



# Review of Proposed UDC Text Changes

City of Duluth

Planning Commission Meeting (webex)

Tuesday, March 9, 2021 5:00 pm

# Topics

- Amend the Sign Code to Allow Signage at DTA Bus Shelters, and Require Master Concurrent Use Permit for Bus Shelters
- Amend the Use Table to Allow Self-Service Storage in MU-C, and Add Use Specific Standards
- Amend the Use Table to Allow Sober Homes as a New Land Use, and to Add Use Specific Standards for Sober Houses, and Amend Use Specific Standards and Definition for Residential Care Facility
- Amend Use Table to Allow Craft Manufacturing in MU-N, and to Replace “U” (Upper) to “P” (Permitted) for Dwellings and Schools in the Form Districts

## 50-27.12 Master mass transit shelter sign plan.

- Following the effective date of this Section, a master mass transit shelter sign plan **is required** for any signage, other than route information, to be placed in or on any mass transit shelter **located in a public right of way**;
- The planning commission shall review the **plan**, conduct a public hearing pursuant to Section 50-37.1.I, with public notice as required by Section 50-37.1.H, and make a decision to **approve, approve** with modifications, or deny the application. The **plan shall not** allow for variations to the requirements of **50-27** with the exception of off-site commercial messaging;



## 50-27.12 Master mass transit shelter sign plan.

- The master sign plan must provide a coordinated design for all signage to be located at or on all transit shelters of the applicant, including, at a minimum, criteria and specifications for sign locations, size of signage, single or double sided signage, lighting, and a maintenance plan for signage;
- The master mass transit shelter sign plan shall only apply to transit shelters that are approved by a concurrent use permit;
- Signage on a shelter must not exceed one-third of the vertical surface of the shelter, and must not impede the sight triangle as established in 50-25.2;
- After the date of this ordinance, mass transit shelters shall be permitted on public right-of-way only pursuant to a concurrent use permit issued pursuant to this chapter and once the master sign plan has been approved, signage erected must be maintained and operated only as provided for in the master mass transit shelter sign plan.



## 50-23.L Mini-Storage and Self-Service Storage Facility

2. Self-service storage facilities are allowed in the F-5, F-7, F-8, MU-C and MU-B districts, and shall comply with the following standards:

- The use must be completely contained with an enclosed principal building;
- Signage for this use is permitted as a commercial use in Sec. 50-27;
- In F-5, F-7, and F-8 districts:
  - The use is permitted only on the lowest floor or basement of the building. This use is not allowed on any floor that is above grade with the primary street, except for office or lobby areas associated with the storage facility;
  - Vehicular access to the storage units may not be provided from the primary street. Where the access is on a secondary street, parking must be available within 30 feet of the doorway and the doorway may not be a roll up door;

In the MU-C and MU-B districts:

- The building shall be at least 350 feet from any single-family, two-family, or townhome, excluding any residential use or structure on the same property or within the same development;
- Access to storage units through a garage door, roll up door, or loading dock may only be provided from the rear or side of the structure;

In addition to design standards that may be required in Sec 50-30, these facilities shall provide:

- For any building frontage facing and located within 60 feet of a public street or public right of way, or facing a parking area of greater than 25 parking spaces, the building frontage shall consist of a minimum of 60 feet of building depth of occupied space over no less than 66% of the building frontage. The frontage of such buildings shall be used for active, customer-facing commercial activities permitted in the zone district per table 50-19.8, and shall not be used for warehouse or self-storage uses;
- A minimum of 65 percent of the front and 25 percent of the side façade, between two and eight feet above the sidewalk or ground surface, must consist of transparent, non-reflective windows, and a minimum of 25 percent of the windows shall have views directly into and out of the ground floor occupied space;



- At least 50 percent of the wall surface area of any front or side façade, excluding window surfaces, shall be faced with brick or split-block materials. Exposed concrete masonry unit (CMU) construction is not permitted on those facades;
- Where compliance with the specific requirements of Section 50-20.3.L D.III are not possible as a result of unique site or building conditions, an owner may propose alternatives. The land use supervisor may approve an alternative proposal where an applicant can demonstrate that compliance is not possible and the alternative proposal achieves substantially the same degree of building design aesthetics than the provisions of this section.





TABLE 50-19.8: USE TABLE, REVISED JAN 2020

	Residential						Mixed Use						Form									Special				Use Specific Standards				
	R-C	RR-1	RR-2	R-1	R-2	R-P	MU-N	MU-C	MU-I	MU-B	MU-W	MU-P	F-1	F-2	F-3	F-4	F-5	F-6	F-7	F-8	F-9	I-G	I-W	P-1	AP					
<b>INDUSTRIAL USES</b>																														
<b>Industrial Service</b>																														
Contractor's shop and storage yard										P	P <sup>3</sup>						P									P	P			50-20.4.B
Dry cleaning or laundry plant										P																P				
Research laboratories									P <sup>1</sup>	P	P <sup>3</sup>														P	P				
Industrial services										P															P	P				
<b>Manufacturing and Mining</b>																														
Manufacturing, craft, artisan production shop or artisan studio							P <sup>2</sup>	P		P		P	P	P	P	P	P	P	P	P	P	P							50-20.4.F	
Manufacturing, craft, brewery or distillery								P		P				P	P	P	P	P	P	P					P				50-20.4.F	
Manufacturing, light									P <sup>1</sup>	P	P <sup>3</sup>						P								P				50-20.4.G	
Manufacturing, heavy																								P						
Manufacturing, hazardous or special																								S				50-20.4.H		
Mining, extraction and storage		S																						S	S			50-20.4.I		
Water-dependent manufacturing, light or heavy																									P					
<b>Transportation-Related</b>																														
Airport and related facilities	S																							P			P	50-20.4.A		
Railroad yard or shipyard and related facilities																								P	P					
Truck freight or transfer terminal										P														P	P					
<b>Utilities</b>																														
Electric power or heat generation plant																								P	P					
Electric power transmission line or substation	S	S	S	S	S <sup>2</sup>	P <sup>3</sup>	S <sup>2</sup>	S	S	S	S	P <sup>3</sup>	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	50-20.4.C		
Major utility or wireless telecommunication facility	S	S	S	S	S <sup>2</sup>	P <sup>3</sup>	S <sup>2</sup>	S	S	S	S	P <sup>3</sup>	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	50-20.4.E		
Radio or television broadcasting tower		S								S														S	S			50.20.4.J		
Solar, geothermal or biomass power facility (primary use)	S	S	S			P <sup>3</sup>		S	S	P	P <sup>3</sup>												P	S	S	S				

50-21.D Residential care facility/assisted living.

1. A state licensed residential facility/assisted living serving six or fewer persons shall be considered a permitted single-family residential use of property, as allowed in 50-19.8, Permitted Use Table;

2. This use shall provide landscaping as required 50-25.5.A, multi-family residential abutting single-family residential;

3. As of July 31, 2021, unless exempted under [Minnesota Statutes Section 245A11](#), subdivision 4, of, new residential care facilities/assisted living may not be located within 1,320 feet of an existing residential care facility/assisted living unless one of the following conditions apply: (1) the existing residential facility/assisted living is located in a hospital licensed by the commissioner of health; (2) the city has granted the existing residential facility/assisted living a special use permit; or (3) the new residential care facility/assisted living is a foster care or a community residential setting as defined under section 245D.02, subdivision 4a.of Minnesota State Statute;

~~No use specific standards at this time.~~

Residential care facility/assisted living facility. A state licensed building that houses persons, on a 24 hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment which provides personal care services.....

## 50-21.G Sober House.

1. A sober house serving six or fewer persons shall be considered a permitted single-family residential use of property as allowed in 50-19.8, Permitted Use Table;

2. This use shall provide landscaping as required 50-25.5.A, multi-family residential abutting single-family residential;

3. As of July 31, 2021, new sober houses shall be a minimum distance of 350 feet from existing sober houses.

Sober house. A dwelling unit occupied by persons that are in recovery from chemical dependency and considered handicapped under the Federal Fair Housing Act Amendments of 1988. It provides a non-institutional residential environment in which the residents willingly subject themselves to written rules and conditions, including prohibition of alcohol and drug use (except for prescription medications obtained and used under medical supervision), intended to encourage and sustain their recovery. The residents of a sober house share kitchen and bathroom facilities and other common areas of the unit. Sober houses do not provide on-site supportive services to residents, such as mental health services; clinical rehabilitation services; social services; medical, dental, nutritional and other health care services; financial management services; legal services; vocational services; and other similar supportive services.



**TABLE 50-19.8: USE TABLE, REVISED JAN 2020**

	Residential						Mixed Use					Form									Special				Use Specific Standards	
	R-C	RR-1	RR-2	R-1	R-2	R-P	MU-N	MU-C	MU-I	MU-B	MU-W	MU-P	F-1	F-2	F-3	F-4	F-5	F-6	F-7	F-8	F-9	I-G	I-W	P-1		AP
<b>RESIDENTIAL USES</b>																										
<b>Household Living</b>																										
Dwelling, one-family	P	P	P	P	P	P <sup>3</sup>	P				P <sup>3</sup>	P	P	P	P	P	P	UP	UP	UP						
Dwelling, two-family				P	P	P <sup>3</sup>	P				P <sup>3</sup>	P	P	P	P	P	P	UP	UP	UP						50-20.1A
Dwelling, townhouse				S	P <sup>2</sup>	P <sup>3</sup>	P <sup>2</sup>				P <sup>1</sup>	P <sup>3</sup>														50-20.1B
Dwelling, multi-family					P <sup>2</sup>	P <sup>3</sup>	P <sup>2</sup>	P <sup>1</sup>	P <sup>1</sup>		P <sup>1</sup>	P <sup>3</sup>	P	P	P	P	P	UP	P	P						50-20.1.C
Dwelling, live-work							P <sup>2</sup>	P <sup>1</sup>	P <sup>1</sup>		P <sup>1</sup>	P <sup>3</sup>	P	P	P	P	P			P	P					
Manufactured home park				S	S <sup>2</sup>	P <sup>3</sup>	S <sup>2</sup>																			50-20.1.F
Cottage home park		S	S	S	S	P <sup>3</sup>	S <sup>2</sup>																			50-20.1.G
<b>Group Living</b>																										
Co-housing facility				S	S <sup>2</sup>	P <sup>3</sup>	P <sup>2</sup>				P <sup>3</sup>															
Residential care facility/assisted living (6 or fewer )		P	P	P	P <sup>2</sup>	P <sup>3</sup>	P <sup>2</sup>				P <sup>3</sup>	UP	P	UP	P	P	UP	UP	P	P						50-20.1.D
Residential care facility/assisted living (7 or more)				S	P <sup>2</sup>	P <sup>3</sup>	P <sup>2</sup>	P <sup>1</sup>	P <sup>1</sup>		P <sup>1</sup>	P <sup>3</sup>	UP	P	UP	P	P	UP	UP	P	P					50-20.1.D
Rooming house					S <sup>2</sup>		P <sup>2</sup>	P <sup>1</sup>	P <sup>1</sup>		P <sup>1</sup>	P <sup>3</sup>	UP	P	UP	P	P	UP	UP	P	P					50-20.1.E
<b>Sober House (6 or fewer)</b>				P	P <sup>2</sup>	P <sup>3</sup>	P <sup>2</sup>				P <sup>3</sup>	P	P	P	P	P	P	P	P	P						50-20.1.H
<b>Sober House (7 or more)</b>					S <sup>2</sup>	P <sup>3</sup>	S <sup>2</sup>	P <sup>1</sup>	P <sup>1</sup>		P <sup>3</sup>	P	P	P	P	P	P	P	P	P						50-20.1.H

# Last Slide

Public Hearing at Planning Commission Meeting (Tuesday, March 9).

Note that there was also a Public Hearing on Tuesday, February 9, and this item was discussed at the January 12, 2021 Planning Commission meeting.

Thank you.

