



Legislation Details (With Text)

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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.