



Legislation Details (With Text)

<b>File #:</b>	17-067-O	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
<b>File created:</b>	11/21/2017	<b>In control:</b>	Planning and Economic Development
<b>On agenda:</b>	12/4/2017	<b>Final action:</b>	12/11/2017

**Title:** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY in the general area of Indian point campground, and areas between 63rd and 73rd avenue WEST, and milford and FREMONT street, from I-W and R-1 to R-1, P-1, and R-C.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment 1, 2. Attachment 2

Date	Ver.	Action By	Action	Result
12/11/2017	1	City Council	adopted	
12/4/2017	1	City Council	read for the first time	

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY IN THE GENERAL AREA OF INDIAN POINT CAMPGROUND, AND AREAS BETWEEN 63<sup>RD</sup> AND 73<sup>RD</sup> AVENUE WEST, AND MILFORD AND FREMONT STREET, FROM I-W AND R-1 TO R-1, P-1, AND R-C.

**CITY PROPOSAL:**

The city of Duluth does ordain:

Section 1. That the subject properties north of Milford Street, as shown as Area A in Attachment 1, and as more particularly described as follows:

010-2420-07530

010-2420-07580

010-2420-07900

be rezoned from Industrial-Waterfront (I-W) to Residential-Traditional (R-1).

Section 2. That the subject properties south of Pulaski Street, as shown as Area B in Attachment 1, and as more particularly described as follows:

010-2390-00330

010-2420-06530

010-2420-06540

010-2420-06570

010-2420-06580

010-2420-06590  
010-2420-06620  
010-2420-06710  
010-2420-06880  
010-2420-06900  
010-2420-07740  
010-2420-08110  
010-2420-08310  
010-2420-08750  
010-2420-08760  
010-2420-09160  
010-2420-09170  
010-2420-09180, excepting the northernmost 150 feet  
010-2420-09290  
010-2420-09300  
010-2420-09310  
010-2420-09320

be rezoned from Residential-Traditional (R-1) and Industrial-Waterfront (I-W) to Rural-Conservation (R-C).

Section 3. That the subject properties north of Pulaski Street and south of Fremont Street, as shown as Area C in Attachment 1, and as more particularly described as follows:010-1783-00260

010-2380-00010  
010-2380-00020  
010-2380-00030  
010-2380-00040  
010-2380-00050  
010-2380-00060  
010-2400-02480  
010-2400-03300  
010-2400-03380  
010-2400-02960  
010-2420-03890  
010-2420-04050

010-2420-04350  
010-2420-04630  
010-2420-04650  
010-2420-04670  
010-2420-04690  
010-2420-04720  
010-2420-04750  
010-2420-04770  
010-2420-04820  
010-2420-04890  
010-2420-04900  
010-2420-04950  
010-2420-04970  
010-2420-05070  
010-2420-05080  
010-2420-05090  
010-2420-05210  
010-2420-05355  
010-2420-05360  
010-2420-05370

be rezoned from Residential-Traditional (R-1) and Industrial-Waterfront (I-W) to Rural-Conservation (R-C).

Section 4. That the subject properties east of South 70<sup>th</sup> Avenue West and adjacent to the Indian Point Campground, as shown as Area D in Attachment 1, and as more particularly described as follows:

010-2400-03970  
010-2400-04140  
010-2400-04290  
010-2400-04400  
010-2400-04720  
010-2420-05490  
010-2420-05810  
010-2420-05960  
010-2420-05970

010-2420-06130

010-2420-08430

010-2420-08770

010-2420-08900

010-2420-09330

be rezoned from Residential-Traditional (R-1) and Industrial Waterfront (I-W) to Parks and Open Space (P-1).

Section 5. That the official zoning map of the city of Duluth as referenced in Chapter 50 of the Duluth City Code, 1959, is amended to read as shown in Attachment 1.

Section 6. That this ordinance shall take effect and be in force 30 days from and after its passage and publication.

STATEMENT OF PURPOSE: This ordinance provides a zoning change from Industrial Waterfront (I-W) and Residential-Traditional (R-1) to Rural-Conservation (R-C), Parks and Open Space (P-1) and Residential-Traditional (R-1), for areas near the Indian Point Campground. This will update the city's zoning map to more clearly reflect the actual usage of the subject areas (recreation, with some limited residential).

This rezoning action is being done by the city of Duluth to address a discrepancy between the zoning map and the future land use map, and it is not in anticipation of any specific potential development, proposal, or project. The city is amending the zoning map throughout the city, and this is one of the many zoning projects, both large and small, being proposed to the planning commission over the next several months prior to the public hearing and adoption process for the Imagine Duluth 2035 Comprehensive Plan.

Based on the future land use designation of the subject property, purpose statements of the I-W, R-1, R-C, and P-1 zone districts, current land use of the subject property, and the character of the surrounding properties in the neighborhood, rezoning to R-1, R-C, and P-1 is appropriate for the subject area.

On November 14, 2017, the Duluth city planning commission held a public hearing on the proposal as shown in Attachment 2, and voted 5 yeas, 0 nays, 0 abstentions, and 4 commissioners absent to recommend that the city council approve the rezoning requested for the following reasons:

- 1) The rezoning is generally consistent with the Comprehensive-Plan Future Land Use Map.
- 2) Material adverse impacts on nearby properties are not anticipated.

As the rezoning is from a residential district to a special purpose district, a motion to approve must prevail with an affirmative vote of 2/3 of the city council (per 50-37.3.B.3).

Petitioner:

City of Duluth

PL 17-162