TOWN of MAY  
WASHINGTON COUNTY, MINNESOTA  
Ordinance No. 2017-02  

AN ORDINANCE AMENDING THE TOWN OF MAY ZONING ORDINANCE PROHIBITING SHORT TERM & VACATION RENTALS IN THE RURAL RESIDENTIAL ZONE & ESTABLISHING PERFORMANCE STANDARDS FOR RESORTS

Section 1. Findings.

WHEREAS, short term and vacation rentals of property not zoned for commercial uses have become a more commonplace occurrence within the Town of May, and elsewhere; and

WHEREAS, short term and vacation rentals are a temporary occupancy regulated by the State of Minnesota in the same manner as lodging facilities and hotels; and

WHEREAS, rental of private homes for temporary occupancy is contrary to the essential character and stability of residential neighborhoods as such uses do not integrate into residential neighborhoods and thus, should be controlled in the Rural Residential Zone of the Town; and

WHEREAS, rental of homes for temporary occupancy may disturb residential neighborhoods by creating excessive noise, accumulation of refuse, trespassing, disorderly conduct, vandalism, high occupant turnover, excessive traffic, and excessive numbers of parked motor vehicles; and

WHEREAS, regulating rental of private homes for temporary occupancy is necessary to protect the essential character of residential neighborhoods and the health, safety and general welfare of the community; and

WHEREAS, rental of residential homes for temporary occupancy is often undertaken without adequate on-site management, compliance with state and local codes for commercial lodging establishments, and other safeguards for those renting the home; and

WHEREAS, well-regulated commercial lodging establishments may be compatible with the Town’s rural setting in certain instances provided these are located on adequate amounts of land with identifiable recreational opportunities in a natural setting; and

WHEREAS, operating a commercial business venture in close proximity to neighboring residences can lead to a conflict in uses, and in most settings are prohibited by the Town Code that requires Small Businesses to operate on a minimum of ten (10) acres.

NOW THEREFORE, THE TOWN BOARD OF THE TOWN OF MAY, WASHINGTON COUNTY, MINNESOTA DOES ORDAIN:
Section 2. Code Amended.

Section 702.01 (17) is hereby amended to read as follows:

Resort. A self-contained development that provides for visitor oriented accommodations and developed recreational facilities in a setting with natural amenities that includes five (5) or more lodging or guest rooms or units available on a rental or lease basis for periods of one day, one week, or longer. Accessory uses may include a grocery for guests only, fish cleaning house, marine service, boat landing and rental, recreational area and equipment and similar uses normally associated with a resort operation.

Section 3. Code Amended.

Section 705.16.G shall be amended to include the following in the list of uses:

Resort 1 space per lodging or guest unit.

Section 4. Code Added.

Section 705.17 shall be added to read as follows:

Short Term or Vacation Rentals. It is prohibited to rent, lease, or offer for rent or lease any dwelling unit, part of a dwelling unit, guest house, guest room, or lodging room for a period of less than thirty (30) days. Rental of less than this period of time shall only be permitted in a resort, as defined by the Town Zoning Ordinance.

Section 5. Code Added.

Section 705.23 shall be added to read as follows:

Resorts. Resorts shall meet the following standards:

A. Lot size. No resort shall be on a lot less than ten (10) acres in size.
B. Density. There shall be no more than one lodging room, guest room, or unit per acre.
C. Number of units. There shall be a minimum of five (5) units and no more than fifty (50) units.
D. Open space. At least 50% of the site shall be dedicated to permanent open space excluding streets and parking areas.
E. Screening. Structures and parking areas shall be screened to neighboring properties.

Section 6. Effective Date.

This ordinance shall be in full force and effect from and after its passage and publication according to law.
Section 7. Severability.

If any part of this ordinance is held invalid by a court of competent jurisdiction, this shall not invalidate any other section, provision or part thereof.

BY ROLL CALL VOTE OF THE MAY TOWN BOARD: ADAMS \textcolor{red}{YES}; PAZLAR \textcolor{green}{YES}; VOEDISCH \textcolor{green}{YES}; THIS ORDINANCE IS HEREBY ADOPTED ON THIS 2nd DAY OF NOVEMBER, 2017

\underline{\text{Attest: Town Clerk, Linda Klein}} \hspace{1cm} \underline{\text{Board Chair: Bill Voedisch}}