



Planning & Development Division
Planning & Economic Development Department

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File Number	PL 20-005	Contact	Steven Robertson	
Type	Rezone from I-G to MU-B and R-1	Planning Commission Date	February 11, 2020	
Deadline for Action	Application Date		60 Days	N/A City Application
	Date Extension Letter Mailed	N/A	120 Days	N/A
Location of Subject				
Applicant	City of Duluth	Contact	Planning and Development	
Agent		Contact		
Legal Description	See Attached Map			
Site Visit Date	January 29, 2020	Sign Notice Date	January 29, 2020	
Neighbor Letter Date	January 30, 2020	Number of Letters Sent	69	

Proposal

The City is proposing to rezone property from the current zoning of Industrial-General (I-G) to Mixed Use Business Park (MU-B) and Residential-Traditional (R-1)

Staff Recommendation

Staff is recommending approval of the proposed rezoning to MU-B and R-1.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	I-G	Manufacturing	Traditional Neighborhood *
North	P-1, RR-1	Recreation/Undeveloped	Open Space
South	R-1	Residential	Traditional Neighborhood
East	R-1	Residential	Traditional Neighborhood
West	R-1	Residential/Cemetery	Institutional

Summary of Code Requirements

- UDC Sec. 50-37.3.B: Planning Commission shall review the application, conduct a public hearing ... with public notice ... and make a written recommendation to council.

- UDC Sec. 50-37.3.B.3 Where a proposed amendment to the zoning map would change any property from a residential district to a mixed use, form or special purpose district, a planning commission hearing and a notice of three weeks shall be required. In addition, the affirmative vote of 2/3 of the council shall be required The city has not received the written consent of the owners of 2/3 of those properties located wholly or partially within 100 feet of the property proposed to be rezoned;

- UDC Sec. 50-37.3.C: The Planning Commission shall review the application, and Council shall approve the application or approve it with modifications, if it determines that the application: 1. Is consistent with the Comprehensive Land Use Plan; 2. Is reasonably related to the overall needs of the community, to existing land use, or to a plan for future land use; 3. Is required by public necessity, convenience, or general welfare, or good zoning practice; 4. Will not create material adverse impacts on nearby properties, or if material adverse impacts may be created they will be mitigated to the extent reasonably possible.

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

Governing Principles

Governing Principle 8 - Encourage mix of activities, uses and densities

Cities have evolved as a mix of land uses, building types, housing types, and activities. Accommodating choice while protecting investment is a balance to strike in land use regulation. Mixed uses provide opportunity for a diversity of activity that segregated, uniform uses do not provide.

Future Land Use

Business Park- Primarily office and light industrial areas developed in a unified manner, with standards for site design and circulation patterns, signage, landscaping, and building design.

Site History or Previous Studies

Prior to adoption of the Unified Development Chapter in December 2010, this subject area was zoned M-2 (Manufacturing District). The future land use designation in the 2006 Comprehensive Plan for the subject was established as Traditional-Neighborhood.

This rezoning recommendation is a companion zoning application to PL 19-114, Future Land Use Designation Amendment.

Review and Discussion Items:

- 1) The City is proposing to rezone approximately 6 acres from the current zoning of Industrial-General (I-G), to Mixed Use Business Park (MU-B) and approximately 2 acres to Residential-Traditional (R-1).
- 2) The Minnesota Planning Act provides that zoning (an "official control") should implement the general objectives of the Comprehensive Plan, and appellate courts have issued decisions that zoning must comply with the Comprehensive Plan or be considered arbitrary and capricious. Good zoning practice requires that zone districts be consistent with the future land use category identified for the area. The future land use designation of much of the subject area is Traditional Neighborhood, but city staff are proposing a change of the future land use to Business Park, to be reviewed by the Planning Commission at the February 11, 2020, Planning Commission meeting.
- 3) State Statute requires that a community's zoning map implement the general objectives of the Comprehensive Plan. The future land use category of Business Park is most commonly reflected in the City's zoning map as MU-B. Other criteria for zoning include considering existing land use patterns and if the rezoning is related to the needs to the community or existing land use.
- 4) The purpose of the MU-B district is to accommodate modern light industrial and technology-based developments of attractive integrated design and function. The development standards for this district are intended to ensure that projects minimize adverse impacts on surrounding uses and neighborhoods, reduce impacts on the natural environment, enhance the visual quality of development and ensure the provision of adequate and cost-efficient public facilities. Intended uses include wholesaling, industrial services, research laboratories, and light manufacturing needed to support the community and region at large.
- 5) Based on the development pattern of adjacent areas and the purpose statement of MU-B zone districts, rezoning as proposed in the attached map is appropriate for this area. The proposed rezoning to MU-B would still allow light manufacturing and similar uses (as well as some commercial or office uses), but would restrict the introduction of new heavy industry on this site in the future which are currently allowed under the I-G zoning.
- 6) No additional written correspondence has been received on this topic, beyond what was received at the optional public information meeting held on January 7, 2020.

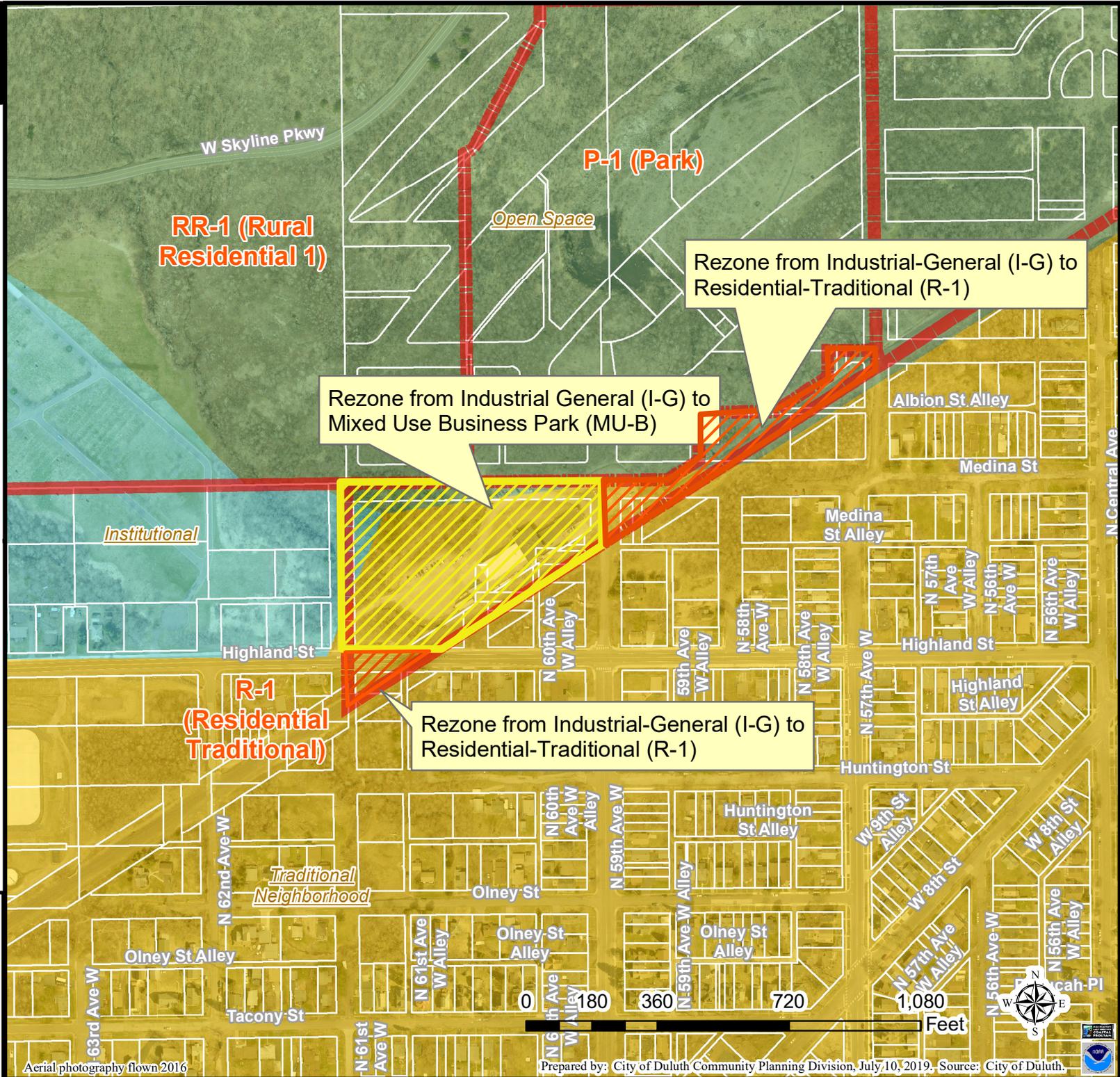
Staff Recommendation:

Based on the above findings and contingent upon the change to the Future Land Use Designation to Business Park, staff recommends that the Planning Commission recommend approval to the City Council of the rezoning as shown on the map titled Proposed Rezoning Area Map.

- 1) The proposed zone districts are the most reasonably able to implement the objectives of the Comprehensive Plan related to the land use for this area.
- 2) Material adverse impacts on nearby properties are not anticipated.

Legend

- Open Space
- Open Space/Outside Duluth
- Rural Residential
- Low-density Neighborhood
- Traditional Neighborhood
- Urban Residential
- Neighborhood Commercial
- Central Business Secondary
- Central Business Primary
- Large-scale commercial
- Tourism/Entertainment District
- Commercial Waterfront
- General Mixed Use
- Neighborhood Mixed Use
- Light Industrial
- General Industrial
- Industrial Waterfront
- Business Park
- Transportation and Utilities
- Transportation and Utilities/Outside Duluth
- Medical District
- Institutional



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.



RR-1 (Rural Residential 1)

P-1 (Park)

Rezone from Industrial-General (I-G) to Residential-Traditional (R-1)

Rezone from Industrial General (I-G) to Mixed Use Business Park (MU-B)

Rezone from Industrial-General (I-G) to Residential-Traditional (R-1)

R-1 (Residential Traditional)

MU-C (Mixed Use Commercial)

May 2019



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05/15/2019

Uses Allowed in Mixed Use-Business Park (MU-B) Zone District

Revised January 2019

Permitted Uses

- Bus or rail transit station
- Government building or public safety facility
- Business art or vocational school
- Medical or dental clinic
- Kennel
- Veterinary or animal hospital
- Convention or event center
- Indoor entertainment facility
- Restaurant (less than 5,000 sq. ft.)
- Restaurant (5,000 sq. ft. or more)
- Hotel or motel
- Bed and breakfast
- Bank
- Office
- Data center
- Business park support activities
- Funeral home or crematorium
- Mini-storage facility
- Personal service and repair, small (less than 10,000 sq. ft.)
- Personal service and repair, large (10,000 sq. ft. or more)
- Building material sales
- Automobile and light vehicle repair service
- Automobile and light vehicle sales, rental or storage
- Filing station
- Parking lot (primary use)
- Parking structure
- Truck or heavy vehicle sales, rental, repair and storage
- Contractor's shop and storage yard
- Dry cleaning and laundry plant
- Research laboratories
- Industrial services
- Manufacturing, craft artisan studio
- Manufacturing, craft brewery
- Manufacturing, light
- Truck freight or transfer terminal
- Solar, geothermal, or biomass facility (primary use)
- Storage warehouse
- Wholesaling

Special Uses

- Cemetery or mausoleum
- Museum, library or art gallery
- Religious assembly, small (less than 50,000 sq ft)
- Religious assembly, large (50,000 sq. ft. or more)
- Other outdoor entertainment or recreation use not listed
- Electric power transmission line or substation
- Major utility or wireless telecommunication facility
- Radio or television broadcast tower
- Water or sewer pumping stations/reservoirs
- Wind power facility (primary use)
- Recycling collection point (primary use)
- Solid waste disposal or processing facility

Interim Uses

- Medical cannabis distribution facility
- Medical cannabis laboratory