

shoreland protections that apply to waterways in the rest of Duluth also protect waterways in the two annexed areas. However, in order to update the Natural Resource's Overlay map (the map that identifies the shoreland protections), a rezoning process and public hearing is required.

The purpose of the Natural Resource Overlay is to promote, preserve and enhance the water resources and environment within the city and protect them from adverse effects caused by poorly sited or incompatible development. It is intended to implement the Minnesota Wetland Conservation Act (WCA), federal emergency management agency (FEMA) rules, and the Minnesota department of natural resources (DNR) shoreland and flood plain regulations. Waters in the city have been classified as general development waters (GD), natural environment waters (NE) or coldwater rivers (CW). The shoreland overlay applies to lands within 1,000 feet of Lake Superior or within 300 feet of rivers, creeks, streams and tributaries and floodplains, as designated on the NR-O map (Natural Resources Overlay). US Steel Creek is designated as a Natural Environment Waters, while East Branch Amity Creek, Mission Creek, Sargent Creek, and Stewart Creek are Coldwater Rivers. Natural Environment shorelands have a structure setback of 75 feet and an impervious surface setback of 50 feet, while Coldwater River shorelands have a structure setback of 150 feet and an impervious surface setback of 75 feet.

On December 10, 2019, the Duluth city planning commission held a public hearing on the proposal as shown in Attachments 1 and 2, 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 shorelands are the most reasonably able to implement the objectives of the Comprehensive Plan related to the land use for these areas.

- 2) Material adverse impacts on nearby properties are not anticipated.

Petitioner:

City of Duluth
Planning and Economic Development
Room 160, City Hall
Duluth, MN 55802
PL 19-168