



Legislation Text

File #: 20-019-O, **Version:** 1

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.