



CITY OF DULUTH

DEPARTMENT OF PLANNING & CONSTRUCTION SERVICES
Community Planning Division

411 West First Street – Room 208 – Duluth, Minnesota 55802-1197
218-730-5580 – www.duluthmn.gov/community-planning

Summary of proposed ordinance amendments for parking

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Staff from the Community Planning Division and Parking Services Division have been reviewing issues with enforcement of current residential parking rules. While reviewing this, we tried to keep in mind the reasons for these residential parking rules, chiefly safety, environmental stewardship, and protection of the quality of life in neighborhoods.

There are three areas of the UDC where amendments may be warranted. They address the following situations:

- Properties where the configuration doesn't allow for the desired number of parking spaces through amending the general parking rules and the parking variance criteria. Current rules require parking to be to the side of the dwelling, either ahead of the front line of the dwelling or to the side of the dwelling, or in the rear yard.
- Properties with no space for off-street parking on their property through establishing criteria for granting Concurrent Use Permits.
- Provide for the creation of off-street parking lots in residential areas.

General Parking Rule Changes

Staff is recommending amendments to the general rules in the UDC to clarify parking rules addressing the following:

1. Allow tandem parking to be used to meet parking required by the rental licensing requirements,
2. All previous permits and variances granting permission for yard parking will be voided and new permission must be sought under the new rules. Current permit/variance holders would be notified that they need to comply with the new rules
3. Parking and driveway areas in rear yards will now be required to be paved where compacted gravel was previously allowed.

Parking Variances

For properties where parking cannot be accommodated on site in the rear yard, one side yard and in that part of the front yard that is to one side of the house and where there is no way to access the rear yard and where there is no parking on any street within 150' of the property the landowner can apply for a variance to allow parking in the front yard for up to 55% of the lot width with the following conditions:

1. The parking/driveway must be paved and a barrier installed to prevent vehicle overrun,
2. The parking must be screened from neighboring properties with shrubs, fence or wall 3' tall and 75% opaque,
3. A 3' wide sidewalk must link the front of the house to the public sidewalk,
4. A 5" x 7" placard showing the parking allowed by the variance must be installed on the front door of the property to let enforcement officers know that the parking is legal.

Administrative Adjustments for Small Parking Encroachments

If a property would otherwise qualify for a variance as described above, the City's Land Use Supervisor may approve an encroachment into the area in front of the dwelling up to 4 feet, but will apply the same conditions as variances listed above.

Concurrent Use Permit to allow Parking in the Street Right of Way

There are portions of neighborhoods in Duluth where the development patterns make provision of off-street parking impossible, but where there is still strong demand for parking and adjacent streets do not allow on-street parking. Parking for adjacent property owners could be provided in the unimproved portion of the street right of way, which is the area between the street or public sidewalk and the dwelling that is dedicated to the City, but is not currently being used by the City. The City Council could approve a Concurrent Use Permit where there is no on-street parking on streets within 150' of the property, there is no way to get access to the rear or side yard for parking and there is not room in front of the house for parking with the following conditions:

1. The parking cannot block any public improvements like sidewalks,
2. No more than 55% of the lot width can be used for parking,
3. The parking area must be paved and a barrier installed to prevent vehicle overrun,
4. A wall, fence or dense vegetative screen 3' tall and 75% opaque to screen vehicles from abutting properties,
5. A 3' wide sidewalk must link the front of the house to the public sidewalk,
6. A 5" x 7" placard showing the parking allowed by the concurrent use permit must be installed on the front door of the property to let enforcement officers know that the parking is legal,
7. The applicant must obtain insurance on the parking spaces and must acknowledge that the parking spaces may be removed in the future if the City needs the right of way space for a public improvement.

Residential Parking Special Use Permit

In some residential areas of the city the demand for parking may be greater than what can be provided through on-street and off-street parking at individual properties. In these locations it may be necessary to allow for the creation of parking lots to serve multiple properties through the approval of a Special Use Permit for parking lots in R-2 Apartment Residential districts with the following criteria:

1. Must provide street landscaping in the form of trees, shrubs or walls,
2. Must provide screening to adjacent properties in the form of a 4' tall continuous, view-obscuring fence, wall or compact evergreen hedge along all property lot lines,
3. Preference for accessing the parking lot via the alley, if present, rather than the street.

There may be in the future an interest in creating a parking space banking system where private property owners can obtain a Special Use Permit for a parking lot in a residential area, construct it and have it inspected for compliance by Community Planning staff. Once approved the owner can begin to sell/lease parking spaces to residential property owners within 250' of the parking lot where those owners can use the parking spaces to meet their off-street parking space requirements.

Through implementation of these changes staff is hopeful that enforcement of off-street parking rules will be more transparent and compliance with off-street parking rules will improve.