



Legislation Details (With Text)

**File #:** 17-068-O      **Name:**

**Type:** Ordinance      **Status:** Passed

**File created:** 11/21/2017      **In control:** Planning and Economic Development

**On agenda:** 12/4/2017      **Final action:** 12/11/2017

**Title:** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY AT THE END OF SPRING STREET, FROM I-G TO MU-W.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment 1, 2. Attachment 2, 3. Attachment 3

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 AT THE END OF SPRING STREET, FROM I-G TO MU-W.

**CITY PROPOSAL:**

The city of Duluth does ordain:

Section 1. That the subject properties at the end of Spring Street, as shown in Attachment 1, and as more particularly described as follows:

- 010-2746-00310
- 010-2746-00311
- 010-2746-00312
- 010-2746-00313

be rezoned from Industrial-General (I-G) to Mixed Use-Waterfront (MU-W).

Section 2. 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 3. 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-General (I-G) to Mixed-Use Waterfront (MU-W) for properties at the end of Spring Street in the Riverside neighborhood. This rezoning will update the city’s zoning map to more clearly reflect the actual usage of the subject areas (marina over a portion of the subject area) and be in conformance with the future land use designation of commercial waterfront.

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-G and MU-W zone districts, current land use of the subject property, and the character of the surrounding properties in the neighborhood, rezoning to MU-W is appropriate for this subject area. The city received a written comment the day after the planning commission meeting from one of the property owners opposed to the rezoning, as shown in Attachment 3.

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) MU-W is the zone most reasonably able to implement the objectives of the Comprehensive Plan related to the proposed land use for this area.
- 2) The rezoning is consistent with the Comprehensive-Plan Future Land Use Map.
- 3) Material adverse impacts on nearby properties are not anticipated.

A simple majority by the city council is required to approve the affirmative vote (per 50-37.3.B.3).

Petitioner:

City of Duluth

PL 17-161