



**Planning & Development Division**  
Planning & Economic Development Department

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Date: October 29, 2020 (Revised November 10, 2020)  
To: Planning Commission  
From: Steven Robertson, Senior Planner  
RE: Proposed UDC Text Amendments for Consideration, PL 20- 173

Planning Staff are proposing a number of changes to the Unified Development Chapter. The proposed changes reflect efforts at correcting identified errors or omissions, updating the code to reflect suggestions through Imagine Duluth 2035, and suggestions from city staff for improving the code. The proposed changes will be submitted as two separate ordinances, and summarized broadly below (noted that the proposed text change is highlighted in yellow in addition to the underline/strikeout format).

PL 20-173, Amending the UDC to Address Form Districts

**50-20.C Dwelling, multi-family.**

~~In the F-2, F-4, F-5 and F-8 districts, this use is permitted on the ground floor of the corridor building type only. In other building types it is only permitted above the ground floor;~~

Every multi-family dwelling unit on or above the ground floor of a new multifamily structure constructed after January 1, 2021 shall have at least one exterior window that allows for the exchange of air and the admittance of daylight.

**50-20.1.D Residential care facility/assisted living.**

~~In the F-2, F-4, F-5, and F-8 districts, this use is permitted on the ground floor of the corridor building type only. In other building types it is only permitted above the ground floor;~~

**50-20.1.E Rooming house.**

~~In the F-2, F-4, F-5 and F-8 districts, this use is permitted on the ground floor of the corridor building type only. In other building types it is only permitted above the ground floor;~~

**50-22.2.D Iconic building.**

While the previously mentioned building types are intended to serve as the fabric buildings of the city, the iconic building is a unique civic or institutional building that has distinctive character and function within the community. The iconic building has more flexible requirements for building location and transparency than the other non-residential building types due to its unique nature and importance to the community.

The iconic building type is meant to house community, cultural, civic, educational or governmental uses (i.e. uses classified as "Community and Cultural Facilities" or "Educational Facilities" in Table 50-19.8). Properties that are designated as local historic landmarks may contain any land use allowed in 50-19.8 for the zone district that the property is located, and are not limited to only community and cultural facilities or educational facilities. ~~The iconic building has more flexible requirements for building location and transparency than the other non-residential building types due to its unique nature.~~

1. Minimum and maximum overall height. ( Refer to Figure 50-22.5-B)
2. A required minimum and maximum overall height is provided for all building types and is measured as follows:

Height in stories. The sum of a building's stories. Half stories are located either completely within the roof structure or in a visible basement exposed a maximum of one-half story above average finished grade;  
 Height in feet measured as follows:

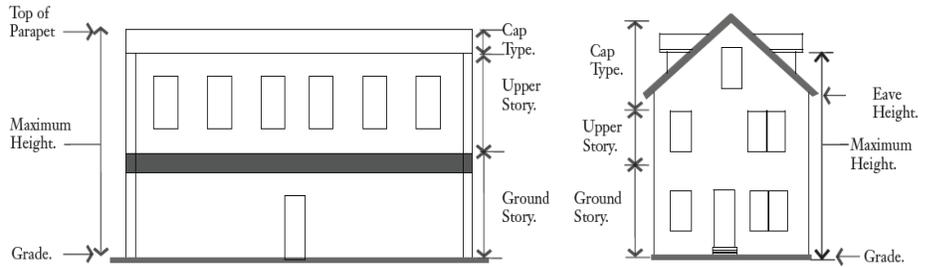


Figure 50-22.5-B: Measuring

Parapet cap type. Overall height is measured from the average finished grade of the building's front facade to the highest point of the parapet;  
 Pitched cap type. Overall height is measured from the average finished grade of the building's front facade to the midpoint of the highest roof slope;  
 Flat Roof cap type. Overall height is measured from the average finished grade of the building's front facade to the top of the highest eave;  
 Appurtenances. Chimneys, antennae and other similar appurtenances may exceed the overall building height by no more than 25 feet;  
 Towers. Maximum height, measured from the top of the upper story to the top of the tower, is the equivalent of the height of one upper floor of the building to which the tower is applied. This additional floor does not count toward the overall height of the building. Refer to Section 50-22.4 (E);

3. Ground story and upper story minimum and maximum height. (Refer to Figure 50-22.5-B.) Each building type includes a permitted range of height in feet for each story, which is measured as follows:  
 Floor height is measured in feet from the floor of a story to the floor of the story above it;  
 For single story buildings and the uppermost story of a multiple story building, floor to floor height shall be measured from the floor of the story to the tallest point of the ceiling;
4. Where a building spans a block, and the block is adjacent to two street frontages with different building height maximums, the maximum height is determined as follows:  
 Where a block is adjacent to two streets with different maximum building heights, the midpoint between those two streets is the point where the maximum building height transition occurs;  
 Where a block is between Superior Street and Michigan Street, the greater maximum building height allowed on Superior Street extends through the entire block to Michigan Street;
5. In the situation where a single party owns frontage along a street corner, the maximum height for corner parcels applies to lots with the same street frontage owned by the same property owner within 100 feet of the corner;
6. For structures within the downtown area of the Downtown and Canal Park Special Parking District as shown in 50-24.1, the maximum height for all building types may exceed the maximum height normally allowed for the specific building type as shown in 50-22.7 by 50% if the building's proposed use meets specific housing priorities of the City as described in the most recently adopted Comprehensive Plan, but may not exceed 200 feet in any event.

**50-22.17 Iconic building.**

**A. Building Siting**

1. Street Frontage

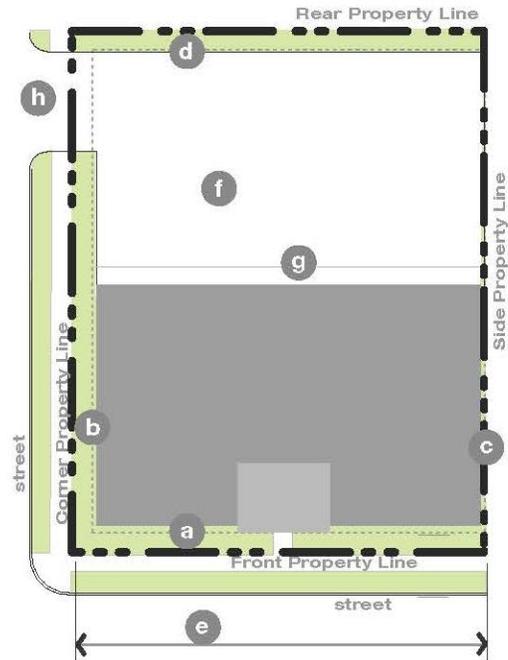
Multiple Principal Buildings	Permitted
Front Build-to Zone Coverage	Not Applicable
Occupation of Corner	Not Required
Front BTZ	5' (a)
Corner BTZ	5' (b)

2. Buildable Area

Side Yard Setback	5' (c)
Rear Yard Setback	5' (d)
Minimum Lot Width	50' (e)
Minimum Landscape Area 20%	

3. Parking Lot, Loading & Access

Parking Lot Location	Rear Yard; Single aisle permitted in side yard (f)
Loading Facility Location	Rear building facade (g)
Access	1 driveway permitted per frontage; 2 driveways may be permitted through Land Use Supervisor approval if frontage exceeds 200' (h)



**B. Height**

Minimum Overall Height	1 story (i)
Maximum Overall Height	55' (j)

**C. Uses**

Ground & Upper Stories	Only Civic, Institutional, Utility, & Recreation uses are permitted in the Iconic Building Type. <u>Local designated historic landmarks are exempt from this requirement (see Article 3 permitted uses) (k)</u>
Parking within Building	Permitted in the rear of all floors and fully in any basement
Occupied Space	30' depth space facing Primary Streets or space on front façade