



Legislation Details (With Text)

File #: 16-030-O **Name:**

Type: Ordinance **Status:** Passed

File created: 6/16/2016 **In control:** Planning and Economic Development

On agenda: 6/27/2016 **Final action:** 8/29/2016

Title: AN ORDINANCE AMENDING SECTIONS 50-15.2 MIXED USE NEIGHBORHOOD (MU-N), 50-15.3 MIXED USE COMMERCIAL (MU-C), AND 50-15.5 MIXED USE BUSINESS PARK (MU-B).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment 1, 2. Sipress.Russ mta 16-030-O, 3. Filipovich mta 16-030-O, 4. Sipress.Russ mta (2) 16-030-O

Date	Ver.	Action By	Action	Result
8/29/2016	1	City Council	adopted	Pass
8/29/2016	1	City Clerk	attested	
8/29/2016	1	Mayor	approved	
8/15/2016	1	City Council	read for the first time	
7/18/2016	1	City Council	tabled	
7/11/2016	1	City Council	tabled	
6/27/2016	1	City Council	read for the first time	

AN ORDINANCE AMENDING SECTIONS 50-15.2 MIXED USE NEIGHBORHOOD (MU-N), 50-15.3 MIXED USE COMMERCIAL (MU-C), AND 50-15.5 MIXED USE BUSINESS PARK (MU-B).

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Section 50-15.2 of the Duluth City Code, 1959, as amended, be amended as follows:

50-15.2 Mixed Use-Neighborhood (MU-N).

A. Purpose.

TABLE 50-15.2-1 MU-N DISTRICT
DIMENSIONAL STANDARDS

Lot Standards		
Minimum lot area per family	One-family	4,000 sq. ft.
	Two-family	2,500 sq. ft.
	Multi-family	500 sq. ft.

	Efficiency unit	380 sq. ft.
	Townhouse or liv	2,200 sq. ft.
No lot of record containing 5,000 sq. ft. or less shall be used except for a one- family dwelling or a permitted non-dwelling use		
Minimum lot frontage	One-family, two-f	30 ft.
	townhouse dwelli	
	Multi-family or no	50 ft.

Structure Setback

Minimum depth of front yard	One-family, non-r mixed-use For all feet in height or le	The smaller of 20 ft. or average of e developed lots facing the same stre
	For portions of all higher than 35 feet	An additional 12 feet beyond the re yard setback
Minimum width of side yard	General, unless li	5 ft.
	Non-residential u residential district	15 ft.
	Non-residential u non-residential di	0 ft.
	Multi-family adja family district or u	10 ft.
	Multi-family adja family district or u	0 ft.
Minimum depth of rear yard		25 ft.

Structure Height

Maximum height of building	Non-residential u	35 45 ft.
	Residential or mi (general)	75 ft.
	Residential or mi 500 ft. of R-1 or F	35 45 ft.
	Residential or mi 500 ft. of R-2)	50 ft.

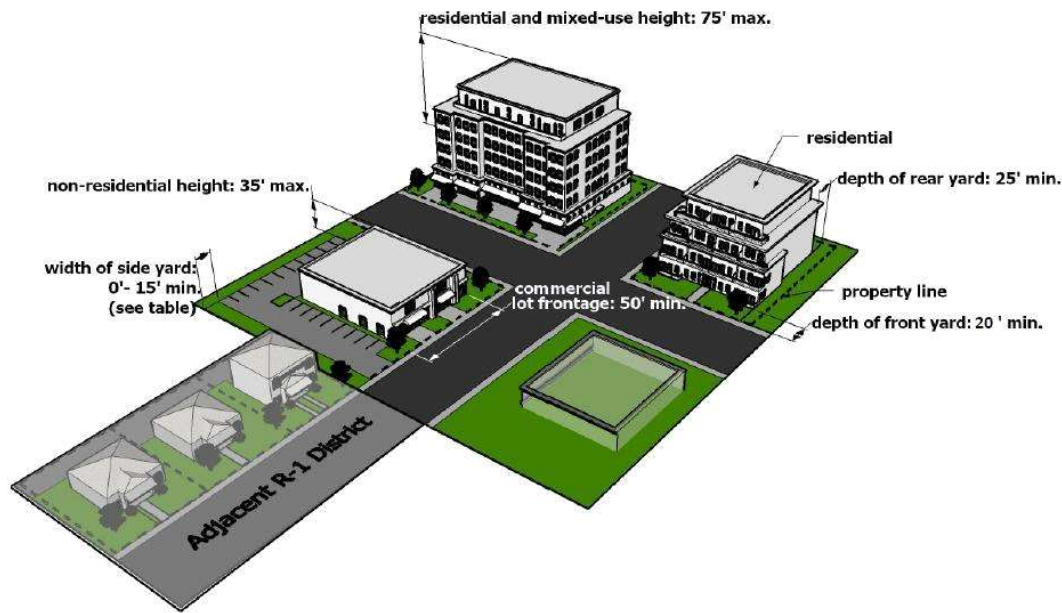
Section 50.21 *Dimensional standards* contains additional regulations applicable to this district.

The MU-N district is established to accommodate a mix of neighborhood-scale, neighbor-hood serving non-residential uses and a range of residential uses located in close proximity. This district accommodates both horizontal (uses located in separate structures) and vertical (uses located in the same building) types of mixed use. Non-residential uses may include small-scale retail, service and professional offices that provide goods and services to the residents of the surrounding neighborhood, as shown in Table 50-19.8;

B. Example.



C. Illustration.



Section 2. That Section 50-15.3 of the Duluth City Code, 1959, as amended, be amended as follows:

50-15.3 Mixed Use-Commercial (MU-C).

TABLE 50-15.3-1 MU-C DISTRICT
DIMENSIONAL STANDARDS

Lot Standards		
Minimum lot area per family	Live-work dwelling	2,200 sq. ft.
	Multi-family	500 sq. ft.
	Efficiency unit	380 sq. ft.
Minimum lot frontage	Non-residential or mixed use	0 ft.
	Multi-family	50 ft.
Structure Setbacks		
Minimum depth of front yard	For all structures 35 feet in height	0 ft.
	For portions of all structures higher than 35 feet	12 Ft
Minimum width of side yard and rear yard	Non-residential district or use adjacent to non-residential use	15 ft.
	Multi-family residential district or use adjacent to multi-family residential use	10 ft.
	Non-residential use adjacent to commercial or multi-family use	0 ft.

Structure Height		
Maximum height of building	Non-residential use	45 ft.
	Residential or mixed use	30 ft.
	Residential or mixed use (within 500 ft. of transit station)	35 ft.
	Residential or mixed use within 500 ft. of transit station	50 ft.

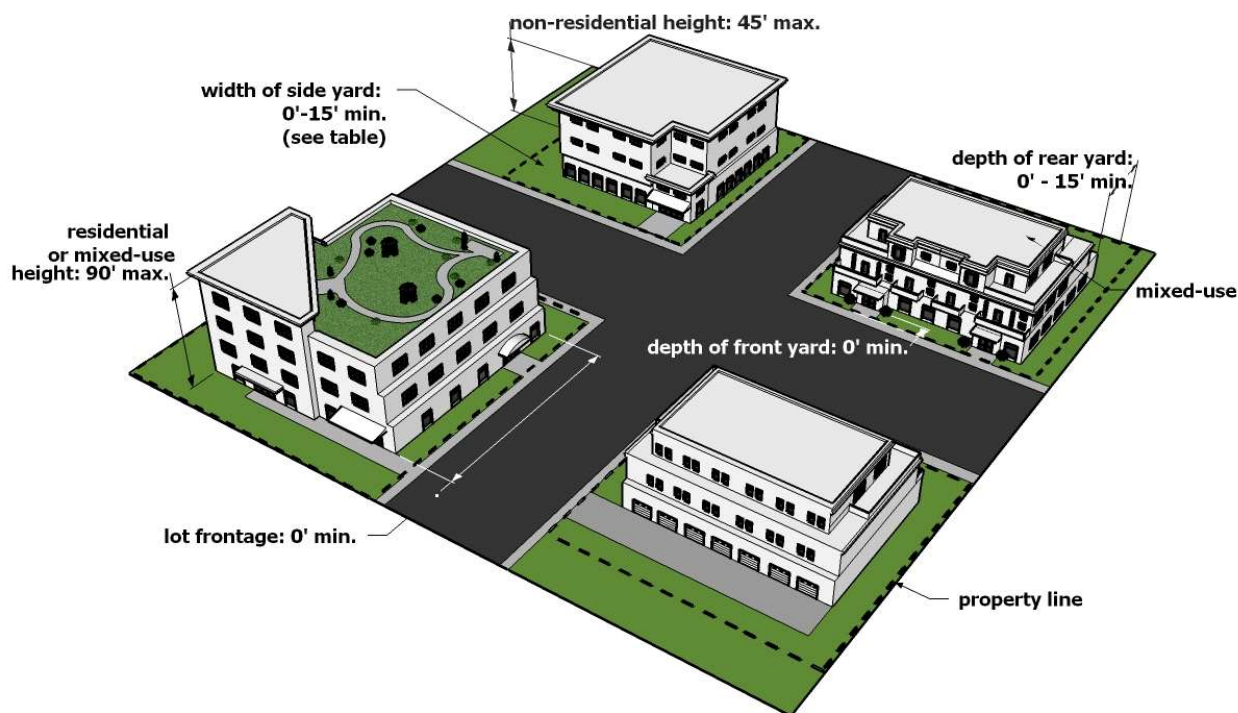
Section 50.21 *Dimensional standards* contains additional regulations applicable to this district.

A. Purpose.

The MU-C district is established to provide for community and regional commercial development along commercial corridors and nodal centers. Intended non-residential uses include retail, lodging, service, and recreational facilities needed to support the community and region, as shown in Table 50-19.8. Development should facilitate pedestrian connections between residential and non-residential uses;

B. Example.

C. Illustration.



D. Planning commission approval required.

A planning review by the planning commission, pursuant to the procedures in Article V, shall be required for all new development, redevelopment and expansions in the MU-C district, including but not limited to construction of driveways or other access from public streets, and construction of off-premises signs, but excluding the following:

1. Building construction or expansion of less than 500 square feet in area;
2. Building renovations that affect the exterior of structures that do not result in an increase in building square footage;
3. Grading and construction of parking areas less than 3,000 square feet.

Development may not proceed until the planning commission has approved the project through planning review;

E. Development standards.

- 1 The location, size and number of curb cuts shall be designed to minimize traffic congestion or hazard in the area. Any traffic control improvements required as a result of the proposal such as traffic signals, turning lanes, medians, signage and other types of improvements necessary to accommodate traffic flow to and from

the proposed project shall be paid for by the property owner. Any additional right-of-way or easements needed shall be provided by the property owner at no cost to the city;

- 2 Any necessary public easements over the subject property shall be dedicated, and any necessary improvements within such easements or other easements adjacent to the subject property shall be made.

Section 3. That Section 50-15.5 of the Duluth City Code, 1959, as amended, be amended as follows:

50-15.5 Mixed Use-Business Park (MU-B).

TABLE 50-15.5-1 MU-B DISTRICT DIMENSION/STANDARDS

Structure Setbacks		
Minimum depth of front yard	General	25 ft.
	Lots with less than 250 ft. average lot depth	Larger of 10 ft. or 10% of lot depth
Minimum width of side yard	Adjacent to residential use or district	5 ft.
	General	0 ft.
Minimum depth of rear yard	Adjacent to residential use or district	10 ft.
	General	0 ft.
Structure Height		
Maximum height of building	General	60 ft.
	Within 500 ft. of R-1 or R-2 district	35 ft.
	Within 500 ft. of R-2 district	50 ft.

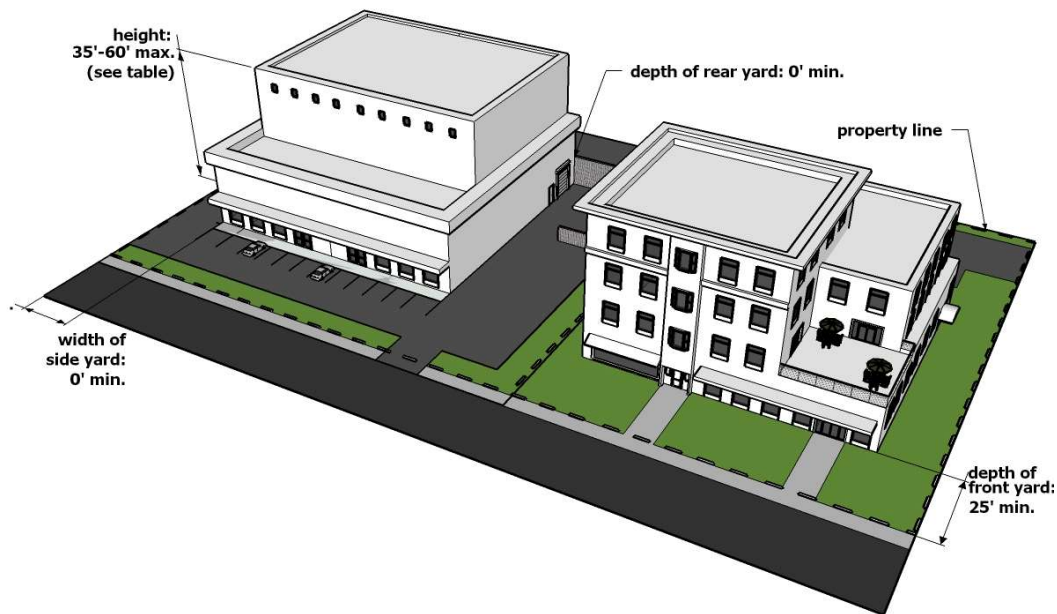
Section 50.21 *Dimensional standards* contains additional regulations applicable to this district.

A. Purpose.

The MU-B district is intended to accommodate modern light industrial and technology-based developments of attractive integrated design and function. The development standards for this district are intended to ensure that projects minimize adverse impacts on surrounding uses and neighborhoods, reduce impacts on the natural environment, enhance the visual quality of development and ensure the provision of adequate and cost-efficient public facilities. Intended uses include wholesaling, industrial services, research laboratories, and light manufacturing needed to support the community and region at large, as shown in Table 50-19.8;

B. Example.

C. Illustration.



D. Development standard.

In portions of the MU-B zone district developed after May 7, 1979, (a) all truck loading, unloading, and maneuvering areas shall be constructed in side or rear yard areas with a durable dust free material having a smooth hard surface, and shall be defined on all sides by raised cast-in-place concrete curbs, and (b) all truck loading, unloading, and maneuvering operations shall be conducted so that no truck movement interferes with ingress or egress of traffic on a street and no truck shall be required to back into loading areas from a street.

Section 4. That this ordinance shall take effect 30 days after its passage and publication.
(Effective date: _____, 2016)

STATEMENT OF PURPOSE: This ordinance implements text amendments to chapter 50 of the City Code, known as the Unified Development Chapter (UDC).

The text amendment allows an increase in height for structures in the Mixed Use Neighborhood, Commercial, and Business Park (MU-C, MN-U, and MU-B) zone districts.

The proposed changes were discussed at a published public hearing on April 12 and May 24, 2016. At the June 14, 2016, regular meeting, the Duluth planning commission made a motion to recommend that the city council approve the recommended amendments to UDC. The vote passed with a vote of 6 yeas, 0 nays and 0 abstentions.