




EXHIBIT B

DEPARTMENT OF PLANNING & CONSTRUCTION SERVICES
Planning Division

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MEMO

To: City Council
From: Adam Fulton, Community Planning Manager 
Date: September 18, 2018
Re: Land Conveyance and Conformance with the City's Comprehensive Plan
Parcels 010-3210-00020 and 010-3210-00025

Parcels 010-3210-00020 and 010-3210-00025 are located immediately to the northeast of the Western Lake Superior Sanitary District (WLSSD) and encompass lands that are predominately considered part of the St. Louis River ecosystem. They are located almost entirely over open water, and were likely platted at a time when filling these locations for docks and piers would have been considered. The city has historically owned these parcels, but has determined at this time that conveyance to WLSSD would better suit the public purpose of ownership for provision of utility services to the community.

Section 2-176 of the City Code, Preconditions of Conveyance, requires that the City's Planning Agency "reviews proposals for conveyance for conformity to the City's comprehensive plan and shall have reported its findings in writing to the Council." The conveyance of this parcel is consistent with the adopted plans for the area, including the Official Comprehensive Land Use Map.

The property is owned by the City of Duluth and is guided for "Preservation" and "Transportation and Utility" uses in the Comprehensive Plan Future Land Use Map. This suggests the parcel should remain public lands, with low-intensity uses. WLSSD intends to keep the open-water areas undeveloped, with adjacent areas used for utility infrastructure. The city conducted an internal review of these parcels and determined that WLSSD was the appropriate governmental agency to own the parcels, noting that: (a) the property is not necessary for the city's future needs and (b) the best interests of the citizens of the city will be best served by accomplishing the conveyance. Conveyance of the property will implement the following Comprehensive Plan Principles:

Principle #2 – Declare the necessity and secure the future of undeveloped places. Undeveloped areas are an essential part of Duluth's municipal fabric... collectively [creating] and open space system. This open space system provides vistas, encourages active recreation, provides natural infrastructure as storm water retention, plant and animal habitat and water quality, and is the strongest visual element defining Duluth's sense of place.

Principle #12 – Create efficiencies in delivery of public services. The costs of public services must be considered in land use decisions... Infrastructure should help prescribe development location rather than react to it.

Ownership of these parcels by WLSSD, the regional wastewater and solid waste agency, will maximize efficiency in land stewardship and preservation of this area of the city's waterfront. After reviewing the proposal, the Planning Agency finds that the proposal implements the principles of the Comprehensive Plan and is in conformance with it.