



BOLTON & MENK

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MEMORANDUM

Date: December 1, 2025
To: Planning Commission - Public Hearing
From: Kristi Trisko, AICP, PMP
Subject: Short Term Rental

MEETING SCHEDULE

- **Dec 9th** - **Public hearing** and recommendation to City Council
- **Jan 6th** – City Council – First Read /Review of Ordinance
- **Feb 3rd** – City Council Second Read / Review of Ordinance
- **Feb 5th** – Six Month Moratorium Completed

ORDINANCE SUMMARY

USES:

- **Short Term Rental Uses Redefined** –Short Term Rental Dwelling Units. Rentals for less than 30 days and no more than four bedrooms.
- **Lodging Establishment** – Short Term Rental for less than 30 days with five or more bedrooms

PROCESS:

- Annual rental license is needed for both STR's and Lodging Establishment.
- In addition, an Interim Use Permit is required for Lodging Establishment.

DISTANCE STANDARDS:

- **R-1 Zoning District** – 350 feet from another STR
- **R-2 Zoning District** – 200 feet from another STR
 - Distance measured from center of one rental structure to center of another



R-2 Zoning Dimension



R-1 Zoning Dimension

LICENSING MATERIALS:

- Owners name, contact information
- Emergency Contract Information
- Rental Address, number of rental rooms
- Ensure that rentals comply with city, state, and federal laws
- Agree to maintain a rental registry
- Renters consent
- Insurance certification showing general liability insurance of \$1,000,000 for a rental property
- Site Plan – showing dwelling unit, driveway, parking spaces, (1 per bedroom), any outdoor areas
- Floor Plan – showing all rooms rented and not rented
- Mn Health Department approved license; including inspection

FEES (Fee Schedule Recommendation)

- \$50 Annual Renewal Fee
- \$200 New Rental Fee
- \$200 IUP (Existing Residential IUP Fee)
- \$1,000 (per day) Misdemeanor Fee, \$300 petty misdemeanor per

LICENSING STANDARDS:

- Number of Bedrooms
- Signage – meeting Chapter 153 of City Code
- Parking - One (1) off-street parking stall for each rented bedroom meeting applicable parking standards
- Occupant Eligibility – occupants must be over 18 years of age
- No additional onsite occupancy in non-primary structures
- Recording rentals and provided to the City

LICENSING SUSPENSION OR REVOCATION / APPEALS:

- Any violation of this Chapter
- Material inaccuracies, fraud, 3 police citations within a year
- Lodging tax for rental license
- Staff Decisions will be appealed to the City Council

Recommended Amendment to § 162.060 USE CHART. (See below)

<i>Use</i>	<i>RC</i>	<i>RRLA</i>	<i>RRGT</i>	<i>R-1</i>	<i>R-2</i>	<i>TDC</i>	<i>GC</i>	<i>HC</i>	<i>I</i>
<u>Lodging Establishment</u>	I	I	I	I	I	I	I	I	

Recommended Amendment to § 162.061 USE DEFINITIONS (See below)

SHORT TERM RENTAL DWELLING UNIT. A dwelling unit, not considered part of a hotel/motel or bed and breakfast, rented for a period of less than 30 consecutive days, for tourist or transient use with no more than four bedrooms.

LODGING ESTABLISHMENT. A dwelling unit not considered part of a hotel/motel or bed and breakfast with furnished sleeping accommodations that is rented for a period of less than 30 consecutive days having five or more bedrooms.

Recommended Amendment to § CHAPTER 117 (See below)

CHAPTER 117: SHORT TERM RENTAL LICENSE. (Business Regulations)

§ 117.01 PURPOSE AND FINDINGS

- A. The City Council of the City of Wabasha finds that there is need to regulate short term rental dwellings units and lodging establishments uses in the City to preserve the character of residential neighborhoods and to ensure that such units meet City and State safety, health, fire and zoning codes in order to promote the public health, safety and welfare of the community at large and the residents of rental units within the City.
- B. The City Council of the City of Wabasha finds that a rental licensing program for both short term rentals and lodging establishments along with an interim use permit for all lodging establishments is appropriate to effectively enforce maintenance standards and correct or prevent law violations, nuisances and other disturbances and disorders involving short term rentals and lodging establishments within this City, while recognizing the value these uses bring to the community by promoting tourism, meeting a demand for increased short term lodging options in the City and contributing to the economic and cultural vitality of the City.

§ 117.02 DEFINITIONS.

DWELLING UNIT. For definition, See § 162.013.

LICENSE HOLDER. A person or entity that is the owner of a short term rental unit and/or lodging establishment and who has been issued a license under this Section.

LOCAL PROPERTY MANAGER. A natural person residing within 30 miles of the City who is authorized by the license holder to make decisions for the license holder about rental, occupancy and maintenance of the rental unit.

LODGING ESTABLISHMENT. For definition, See § 162.061.

OCCUPANT. Any person who occupies a Short-Term Rental Dwelling Unit or part of the same.

OWNER. A person or entity which alone or jointly with others owns or has an ownership interest in a dwelling within the City according to the records on file with Wabasha County, Minnesota. Owner shall include any agent or manager designated by the owner, including the local property manager, to be responsible for the rental property, but in such cases the record owner(s) shall remain responsible for full compliance with this Section.

RENT, LEASE, LET, OR SUBLET. The leasing of a rental unit to a non-owner for a fixed or non-fixed period of time, and may include installment sales, purchases, and other similar arrangements whereby nonpayment of a periodic payment means the occupants may be evicted without the necessity of either a statutory mortgage foreclosure

RENTAL LICENSE. A short-term dwelling unit license and/or a lodging establishment dwelling unit license as outlined and required for both uses in this Chapter.

RENTAL UNIT OR RESIDENTIAL RENTAL UNIT. Any house, apartment, condominium, townhouse, manufactured home, mobile home, room, or group of rooms, constituting or located within a residential dwelling and forming a habitable unit which is occupied as a residence of a person or persons other than the owner of record. No monetary exchange is required for a residence to be considered a rental unit under this Section.

SHORT TERM RENTAL DWELLING UNIT. For definition, See § 162.061.

§ 117.03 LICENSE REQUIRED.

- A. No person or business entity shall operate a short-term rental or lodging establishment use in the City without an approved rental license for each such establishment. Existing short-term rentals in the City, prior to the passing of this ordinance, will need to follow the requirements and apply as described in this Section to be considered for a license. All rental licenses must be in compliance with the provisions of this Section.
- B. A rental license must be obtained for each rental unit except that two or more units located within a single dwelling with a shared address, property identification number, and common owner shall require only a single license.
- C. A Rental License is not required for hotels or motels as defined in Section § 162.061 of the City Code.

§ 117.04 LICENSE TERM AND RENEWAL

- A. Rental License holders will need to apply annually for a license. If the license is not renewed, the rental license will be terminated.
- B. Rental licenses expire on December 31 of each year. To be eligible for renewal, applications must be received by the City by October 31 for renewal for the following year and must contain information required by the application under this Section.

- C. Rental licenses are non-transferable.

§ 117.05 RENTAL LICENCE DISTANCE STANDARDS.

- A. No rental license shall be granted which would be located within 350 feet of another licensed rental structure in the Low Density Residential (R-1) Zoning District. Distance will be measured from center of rental structure to center of another rental structure.
- B. No rental license shall be granted which would be located within 200 feet of another licensed rental structure in the Medium Density Residential (R-2) Zoning District. Distance will be measured from center of rental structure to center of rental structure.
- C. In all zoning districts other than Low Density Residential (R-1) and Medium Density Residential (R-2), no distance standards shall apply.

§ 117.06 LICENSE APPLICATION MATERIALS.

- A. All applications for a rental license under this Section shall be made on forms established by the City.
 - 1. The owner's name and contact information, including contact information for any agents acting on behalf of the owner. If the property is owned by an entity including but not limited to a partnership, limited liability company, or non-profit corporation, the full legal names and addresses of all officers and persons holding a 25 percent or greater beneficial interest in the entity shall be provided on the application; and
 - 2. The application shall be signed by the Owner of all rental units if such Owner is a natural person or, if the Owner is a business entity, by a person authorized to legally bind the entity; and
 - 3. The owner must provide the name, phone number, address, and email of the emergency contact for the rental license. The emergency contact, must be over 21 years of age, and must be able to respond to calls from all municipal agencies or emergency personnel within 30 minutes to address any on-site concerns. If the emergency contact is not available within 30 minutes, a formal complaint will be added to the property; and
 - 4. The exact location and street address of the rental unit or units which will be used as a rental unit; and
 - 5. The number of rental units contained in the dwelling, as well as the number of bedrooms in each rental unit; and
 - 6. Certify that the following information is posted in a conspicuous location in the dwelling unit: address, emergency contact information, responsible party's contact information, City of Wabasha's concerns/complaint contact information, floor plan showing emergency/escape routes, and maximum occupancy limits; and
 - 7. Ensure that the licensed dwelling unit(s) complies with all City codes, State statutes and Federal laws; and
 - 8. Agree to remit all local, state and federal taxes unless the short-term rental platform remits these on my behalf; and
 - 9. Agree to maintain a rental registry for the licensed dwelling unit(s) which includes the number of nights booked and the amount of rent paid by each guest, and to supply a true and correct copy to the City upon request; and

10. Provide explicit certification to renters that they have the consent of the property owner to utilize the subject dwelling as residential rental.
11. An insurance certificate showing general liability insurance all rental units in the amount of \$1,000,000 or the minimum amount as required by the insurance provider, whichever is greater; and
12. A Site Plan showing the dwelling unit, driveway and/or private driveways where all parking spaces that will be dedicated for the rental use is located, one (1) space per bedroom is needed, and any outdoor areas and equipment to be used by renters; and
13. A Floor Plan for the dwelling unit, showing all bedrooms, depicting which rooms will be rented and any owner used rooms, if any; and
14. An approved Hotel/Motel License from the Minnesota Department of Health for the rental license property.

§ 117.07 APPROVAL AND FEES

- A. Upon receipt of a completed application, the Zoning Administrator may take any of the following actions on new or renewal rental license application; approve, or approve with reasonable conditions, or deny.
 1. The Zoning Administrator shall issue a Rental License if the application and supporting materials are found to be in compliance with the provisions of this Section and all required fees are paid.
 2. The Zoning Administrator may deny a rental license on the same grounds for which a rental license may be suspended or revoked as set forth Section 117.10 of this Section. Written notice of the denial shall be mailed to the license applicant at the address listed on the application.
- B. License Fee and Taxes.
 1. A license fee for each rental unit in an amount to be set forth in the City's fee schedule, as may be amended from time to time, shall be submitted with each application for a rental license under this Section. Application fees are non-refundable.
 2. The City has imposed a lodging tax to provide funding to stimulate tourism within the community, as authorized by the state legislature. Short term rental units and Lodging Establishments are subject to the lodging tax as provided for in Chapter 32 of City Code.

§ 117.08 LICENSE STANDARDS

- A. Number of Bedrooms. No Rental License holder or Owner shall advertise the dwelling as containing any more than the identified number of bedrooms in the dwelling units.
- B. Signage. All proposed signage must be in compliance with Chapter 153 of City Code.
- C. Parking. A property with a rental unit shall provide a minimum of one (1) off-street parking stalls for each rented bedroom. All off-street parking shall meet the applicable parking standards forth in the Section § 162.108 and § 162.067 (D) of City Code.
- D. Occupant Eligibility. The primary overnight and daytime Occupant of a Rental Unit must be an adult 18 years of age or older. This adult shall provide a telephone number to the Owner and be accessible to the Owner via telephone at all times.

- E. Additional on-site occupancy. Occupancy on any property with a rental license shall not use recreational vehicles, tents, accessory structures, garages, boathouses, pole barns, sheds, fish houses or similar structure as additional occupancy areas is strictly prohibited.
- F. The Owner shall keep a report detailing all responsible parties in the rental unit(s) by recording the full name, address, phone number, and vehicle license plate numbers of adult occupants using the property. A copy of this report shall be provided to the Zoning Administrator or law enforcement upon request.

§ 117. 09 LICENSE SUSPENSION OR REVOCATION OF RENTAL LICENSE

The revocation or suspension may apply to one or more rental units at the sole discretion of the City. The City reserves the right to refuse a rental license if the owner does not comply with the requirements of this Section.

- A. A rental license shall only be revoked or suspended for cause. For the purposes of this Section, cause for revocation or suspension shall mean:
 - 1. A violation of the terms or conditions of this Section or other City Codes applicable for which the license was issued; or
 - 2. Material inaccuracies in any application materials, reports or other information submitted to the City regarding the residential rental unit(s) for which the license was issued; or
 - 3. Fraud practiced upon the City; or
 - 4. Conviction of a crime related to the residential rental unit(s) for which the license was issued; or
 - 5. Three police citations within a year; or
 - 6. The lodging tax for the rental license is past due by more than 60 days.
- B. Fines. In lieu of, or in addition to, suspending or revoking a Rental License, the City may, in its sole discretion, impose a civil fine for any violation of this Section in the amounts set forth in the in the City Fine Schedule. All fines are payable to the City within thirty (30) days of the imposition of the fine. Failure to timely pay any fine imposed will result immediate revocation of the Rental License to which the fine applies.

§ 117. 10 LICENSE SUSPENSION AND/OR REVOCATION APPEAL

- A. A license may not be revoked without providing the license holder an opportunity to be heard on the issue by the City Council in a public hearing. The City shall notify the license holder if license is being denied, suspended, revoked or not renewed. Notice shall be served on the license holder in person or by mail. The Notice shall include the following:
 - 1. The cause for denial, revocation, or suspension; and
 - 2. That the license holder is entitled to a public hearing before the City Council if a written request for such a hearing is submitted to the City within seven (7) business days after service of the notice; and
 - 3. That a hearing will be set, if requested, for a date, time and place; if requested; and
 - 4. That failure to request a hearing within seven (7) business days will result in the

suspension or revocation of the license; and

5. If requested, a public hearing on the license shall be held at a regular or special meeting of the City Council and a final decision on the rental license will be determined.

§ 117. 11 VIOLATIONS

- A. A person or entity violating any provision of this Section is guilty of a misdemeanor. If an entity is the license holder, any person defined in Section 117.05 (a)(6) is responsible to comply with the terms of this ordinance and may be charged under this provision. Any person or entity operating a short term rental without a license as required by 117.01 (D) shall be subject to criminal prosecution under this provision.
- B. In the event of a violation of this section the City, in addition to any and all other remedies provided by law, shall be entitled to seek injunctive relief or proceedings to prevent, restrain, correct or abate such violations or threatened violations.

SECTION 2. This Ordinance shall take effect and shall be in force thirty (30) days from and after its adoption, approval, and publication.

Adopted by the City Council of the City of Wabasha, Minnesota, this _____ day of _____, 2026.

Emily Durand
Mayor

ATTEST:

Wendy Busch
City Clerk



Zoning

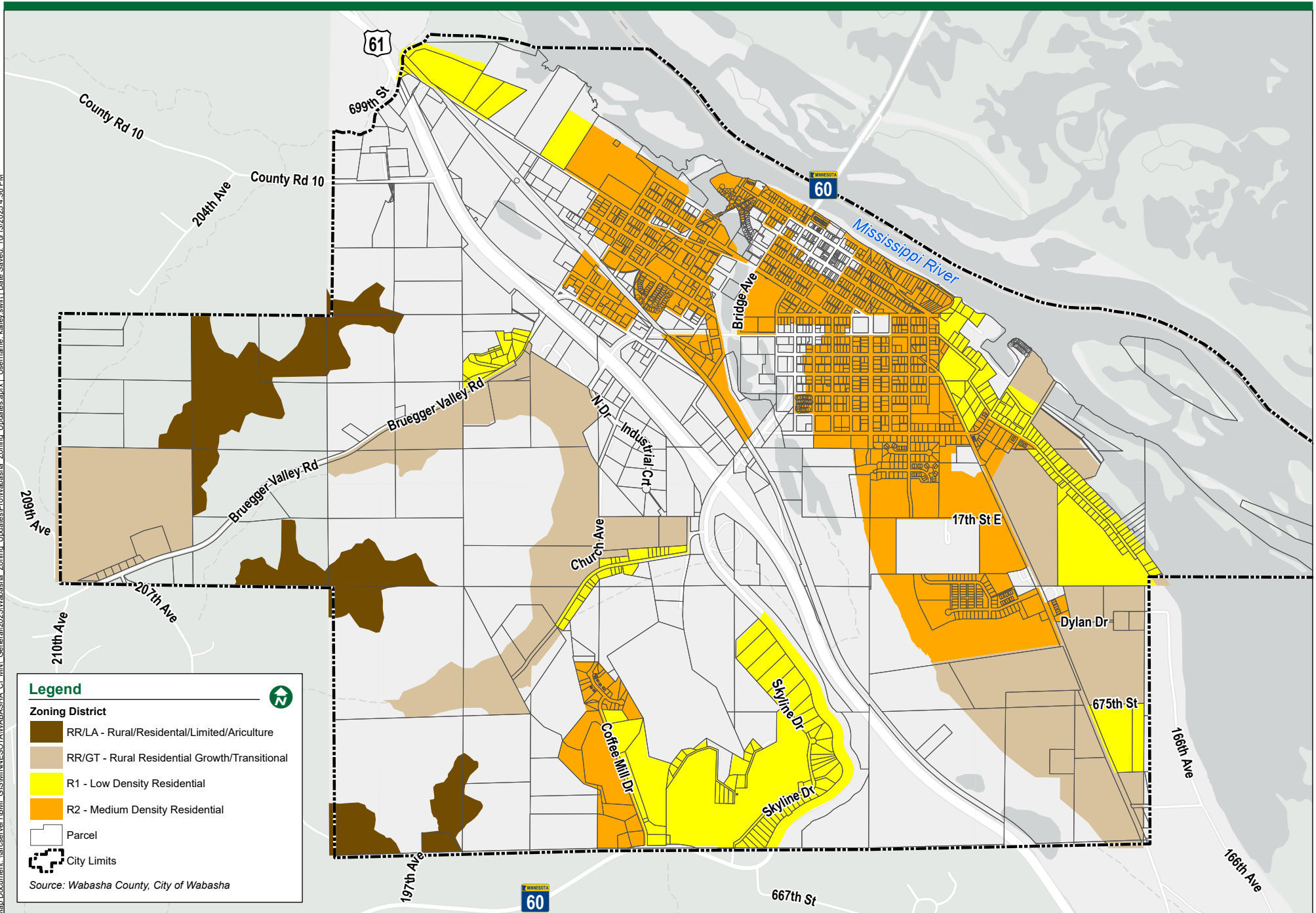
City of Wabasha

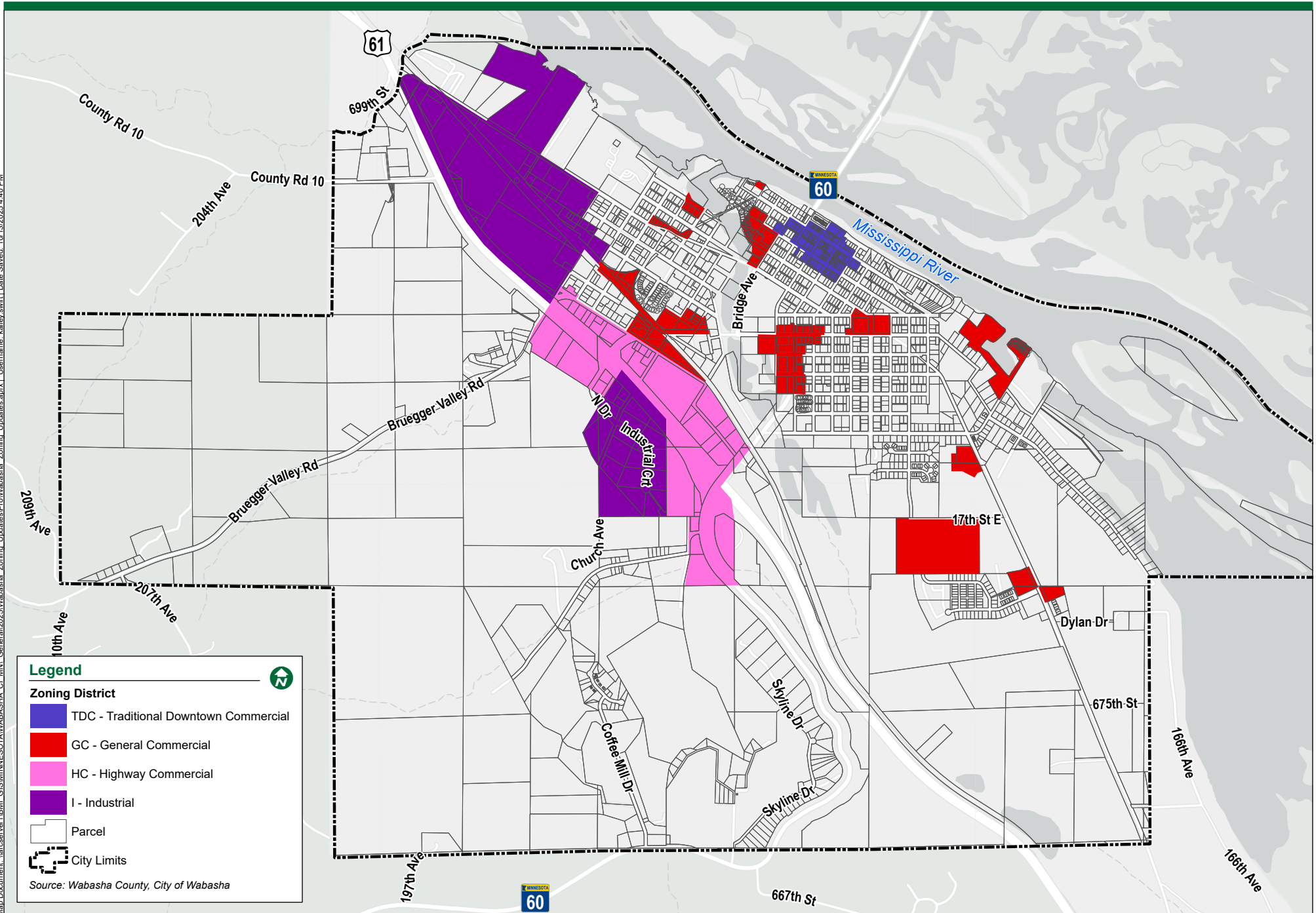
Residential

October 2025



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Legend



City Limits

Roads

- Local Roads
- Interstate
- US Highway
- State Highway
- County Roads



Parcels 04/21/2025

Zoning

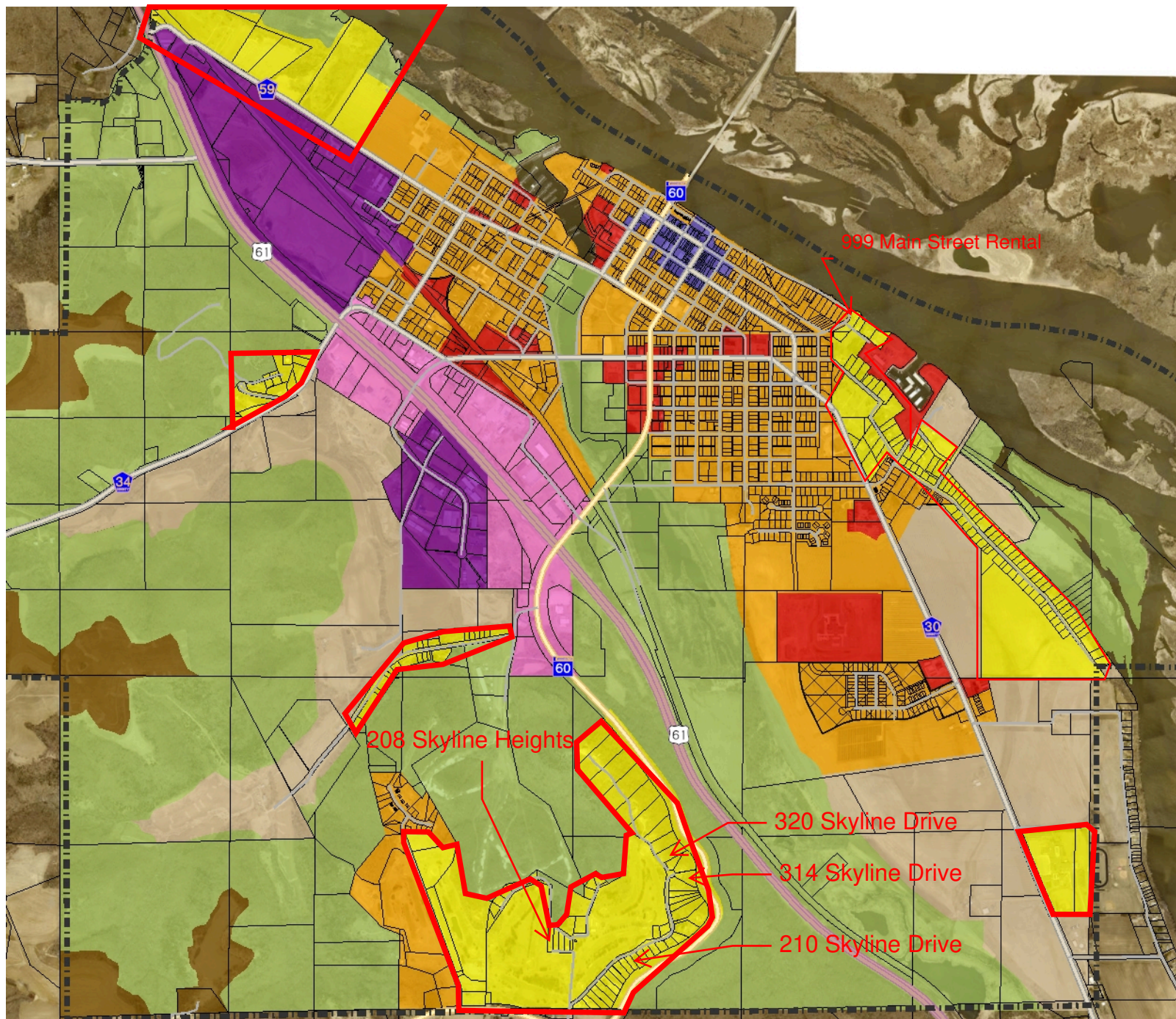
- RC - Residential Conservancy
- RR/LA - Rural/Residential/Limited
- RR/GT - Rural Residential Growth
- R1 - Low Density Residential**
- R2 - Medium Density Residential
- Traditional Downtown Commercial
- GC - General Commercial
- HC - Highway Commercial
- I - Industrial
- PUD Overlay District Eagle Basin

Zoning Map



Disclaimer:

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing 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 Wabasha is not responsible for any inaccuracies herein contained.



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