



## Legislation Details (With Text)

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<b>File #:</b>	20-019-O	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
<b>File created:</b>	2/14/2020	<b>In control:</b>	Planning and Economic Development
<b>On agenda:</b>	2/24/2020	<b>Final action:</b>	3/9/2020
<b>Enactment date:</b>	3/9/2020	<b>Enactment #:</b>	10687

**Title:** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY NEAR HARTLEY PARK, FREDERICK RODNEY PAINE FOREST PRESERVE, AND MAGNEY-SNIVELY NATURAL AREA FROM R-C (RURAL CONSERVATION), RR-1 (RURAL RESIDENTIAL 1), AND R-1 (RESIDENTIAL-TRADITIONAL), TO P-1 (PARK AND OPEN SPACE).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment 1, 2. Attachment 2, 3. Attachment 3, 4. Attachment 4, 5. Attachment 5, 6. Attachment 6

Date	Ver.	Action By	Action	Result
3/9/2020	1	City Council	adopted	
2/24/2020	1	City Council	read for the first time	

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY NEAR HARTLEY PARK, FREDERICK RODNEY PAINE FOREST PRESERVE, AND MAGNEY-SNIVELY NATURAL AREA FROM R-C (RURAL CONSERVATION), RR-1 (RURAL RESIDENTIAL 1), AND R-1 (RESIDENTIAL-TRADITIONAL), TO P-1 (PARK AND OPEN SPACE).

**CITY PROPOSAL:**

The city of Duluth does ordain:

Section 1. That the subject property near Hartley Park, and the Woodland Community Recreation Center, as shown in Attachment 1, and as more particularly described as follows:

010-1560-00330

010-1560-00500

010-1560-00740

010-1560-01360

010-2116-00190

010-2116-00200

010-2116-00210

010-2116-00220

010-2116-00230  
010-2116-00240  
010-2116-00250  
010-2116-00260  
010-2116-00270  
010-2116-00280  
010-2116-00290  
010-2116-00300  
010-2116-00310  
010-2116-00320  
010-2116-00330  
010-2116-00340  
010-2116-00350  
010-2116-00480  
010-2116-00490  
010-2116-00500  
010-2116-00510  
010-2116-00520  
010-2116-00530  
010-2116-00540  
010-2116-00550  
010-2116-00560  
010-2116-00570  
010-2116-00580  
010-2116-00590  
010-2116-00600  
010-2116-00610  
010-2116-00620  
010-2116-00630  
010-2116-00640  
010-2116-00650

010-2710-00325  
010-2710-00330  
010-2710-00350  
010-2710-00390  
010-2710-00525  
010-2710-00526  
010-2710-00540  
010-2710-00560  
010-2710-00572  
010-2710-00585  
010-2710-00590  
010-2710-00595  
010-2710-00596  
010-2710-00600  
010-2710-02820  
010-2710-02825  
010-2710-02830  
010-2710-02840  
010-2710-02860  
010-2710-03100  
010-2710-03170  
010-2710-03180  
010-2710-03185  
010-2710-03190  
010-2710-03195  
010-2710-03200  
010-2710-03210  
010-2710-03245  
010-3900-00010

be rezoned from RR-1 (Rural Residential 1) and R-1 (Residential-Traditional) to P-1 (Park and Open Space).

Section 2. That the subject property near Frederick Rodney Paine Forest Preserve, and N.B. Merritt Memorial Park, Fond Du Lac Community Recreation Center, Fond Du Lac Park Square, and Chambers Grove Park, as

shown in Attachment 2, and as more particularly described as follows:

010-1620-00380

010-1620-00480

010-1620-01320

010-1620-01350

010-1630-00010

010-1630-00310

010-1630-00360

010-1630-00940

010-1640-00010

010-1640-00090

010-1640-00100

010-1640-00940

010-1640-01020

010-1640-01030

010-1650-00010

010-1650-00940

010-1660-00010

010-1660-00940

010-1670-00010

010-1670-00950

010-2730-00470

010-2730-00590

010-2730-00630

010-2730-00640

010-2730-00650

010-2730-00660

010-2730-00670

010-2730-00680

010-2730-00690

010-2730-00700

010-2730-00710

010-2730-00720

010-2730-00740

010-2730-00750

010-2730-00760

010-2730-00770

010-2730-00780

010-2730-00790

010-2730-00800

010-2730-00810

010-2730-00820

010-2730-00850

010-2730-00860

010-2730-00870

010-2730-00900

010-2742-04730

010-2742-04990

010-2742-04991

010-2742-05000

010-2742-05020

010-2742-05021

010-2742-05030

010-2742-05031

010-2742-05050

010-2742-05051

010-2742-05070

010-2742-05071

be rezoned from R-C (Rural-Conservation) and RR-1 (Rural Residential 1), to P-1 (Park and Open Space).

Section 3. That the subject property near Magney Snively as shown in Attachment 3, and as more particularly described as follows:

010-2168-00010

010-2168-00050  
010-2168-00060  
010-2168-00070  
010-2168-00080  
010-2168-00090  
010-2168-00100  
010-2168-00110  
010-2168-00120  
010-2168-00130  
010-2742-03780  
010-2742-03815  
010-2742-03880  
010-2742-03890  
010-2742-03900  
010-2742-03910  
010-2742-03930  
010-2742-03990  
010-2742-04010  
010-2742-04050  
010-2742-04060  
010-2742-04080  
010-2742-04100  
010-2742-05090  
010-2742-05110  
010-2742-05120  
010-2742-05130  
010-2742-05140  
010-2742-05170  
010-2742-05200  
010-2742-05201  
010-2742-05220

010-2742-05230  
010-2742-05270  
010-2742-05276  
010-2746-00650  
010-2746-00660  
010-2746-00690  
010-2746-00700  
010-2746-00710  
010-2746-00720  
010-2746-00730  
010-2746-00740  
010-2746-00850  
010-2746-00860  
010-2746-00870  
010-2746-00880  
010-2746-00890  
010-2746-00900  
010-2746-00910  
010-2746-00920  
010-2746-00940  
010-2746-01000  
010-2746-01060  
010-2746-01070  
010-2746-01170  
010-2746-01180  
010-2746-01190  
010-2746-01200  
010-2746-01410  
010-3251-00010  
010-3251-00110  
010-3251-00130

010-3251-00210  
010-3251-00220  
010-3251-00230  
010-3251-00290  
010-3251-00570  
010-3251-00850  
010-3251-00880  
010-3251-00900  
010-3251-01130  
010-3251-01450  
010-3251-01620  
010-3251-01630  
010-3251-01770  
010-3251-02090  
010-3251-02410  
010-3251-02730  
010-3251-03050  
010-3251-03210  
010-3251-03230  
010-3251-03370  
010-3251-03550  
010-3251-03570  
010-3800-00010  
010-3800-00060  
010-3800-00070  
010-3800-00170  
010-3800-00180  
010-3800-00250  
010-3800-00300  
010-3800-00310  
010-3800-00320

010-3800-00390  
010-3800-00400  
010-3800-00410  
010-3800-00460  
010-3800-00470  
010-3800-00480  
010-3800-00490  
010-3800-00520  
010-3800-00530  
010-3800-00610  
010-3800-00850  
010-3800-00940  
010-3800-00950  
010-3800-00960  
010-3800-00970  
010-3800-00980  
010-3800-00990  
010-3800-01000  
010-3800-01060  
010-3800-01070  
010-3800-01080  
010-3800-01090  
010-3800-01100  
010-3800-01160  
010-3800-01170  
010-3800-01180  
010-3800-01190  
010-3800-01200  
010-3800-01300  
010-3800-01380  
010-3800-01390

010-3800-01420  
010-3800-01430  
010-3800-01700  
010-3800-01900  
010-3800-01910  
010-3800-02000  
010-3800-02010  
010-3800-02020  
010-3800-02100  
010-3800-02110  
010-3800-02230  
010-3800-02240  
010-3800-02250  
010-3800-02260  
010-3800-02290  
010-3800-02300  
010-3800-02310  
010-3800-02340  
010-3800-02500  
010-3800-02590  
010-3800-02600  
010-3800-02650  
010-3805-00010  
010-3805-00330  
010-3805-00650  
010-3805-00970  
010-3805-01290  
010-3805-01610  
010-3805-01930  
010-3805-02250  
010-3805-02570

010-3805-02850

010-3805-03130

010-3805-03410

010-4032-00350

010-4032-01400

010-4032-01870

010-4060-00890

010-4060-00920

010-4060-00930

010-4060-01000

All of 010-2746-01210, excluding the portion lying to the east of the Munger Trail right of way

That part of 010-2746-01480 located in the W ½ of Sec 34 Township 49 Range 15

That part of 010-2742-05275 located in the NE ¼ of SE ¼ and the W ½ of SE ¼ of SW ¼ and the SW ¼ of SW ¼ of Sec 33 Township 49 Range 15

That part of parcels 010-2742-05086 and 010-2742-05087 in Block 13 and Block 17 in Short Line Park.

be rezoned from R-C (Rural-Conservation) and RR-1 (Rural Residential 1), to P-1 (Park and Open Space).

Section 4. 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 Attachments 1, 2, and 3.

Section 5. 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 Rural-Conservation (R-C), Rural Residential 1 (RR-1), and Residential-Traditional (R-1) to Parks and Open Space (P-1). This ordinance will zone approximately 660 acres near Hartley Park, approximately 2,000 acres near the Frederick Rodney Paine Forest Preserve, and approximately 1,700 acres near the Magney-Snivley Natural Area.

This rezoning ordinance is not in anticipation of any specific development proposal; it is instead intended to update the zoning map to reflect the future land use designation. Open Space is a new future land use designation, created with the Imagine Duluth 2035 Comprehensive Plan. It is a combination of two previous future land use categories, Preservation and Recreation. Because of overlap and similarity, the Preservation and Recreation land uses were merged to form a new category, Open Space. P-1 is an appropriate zoning designations for properties with the future land use designation of Open Space.

The Park and Open Space (P-1) zone district is intended to protect and preserve lands for recreational, scenic and natural resource uses. It is intended to be applied to publicly owned land but may be applied to private property with the landowner's written consent. Both passive recreational and active recreational uses may be permitted. Changing the zoning designation from R-1, R-C, RR-1 to P-1 better communicates the city's intentions of keeping these areas generally reserved for public use, and not for future residential, commercial, or industrial development. Regardless of the zoning designation, the Duluth Parks and Recreation Department generally still coordinates activities, management, and master planning of these areas, as applicable. The P-1 zoning designation is not permanent, and may be changed to a different zoning designation following the process outlined in Chapter 50 of the city code.

On December 10, 2019, the Duluth city planning commission held a public hearing on the proposal as described in Attachments 1, 2, and 3, and voted 9 yeas, 0 nays, 0 abstentions, to recommend that the city council approve the rezoning requested for the following reasons:

- 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.
- 3) The rezoning is consistent with the Comprehensive-Plan Future Land Use Map.