10.30 VACATION HOME RENTAL (VHR)

10.30.1 Purpose

The purpose of this section is to establish performance standards and licensing requirements for vacation home rentals (VHR's) in allowed zoning districts, to protect the safety and welfare of adjacent and surrounding land uses. These performance standards do not address resorts as defined in section 10.30.2.

Where general standards and specific criteria overlap, specific criteria shall supersede general standards.

10.30.2 Definitions:

The following terms and phrases, when used in this Article and Section, shall have the meaning provided herein, except where the context clearly indicates otherwise:

1. **Administrator:** The Administrator is the Director of the Pope County Land & Resource Management department and unless otherwise indicated, the word "Administrator" as it appears in section 10.30 of the Land Use Controls Ordinance means the Director of the Pope County Land & Resource Management department.
2. **Resort:** any buildings, structures, or enclosures kept, used maintained or advertised as, or held out to the public to be an enclosure where sleeping accommodations are furnished to the public and primarily to those seeking recreation, for periods of one day to one week or longer, and having for rent three or more resort cabins, rooms, or enclosures.
3. **Vacation Home Rentals (VHR's):** A single family dwelling and/or related structure that is rented out on a transient basis for a charge. A transient basis shall be any period of time less than thirty (30) consecutive days.

10.30.3 Performance Standards

1. All VHR's shall be licensed by Horizon Public Health and shall meet the requirements of the Pope County Land Use Controls Ordinance.
2. **Permit Requirements:**
   a. **Administratively Issued Land Use Permit Required:**
      i. Limited to one (1) vacation rental unit per parcel.
      ii. Maximum overnight guest occupancy shall not exceed the lesser of the following limits:
         a) For properties with subsurface sewage treatment systems, the maximum number of overnight guests shall not exceed the total treatment capacity of the system in gallons per day divided by 45 gallons per overnight guest (i.e. 450 gal per day / 45 gallons = 10 overnight guests); or
         b) Not more than 12 overnight guests.

b. **Interim ~~Conditional~~ Use Permit Required:**

i. More than one vacation rental unit on the same parcel or single units on contiguous parcels under common ownership.

ii. Overnight guest occupancy exceeds 12 guests.

c. **Sensitive Area Requirements:**

i. For lakes designated as Shoreland-Natural Environment, those lakes with less than 40% of the shoreline in platted lots, an Interim Use Permit may be applied for.

ii. VHR are prohibited on lakes designated as Shoreland-Natural Environment, with over 40% of the shoreline in platted lots and having a public access.

3. **Sanitation:** The VHR shall be connected to either a central sanitary sewer or a compliant subsurface sewage treatment system as per MN Rules Chapter 7080, or successor rules.

a. The subsurface sewage treatment system shall be designed and constructed with a design flow of forty-five (45) gallons of water per person per day to handle the maximum number of guests for which the facility is permitted.

b. The use of holding tanks for VHR's shall be prohibited.

c. An operating permit for the septic system shall be obtained from the Land & Resource Management department.

4. All advertisements or web-based reservation service pages shall include:

a. License number issued by Horizon Public Health.

b. The total permitted overnight guest occupancy.

c. The total number of persons permitted on the property.

5. Garbage, refuse, or recycling shall be stored completely enclosed within designated refuse containers. The owner or operator of the rental unit shall provide sufficient trash storage containers and service to accommodate the demand of the occupants.

6. Noise levels shall not exceed the standards established in MN Rules, chapter 7030, or successor rules. Noise levels shall not exceed 50 dB for more than 30 minutes, as measured at the property line of the rental property, between the hours of 10 pm and 8 am.

7. Guest parking shall be on a designated onsite area.

8. No free-standing signs shall be allowed. Signage less than twelve (12) square feet may be attached flush with the outside wall of a residential structure.

9. All outside lighting must be hooded and directed straight down.

10. The boundaries of the rental property shall be visually demarcated by a fence, vegetation, landscaping, or other method as approved by the Administrator.

11. The use of detached or temporary sleeping accommodations such as recreational vehicles, tents, fish houses, campers or others to increase the overnight guest capacity shall be prohibited.

DRAFT

12. The rental owner, operator, or manager shall provide the name and phone number of a local contact at the time of licensing to the County, Horizon Public Health, local Police Department and display a placard on the residential structure with local contact information. Any change of contact or contact information shall be noticed to the above parties within 10 days of the change. The local contact must:
    a. Be available 24 hours per day, seven days per week.
    b. Be able to respond by phone within 60 minutes and in-person within 120 minutes of notification.
    c. Have administrative authority over the property and guests.
    d. Have knowledge of the VHR, the property, rental and County rules, standards, and procedures.
13. The following shall be posted within the rental unit in a prominent location to be readily available to guests:
    a. License issued by Horizon Public Health.
    b. Full name and phone number of owner or operator.
    c. Full name and phone number of local contact or local management agent.
    d. Local emergency contact information (police, fire, ambulance, septic maintainer).
    e. Emergency evacuation plan.
    f. Aerial image of the property clearly showing property boundaries, parking areas, shore recreational facilities, garbage receptacles, septic treatment system (if private system).
    g. The maximum number of overnight guests and the total guest capacity of the property.
    h. The maximum number of parking spaces.
    i. Any applicable County or Township ordinances governing noise, parking, pets, or lakes (AIS laws, water surface zoning, etc.).
14. The licensee shall keep a report (which shall be provided to the Administrator upon request), detailing use of the home by recording, at a minimum:
    a. The full name, address, phone number and vehicle license plate number of all guests using the property.
    b. The number of guests.
    c. Dates of rental.
15. The owners of VHR's shall, at a minimum, comply with Minnesota Statutes, chapter 504B; or successor statue and make available to all tenants the Minnesota Attorney General's annual statement summarizing the significant legal rights and obligations of landlords and residential tenants, as described in Minnesota Statues, section 504B.275; or successor statute.

DRAFT

10.25.7 Effective Date

This Amendment shall be in full force and effective after its passage and publication by law.

DULY ORDAINED AND ENACTED the _____day of _____, 2021, by the Board of County Commissioners of Pope County, in the State of Minnesota, in lawful session duly assembled.

Board of County Commissioners of Pope County

_____, Chair

ATTEST:

_____, County Coordinator

DRAFT