



## Legislation Details (With Text)

<b>File #:</b>	16-033-O	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
<b>File created:</b>	6/16/2016	<b>In control:</b>	Planning and Economic Development
<b>On agenda:</b>	6/27/2016	<b>Final action:</b>	7/11/2016
<b>Title:</b>	AN ORDINANCE AMENDING SECTIONS 50-23.2 GENERAL CIRCULATION REQUIREMENTS AND 50-24.2 REQUIRED PARKING SPACES.		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Attachment 1		

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

AN ORDINANCE AMENDING SECTIONS 50-23.2 GENERAL CIRCULATION REQUIREMENTS AND 50-24.2 REQUIRED PARKING SPACES.

### CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Section 50-23.2 of the Duluth City Code, 1959, as amended, be amended as follows:

#### 50-23.2 General circulation requirements.

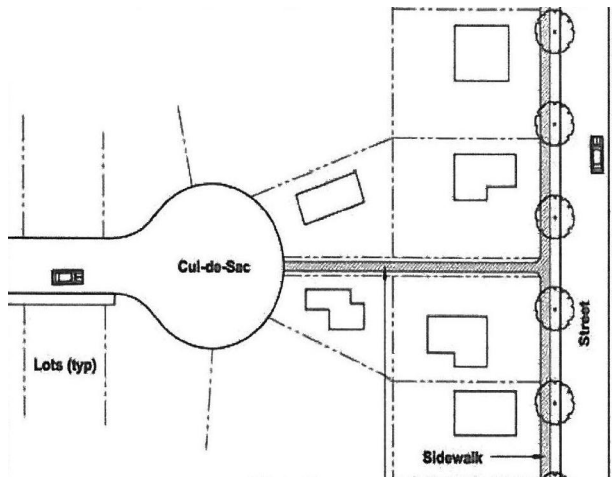
Applications for subdivision, replatting, RLS, development, or redevelopment shall meet the following standards:

- A. Where adopted city plans show a bicycle or pedestrian path or trail or sidewalk, the site design shall provide connections to those paths or trails or sidewalks;
- B. Any requests by the city for designation or dedication of land for bicycle or pedestrian trails within a proposed development shall comply with the provisions of Section 50-33.8, *Land for public purposes*;
- C. Unless the city engineer waives the requirement in writing based on concerns of public safety, or due to site/ topography constraints:
  1. Each proposed street within a new subdivision, regardless of zoning designation, shall be public and designed and constructed to city engineer construction standards;
  - 12 Each proposed public or private street within the R-1, R-2, R-P, MU-P, MU-N,

MU-C, MU-I or MU-W districts shall include a sidewalk at least five feet wide on both sides of the street;

23 Each proposed public or private street within the MU-B, I-G or I-W districts shall include a sidewalk at least five feet wide on one side of the street;

D.



Whenever cul-de-sac streets are created, one ten foot wide pedestrian access/public utility easement shall be provided, between the cul-de-sac head or street turnaround and the sidewalk system of the closest adjacent street or pedestrian sidewalk or pathway, unless the city engineer determines that public access in that location is not practicable due to site or topography constraints (refer to Figure 50-23-A);

E. A pedestrian way at least ten feet in width shall be provided near the middle of any block face longer than 800 feet in order to provide connections with streets on either side of the block;

F. Any use requiring vehicle access from a public street or alley shall be referred to the city engineer for review before any permits are issued. The city engineer shall consider, but not be limited to, the following factors when determining whether to approve the proposal:

1. The consolidation of curb cuts shall be encouraged, and new curb cuts shall be discouraged whenever appropriate, considering safe traffic flow, the objectives of this chapter, and access points needed for the proper function of the use;
2. Functional classification of the road where the curb cut is proposed;
3. The location of driveways shall be at least 100 feet from an intersection. The city engineer may permit driveways closer to an intersection due to limited lot frontage or site/topography constraints;
4. The location of driveways relative to other existing uses is such that street traffic shall not be seriously disrupted and no unnecessary hazards shall be established for pedestrians.

Section 2. That Section 50-24.2 of the Duluth City Code, 1959, as amended, be amended as follows:

#### 50-24.2 Required parking spaces.

In all districts there shall be provided, at the time any building or structure is erected, except as provided in Section 50-24.5, *Calculation of parking spaces*, the number of off-street parking spaces

shown in Table 50-24-1, unless an exemption from or variation of this requirement is provided in another section of this Chapter.

**Table 50-24-1: Off-Street parking Spaces Required**

Use	Requirement* (May Be Adjusted to 30% Less or 50% More)
<b>RESIDENTIAL USES</b>	
Dwelling, one-family	1 space per dwelling unit
Dwelling, two-family	
Dwelling, townhouse	
Dwelling, live-work Co-housing facility	
Manufactured home park	
Dwelling, multi-family	1.25 space per dwelling unit
Assisted living facility (elderly)	1 space per 3 habitable units
Residential care facility	1 space per 9 residential care beds, but not less than 2 spaces
Rooming house	1 space per habitable unit
<b>PUBLIC, INSTITUTIONAL AND CIVIC USES</b>	
Bus or rail transit station	No requirement
Business, art, or vocational school	1 parking space for each 8 seats in the main auditorium or spaces for each classroom, whichever is greater
Cemetery or mausoleum	No requirement
Club or lodge (private)	2.5 spaces per 1,000 sq. ft. of floor area
Government building or public safety facility	As determined by land use supervisor based on anticipated use and neighborhood impacts
Hospital	2 spaces per 1,000 sq. ft.
Medical or dental clinic	4 spaces per 1,000 sq. ft. of gross floor area
Museum, library or art gallery	1 space per 1,000 sq. ft. of gross floor area
Nursing home	1 space per 6 beds
Park, playground or forest reserve	No requirement
Religious assembly	1 space per 4 seats or per 100 sq. ft. in main auditorium, whichever is greater
School, elementary	1 parking space for each 10 seats in the auditorium or main assembly room or 1 space for each classroom, whichever is greater
School, middle or high	1 parking space for each 8 seats in the main auditorium or spaces for each classroom, whichever is greater
School, high	5 parking spaces for each classroom or 1.5 parking space per 1,000 square feet, whichever is greater
University or college	2 spaces per 1,000 sq. ft. of office, research and library area plus 1 space per 1 space per 125 sq. ft. of auditorium space
Other community facility or institutional support uses not listed	As determined by land use supervisor based on anticipated use and neighborhood impacts
<b>COMMERCIAL USES</b>	
Adult bookstore	2.5 spaces per 1,000 sq. ft. of gross floor area
Adult entertainment establishment	5 spaces per 1,000 sq. ft. of gross floor area
Agriculture	No requirement

Automobile and light vehicle repair and service	2 spaces per 1,000 sq. ft. of gross floor area
Automobile and light vehicle sales, rental or storage	2 spaces per 1,000 sq. ft. of gross floor area
Bank	3.5 spaces per 1,000 sq. ft. of gross floor area
Bed and breakfast	1 space for manager plus 1 space per habitable unit
Building material sales	1 space per 1,000 sq. ft. of gross floor area
Business park support activities	2 spaces per 1,000 sq. ft. of gross floor area
Convention and event center	1 space per 4 seats or per 100 sq. ft. in main auditorium, whichever is greater
Daycare facility	1 space per 5 persons care capacity
Data center	1 space per 1,000 sq. ft. of gross floor area
Filling station	4 spaces per 1,000 sq. ft. gross floor area plus 1 per servi stall
Funeral home or crematorium	1 space per 50 square feet of floor space in slumber room parlors or individual funeral service rooms
Garden material sales	1 space per 1,000 sq. ft. of gross floor area
Grocery store	3 spaces per 1,000 sq. ft. of gross floor area
Golf course	2.5 spaces per 1,000 square feet of clubhouse area
Hotel or motel	2 spaces per 3 guest rooms plus 1 per 200 sq. ft. of gross floor area in all accessory uses including restaurants and meeting rooms
Indoor entertainment facility	2.5 spaces per 1,000 sq. ft. of gross floor area.
Kennel	1 space per 1,000 sq. ft. of gross floor area
Marina or yacht club	2.5 spaces per 1,000 sq. ft. of clubhouse area, plus 1 per boat slips
Mini-storage facility	1 space per 20 storage units
Office	2.5 spaces per 1,000 sq. ft. of gross floor area
Parking lot or parking structure (primary use)	No requirement
Personal service or repair	2.5 spaces per 1,000 sq. ft. of gross floor area
Preschool	1 space per 5 persons care capacity
Restaurant	6.5 spaces per 1,000 sq. ft. of gross floor area
Retail store	3 spaces per 1,000 sq. ft. of gross floor area
Riding stable	No requirement
Seasonal camp or cabin	1 space for every two beds, or for each cabin or sleeping unit, whichever is greater
Theater	1 space per 6 seats or per 100 sq. ft. in main auditorium, whichever is greater
Tourist or trailer camp	2 spaces per 3 sleeping rooms, suites, or trailer spaces
Truck or heavy vehicle sales, rental, repair or storage	1 space per 1,000 sq. ft. of gross floor area
Vacation dwelling unit	1 space for 1-2 bedrooms, 2 spaces for 3-4 bedrooms, 3 spaces for 5+ bedrooms
Veterinarian or animal hospital	2.5 spaces per 1,000 sq. ft. of gross floor area
Other commercial use not listed	As determined by land use supervisor based on anticipate use and neighborhood impacts

**INDUSTRIAL USES**

Airport and related facilities	As determined by airport management
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• Electric power or heat generation plant • Electric power transmission line • Junk and salvage services • Major utility or wireless communication tower • Radio or television broadcasting tower • Railroad or shipyard and related facilities • Solar or geothermal power facility (primary use) • Truck freight or transfer terminal • Water or sewer works • Wind power facility (primary use) • Bulk storage not listed	No requirement
• Contractor's shop and storage yard • Dry cleaning or laundry plant • Recycling collection point (primary use) • Solid waste disposal or processing facility	1 per 1,000 sq. ft. of gross floor area
• Manufacturing, light manufacturing, heavy manufacturing, hazardous or special • Storage warehouse • Water-dependent manufacturing, light or heavy • Wholesaling	1 per 1,000 sq. ft. of gross floor area
Research laboratory	As determined by land use supervisor based on anticipated use and neighborhood impacts
Other industrial uses not listed	As determined by land use supervisor based on anticipated use and neighborhood impacts
<b>ACCESSORY USES</b>	
Accessory bed and breakfast	1 space for primary use dwelling; plus 1 space per habitat unit
Accessory caretaker quarters	1 space
All other accessory uses	No requirement
<b>TEMPORARY USES</b>	
Temporary real estate sales office	2 spaces
All other temporary uses	No requirement
*The parking space requirement may be modified by Section 50-18.5 (Higher Education Overlay District), Section 50-24.3 (Adjustment to required off-street parking) and Section 50-24.4 (Maximum parking spaces).	

Section 3. 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 clarifies the standard for new private or public streets, and increases the off-street parking space requirements for high schools.

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.

Action Deadline: Not Applicable

PL: 16-031