



Legislation Details (With Text)

File #: 17-047-O **Name:**
Type: Ordinance **Status:** Passed
File created: 9/14/2017 **In control:** Planning and Economic Development
On agenda: 9/25/2017 **Final action:** 10/9/2017
Title: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY WEST OF HIGHWAY 53, BETWEEN PIEDMONT AVENUE AND WEST 9TH STREET, FROM MU-N TO R-1.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment 1, 2. Attachment 2

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|-------------------------|--------|
| 10/9/2017 | 1 | City Council | adopted | Pass |
| 9/25/2017 | 1 | City Council | read for the first time | |

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY WEST OF HIGHWAY 53, BETWEEN PIEDMONT AVENUE AND WEST 9TH STREET, FROM MU-N TO R-1.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That the subject properties between US Highway 53 and Piedmont Avenue, and between US Highway 53 and West 9th and West 10th Streets, as shown in Attachment 1, and as more particularly described as follows:

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|----------------|----------------|----------------|
| 010-1220-07560 | 010-2110-09080 | 010-2920-00430 |
| 010-1220-07570 | 010-4050-00340 | 010-2920-00440 |
| 010-1220-07710 | 010-4050-00360 | 010-2920-00470 |
| 010-2110-09040 | 010-2920-00350 | 010-2920-00460 |
| 010-2110-09060 | 010-2920-00420 | |

be rezoned from Mixed Use-Neighborhood (MU-N) to Residential-Traditional (R-1).

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 Mixed Use Neighborhood (MU-N) to Residential-Traditional (R-1) for properties west of Highway 53, between Piedmont Avenue and West 9th

and 10th Streets.

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.

The future land use designation of the subject properties is Traditional Neighborhood, characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. The purpose statement of the R-1 district is that it is established to accommodate traditional neighborhoods of single-family detached residences, duplexes and townhouses on moderately sized lots.

Based on the future land use designation of the subject property, purpose statements of the R-1 and MU-N zone districts current land use of the subject property, and the character of the surrounding properties in the neighborhood, rezoning to R-1 is appropriate for this subject area.

On September 12, 2017, the Duluth city planning commission held a public hearing on the proposal as shown in Attachment 2, and voted 6 yeas, 0 nays, 0 abstentions, and 3 commissioners absent to recommend that the city council approve the rezoning requested for the following reasons:

- 1) R-1 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.

As the rezoning is from a mixed use zone district to a residential zone district, 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 17-140