



Planning & Development Division
Planning & Economic Development Department

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File Number	PLIUP-2507-0035		Contact	Christian Huelsman, chuelsman@duluthmn.gov	
Type	Interim Use Permit – Vacation Dwelling Unit		Planning Commission Date		August 12, 2025
Deadline for Action	Application Date		July 11, 2025	60 Days	September 9, 2025
	Date Extension Letter Mailed		July 16, 2025	120 Days	November 8, 2025
Location of Subject		39 England Ave			
Applicant	Riverside Rentals LLC		Contact	Darin Reinke	
Agent			Contact		
Legal Description		PIN: 010-3970-01310			
Site Visit Date		July 28, 2025	Sign Notice Date		July 29, 2025
Neighbor Letter Date		July 17, 2025	Number of Letters Sent		53

Proposal

The applicant proposes use of 39 England Ave, a 2-bedroom dwelling unit in a duplex, as a new vacation rental property. This is a new application and was on the eligibility list.

Recommended Action: Staff recommends that Planning Commission approve the interim use permit.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Two family residence	Traditional Neighborhood
North	R-1	Single family residence	Traditional Neighborhood
South	R-1	Single family residence	Traditional Neighborhood
East	R-1	Two family residence	Traditional Neighborhood
West	R-1	Two family residence	Traditional Neighborhood

Summary of Code Requirements:

UDC Section 50-19.8. Permitted Use Table. A vacation dwelling unit is an Interim Use in the R-1 zone district.

UDC Section 50-20.3.V. Use-Specific Standards. Lists all standards specific to vacation dwelling units.

UDC Sec. 50-37.10.E . . . the commission shall only approve an interim use permit, or approve it with conditions, if it determines that: 1. A time limit is needed to protect the public health, safety and welfare from potential longer term impacts of the requested use in that location; 2. The applicant agrees to sign a development agreement with the city.

Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):

Governing Principle #4 – Support economic growth sectors

A short-term rental allows property owners to generate income and provides a service for tourists.

Econ. Dev. Policy #3 - Build on Existing Economic Strengths & Competitive Advantages

- **S9:** Encourage expansion of the city's tourism economy through efforts to expand in areas of current activity, such as in Canal Park, but also through marketing and investment in destination neighborhoods and iconic tourism experiences unique to Duluth.

Future Land Use – Traditional Neighborhood: Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home businesses. Parks and open space areas are scattered through or adjacent to the neighborhood. Includes many of Duluth's older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas.

History: The subject property was built in 1917. The existing structure is a duplex with 2 bedrooms in each unit.

Review and Discussion Items:

Staff finds that:

- 1) The applicant's property is located at 39 England Ave. The dwelling unit contains 2 bedrooms, which allows for a maximum of 5 guests.
- 2) This is a new application. The applicant was on the eligibility list. Staff does not have record of any violations or enforcement actions relating to the subject property.
- 3) The minimum rental period will be two nights.
- 4) The applicant is proposing two off-street parking stalls, located in the rear of the property. Two off-street parking stalls fulfill the minimum requirement of one off-street stall for a 2-bedroom vacation dwelling unit under UDC Sec. 50-20.3.V.3.
- 5) The applicant has indicated they will allow motorhome or trailer parking.
- 6) The site plan does not indicate any outdoor amenities. The applicant owns the adjacent properties to the south and east and is not requiring screening.
- 7) Permit holders 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 complaints from neighbors or the City. Permit holders must provide contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. The applicant has listed Heirloom Property Management to serve as the managing agent.
- 8) A time limit is needed on this Interim Use Permit ("IUP") to protect the public health, safety and welfare from potential longer-term impacts of the requested use at the location of the subject property. Section 50-20.3.V.9 states the IUP shall expire upon change in ownership of the property or in six years, whichever occurs first.
- 9) Applicant must comply with the City's vacation dwelling unit regulations, including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").
- 10) There are currently 181 licensed vacation dwelling units in the city, with 92 of those in form districts; the remaining 89 are subject to the cap of 110. The subject property is located within a residential district and is subject to the cap.
- 11) No City, public or agency comments were received.
- 12) The permit will lapse if no activity takes place within 1 year of approval.

Staff Recommendation:

Based on the above findings, Staff recommends that Planning Commission approve the permit subject to the following conditions:

- 1) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.
- 2) Any alterations to the approved plans that do not alter major elements of the plan and do not constitute a variance from the provisions of Chapter 50 may be approved by the Land Use Supervisor without further Planning Commission review.



PLIUP-2507-0035

Interim Use Permit for a VDU
39 England Ave

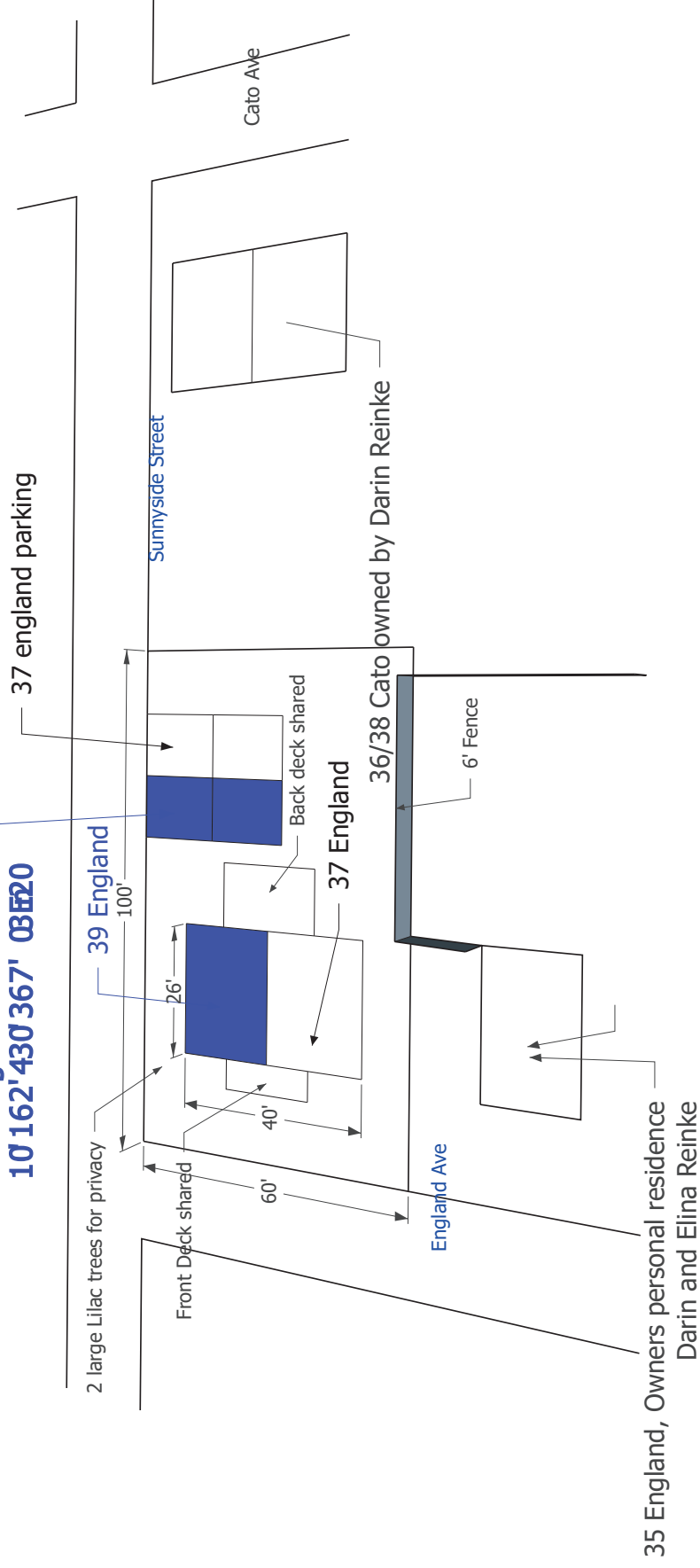


The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

Aerial Imagery Captured 2025

Prepared by: City of Duluth Planning & Economic Development, July 16, 2025; Source: City of Duluth.

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10'162'430'367' 03E20





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.