. 1-2 bedroom unit, 1 space

b. 3 bedroom unit, 2 spaces

c. 4+ bedroom unit, number of spaces equal to the number of bedrooms minus one.

d. Vacation dwelling units licensed on May 15, 2016, are entitled to continue operating under the former off-street parking requirement. The parking exemption for vacation dwelling units licensed on May 15, 2016, expires upon transfer of any ownership interest in the permitted property.

How many off-street parking spaces will your unit provide? _____

4. Only one motorhome (or pickup-mounted camper) and/or one trailer either for inhabiting or for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) may be parked at the site, on or off the street. **Will you allow motorhome or trailer parking? If so, where?**

5. 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 for 2 to 29 days. Provide copies of the lodging and fire inspection reports with your initial application.

- Mn Department of Health Lodging License (Requires Inspection)**
- City of Duluth Fire Operational Permit (Requires Inspection)**
- City of Duluth Hotel/Motel License**
- City of Duluth Tourism Tax Number**
- State of Mn Tax Identification Number**

6. 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, designating and disclosing a local contact, property use rules, taxation, and interim use permit violations procedures.

7. The property owner must provide a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, pool, hot tub, or sauna, and provide detail concerning the provision of any dense urban screen that may be required to buffer these areas from adjoining properties. Please note that this must be on 8 x 11 size paper.

8. The interim use permit shall expire upon change in ownership of the property or in six years, whichever occurs first. An owner of a vacation dwelling unit permitted prior to May 15, 2016, may request, and the land use supervisor may grant, an application for adjustment of an existing permit to conform to this section, as amended, for the remainder of the permit term.

9. 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. **Please explain how and where you will keep your guest record (log book, excel spreadsheet, etc):**

10. Permit holder must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24-hours-a-day to any complaints from neighbors or the City. The permit holder must notify the Land Use Supervisor within 10 days of a change in the managing agent or local contact's contact information. **Please provide the name and contact information for your local contact:**

11. Permit holder must disclose in writing to their guests the following rules and regulations:

- a. The managing agent or local contact's name, address, and phone number;
- b. The maximum number of guests allowed at the property;
- c. The maximum number of vehicles, recreational vehicles, and trailers allowed at the property and where they are to be parked;
- d. 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;
- e. Applicable sections of City ordinances governing noise, parks, parking and pets;

Please state where and how this information will be provided to your guests:

12. Permit holder must post their permit number on all print, poster or web advertisements. **Do you agree to include the permit number on all advertisements?** _____

13. Prior to rental, permit holder must provide the name, address, and phone number for the managing agent or local contact to all property owners within 100' of the property boundary; submit a copy of this letter to the Planning and Community Development office. In addition, note that permit holder must notify neighboring properties within 10 days of a change in the managing agent or local contact's contact information.

14. Prior to rental, the building must be inspected and an Operational Permit issued by the Fire Prevention office. Permit holder must apply for and be granted State and local sales tax numbers, including Hotel and Motel Use Sales Tax, as discussed in item number 5 above; submit a copy of these approvals to the Planning and Community Development office.

50-20.3.U. Vacation Dwelling Unit (Use Specific Standards from the UDC)

- 1.** The minimum rental period shall be not less than two consecutive nights;
- 2.** The total number of persons that may occupy the vacation dwelling unit is one person plus the number of bedrooms multiplied by two;
- 3.** Off street parking shall be provided at the following rate:
 - (a) Vacation dwelling units licensed on May 15, 2016, shall provide the following minimum number of off street parking spaces:
1-2 bedroom unit, one space; 3-4 bedroom unit, two spaces; 5+ bedroom unit, three spaces.
 - (b) Vacation dwelling units licensed after May15, 2016, shall provide the following minimum number of off street parking spaces:
1-2 bedroom unit, one space; 3 bedroom unit, two spaces; 4+ bedroom unit, number of spaces equal to the number of bedrooms minus one.
 - (c) Vacation dwelling units licensed on May 15, 2016, are entitled to continue operating under the former off-street parking requirement. The parking exemption for vacation dwelling units licensed on May 15, 2016, expires upon transfer of any ownership interest in the permitted property.
- 4.** Only one motorhome (or pickup-mounted camper) and/or one trailer either for inhabiting or for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) may be parked at the site, on or off the street;
- 5.** 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 for two to 29 days;
- 6.** 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, designating and disclosing a local contact, property use rules, taxation, and interim use permit violations procedures;
- 7.** The property owner must provide a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbecue grill, recreational fire, pool, hot tub, or sauna, and provide detail concerning the provision of any dense urban screen that may be required to buffer these areas from adjoining properties;
- 8.** Any vacation dwelling unit that will be located in a multi-family structure that has nine or more dwelling units shall:
 - (a) Make available 24-hour staffing at a front desk that is accessible to all tenants;
 - (b) If determined applicable by the Land Use Supervisor, provide a letter from a duly established Home Owner's Association stating the support of the Home Owner's Association Board of Directors for the vacation dwelling unit, and enumerating any Home Owner's Association rules to be incorporated into the interim use permit;
- 9.** The interim use permit shall expire upon change in ownership of the property or in six years, whichever occurs first. An owner of a vacation dwelling unit permitted prior to May 15, 2016, may request, and the land use supervisor may grant, an application for adjustment of an existing permit to conform to this section, as amended, for the remainder of the permit term.

Additional Contacts

To comply with the new Interim Use 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://duluthmn.gov/licenses-permits/hotelmotelbbmotor-court-license/>.
- 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 the City's Fire Prevention by calling 218-730-4397 or 218-730-4399.
- 4.) Obtain State **Tax Identification Numbers** by calling 651-282-5225 or visiting <http://www.revenue.state.mn.us/businesses/Pages/Business-Registration.aspx>.
- 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 or visiting www.duluthmn.gov/finance/tourism-taxes/.



CITY OF DULUTH

DEPARTMENT OF PLANNING & CONSTRUCTION SERVICES
Community Planning Division
411 West First Street – Room 208 - Duluth, Minnesota 55802-1197
218-730-5580 – An Equal Opportunity Employer

What kind of Short-Term Rental Permit do I need?

This document will explain the two ways the City of Duluth permits short-term rentals and provides a web link to the application procedures for each.

Short-term rentals in Duluth fall into two categories with the primary difference being whether or not the property owner resides on the premises while the guests are present:

- Accessory Home Share
- Vacation Dwelling Unit

[Property owner lives in the home during the rental](#)

If the property owner permanently resides at the property during the rental period and they want to rent a room to guests they would apply for an Accessory Home Share permit. A maximum of 4 guests can stay for up to 29 days with an Accessory Home Share Permit. Safety inspections will be required before the permit is issued. This permit must be renewed annually.

This type of permit requires that at least one permanent resident be generally present on or about the premises at all times while the property is being rented.

[Renting the entire home without property owner being present](#)

If the property owner wants to rent out the entire property without being present while it is rented a Vacation Dwelling Unit Interim Use Permit is the application to seek. This type of a permit requires guests to stay for a minimum of two nights and rent for up to 29 days. Off-street parking is required based on the total number of bedrooms.

This permit requires a public hearing and approval by the City Council and, if approved, is in place for up to 6 years. Safety inspections will be required before the permit is issued

*Please note that based on direction from the Duluth City Council, only 60 vacation dwelling unit permits will be approved. As of August 15, 2016, over 30 permits have been issued.

[What's next after determining the type of permit that works best for me?](#)

Additional rules and procedures for Accessory Home Share and Vacation Dwelling Units can be found under the heading of "Short-Term Rental Permits" at

<http://www.duluthmn.gov/community-planning/land-use-zoning-applications/applications/>

If you're interested in a Vacation Dwelling Unit Interim Use Permit, please call to schedule a pre-application meeting with a member of our team at 218-730-5580.

A pre-application meeting is not necessary when applying for an Accessory Home Share permit, but if you have questions please call a Land Use Technician located in our One Stop Shop at 218-730-5240.

THE NEW TOURISM LEXICON: REWRITING OUR INDUSTRY'S NARRATIVE

Last year, Destinations International released a policy brief entitled, "Advocacy in the Face of Ideology," which made the case that relying on ROI numbers to defend the value and relevancy of a destination organization was no longer a viable advocacy strategy. Instead, we argued, destination organizations need to support the message of ROI in terms of dollars and cents with an ideological and value-based appeal to convince political leaders that without a destination organization, these returns will inevitably vanish.

Our industry has unfortunately fallen for what George Lakoff, a professor of Cognitive Science and Linguistics at the University of California at Berkeley, dubs the "Enlightenment Fallacy." According to this viewpoint, you simply need to tell people the facts in clear language and they'll reason to the right, true conclusions. The problem, as Lakoff puts it is, "The cognitive and brain sciences have shown this is false... it's false in every single detail."

The reality is that people tend to frame political arguments, and the facts behind them, in terms of their own values. What this means, essentially, is that words matter in politics, and those words need to be chosen carefully.

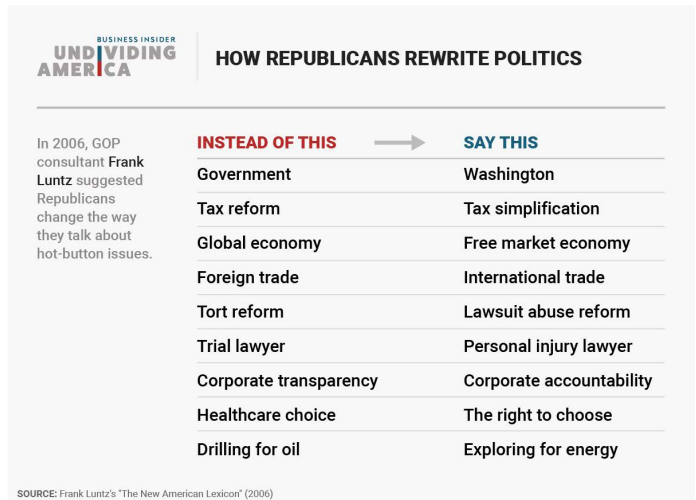
Political Framing

Using language to frame a political conversation is nothing new. Frank Luntz is a pollster who has been at the forefront of Republican political messaging for 30 years. One of his greatest contributions to Republican messaging can be found in "The New American Lexicon," a playbook published annually by Luntz since the early 1990s. In a section titled "14 Words Never to Use," Luntz instructs to never say "government" when one could say "Washington" instead.

"Most Americans appreciate their local government that picks up their trash, cleans their streets, and provides police and transportation services," Luntz said.

"Washington is the problem. Remind voters again and again about Washington spending, Washington waste, Washington taxation, Washington bureaucracy, Washington rules and Washington regulations."

Luntz also suggested replacing "drilling for oil" with "exploring for energy," "undocumented workers" with "illegal aliens," and "estate tax" with "death tax." The substitutions often work — an Ipsos/NPR poll found that support for abolishing the estate tax jumps to 76% from 65% when you call it the death tax.



INSTEAD OF THIS	→	SAY THIS
Government		Washington
Tax reform		Tax simplification
Global economy		Free market economy
Foreign trade		International trade
Tort reform		Lawsuit abuse reform
Trial lawyer		Personal injury lawyer
Corporate transparency		Corporate accountability
Healthcare choice		The right to choose
Drilling for oil		Exploring for energy

SOURCE: Frank Luntz's "The New American Lexicon" (2006)

"It was completely revolutionary," according to Republican consultant Jim Dornan. "He detected phrases and single words that could change how people thought about the issues."

From "Gambling" to "Gaming"

One of the best examples of the impact language can have on perception comes from the gaming industry. When Frank Fahrenkopf joined the American Gaming Association in the late 90s, he spearheaded a seemingly simplistic, yet revolutionary, re-branding strategy for the entire industry, to redefine "gambling" as "gaming." With one single, powerful word, a new context was set for all

communicating our messages effectively.

1. Keep It Simple

“A leaders’ job isn’t to educate the public — it’s to inspire and persuade them,” Jon Favreau, President Obama’s former speechwriter. “That requires meeting people where they are and speaking in words that are easily accessible to the broadest possible audience. Perhaps the most powerful, inspirational political phrase of the last decade or so involved three of the simplest words in the English language: yes we can.”

When our industry talks about incremental visitation or induced economic impact, we’re not doing ourselves any favors. A good example of an industry mission statement that demonstrates this point is Tourism Australia’s:

“Tourism Australia’s mission is to make Australia the most desirable destination on earth.”

Unless you speak the language of your intended audience, you won’t be heard by the people you want to reach. When it comes to effective communication, small beats large, short beats long, and plain beats complex. And sometimes a good visual beats them all. Beautiful images of your destination may be great for external marketing purposes, but when preparing materials that will be viewed by your internal stakeholders, use images of the people in your community who are actually being positively impacted by tourism.



2. Say It. Repeat It. Say It Again.

Finding a good message and then sticking with it takes extraordinary discipline, but it pays. Remember, you may tire of saying the same exact same thing again and again, but many in your audience will be hearing it for the first time. The overwhelming majority of your stakeholders aren’t paying as much attention as you are. It’s important to have your key messages, stay on point, and repeat them over and over again. We’re great at repeating the numbers; now let’s start repeating the emotional message.

3. Provide Context

Without context, you cannot establish a message’s value, its impact, or most importantly, its relevance. Far too often, leaders in our industry tout the benefits of tourism and destination promotion without providing a broader context. We provide “solutions” without attaching them to an identifiable “problem,” and in such instances, those solutions come across as meaningless.

As an example of this, a headline often seen in our industry is, “Destination X sets record with Y number of visitors.” But what problem or need is this solving for the community? Do residents feel that they need more visitors? The likely answer is no, and there’s plenty of evidence out there to demonstrate this. Even if the reality is that your destination is not overcrowded with visitors, popular perception can overwhelm truth and accuracy.

Context starts with the value of listening, not speaking. When people feel they’re heard and understood, they’ll listen. It also means humanizing the issues they care about. This underscores the importance of connecting with your residents, and even doing research to understand resident sentiment towards the industry and community at large.

We need to start providing more context to the work that we do. We’ve taken the first step by connecting the benefits of tourism with broader socio-economic benefits to our communities. But if we really want our messaging to connect, we need to start talking about industry benefits in the context of local values.

As an example of this, a few years ago a headline in *Oregon Business Magazine* read, “Tourism Supports a More Sustainable Oregon.” Oregon is known for being a state that cares our nature and the environment, and in this instance, the destination organization was able to tie their work to that core value. They’ve effectively communicated the benefits of tourism in a context that is meaningful for stakeholders in their community.

4. Credibility Is As Important As Philosophy

The words you use become you, and you become the words you use. If your words lack sincerity, if they contradict accepted facts, circumstances, or perceptions, they will lack impact. In simple terms, you have to walk the walk. If you are going to position your destination organization as being essential to the quality of life in your community, then you need to demonstrate to your leaders, stakeholders and residents that you care deeply about their quality of life. Saying one thing and doing another will quickly be exposed in today’s world that demands transparency and accountability.

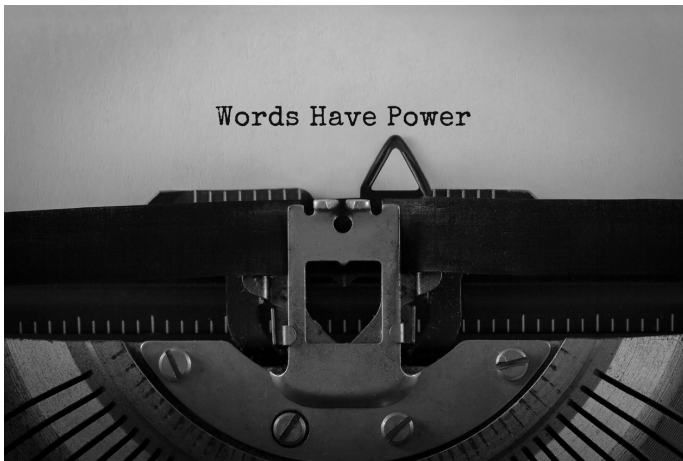
The above example in Oregon only works because tourism actually does support a more sustainable Oregon.

The Travel Oregon Forever Fund “provides residents and visitors to Oregon an opportunity to give back to projects that make Oregon a better place to live and travel.” Launched in 2012, the Forever Fund has raised more than \$175,000 in support of 28 Forever Fund Projects in Oregon.

It is not enough to blindly apply the rules of effective communication, nor is it enough to consider the audience’s context as well. You have to go further and *be* the message.

Conclusion

We all know the positive impacts our work has on the communities we represent, and our industry is filled with exceptional leaders whose ideas for the future can position their organizations as champions within their destinations. But what you say in defense of those ideas matters, and what people hear matters even more.



Our industry has changed drastically over the past decade, and it’s time now for the way we talk about our industry to change as well. Together, we can utilize a new tourism lexicon to connect with our stakeholders in a meaningful way and illustrate to them something we know to be true: that destination promotion is a public good for the benefit and well-being of all; an essential investment no community can afford to abate without causing detriment to the community’s future economic and social well-being.

“The New Tourism Lexicon” was underwritten in part by the Destinations International Foundation.