



## Legislation Details (With Text)

**File #:** 17-067-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 in the general area of Indian point campground, and areas between 63rd and 73rd avenue WEST, and milford and FREMONT street, from I-W and R-1 to R-1, P-1, and R-C.

**Sponsors:**

**Indexes:**

**Code sections:**

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

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 IN THE GENERAL AREA OF INDIAN POINT CAMPGROUND, AND AREAS BETWEEN 63<sup>RD</sup> AND 73<sup>RD</sup> AVENUE WEST, AND MILFORD AND FREMONT STREET, FROM I-W AND R-1 TO R-1, P-1, AND R-C.

**CITY PROPOSAL:**

The city of Duluth does ordain:

Section 1. That the subject properties north of Milford Street, as shown as Area A in Attachment 1, and as more particularly described as follows:

010-2420-07530

010-2420-07580

010-2420-07900

be rezoned from Industrial-Waterfront (I-W) to Residential-Traditional (R-1).

Section 2. That the subject properties south of Pulaski Street, as shown as Area B in Attachment 1, and as more particularly described as follows:

010-2390-00330

010-2420-06530

010-2420-06540

010-2420-06570

010-2420-06580

010-2420-06590

010-2420-06620

010-2420-06710

010-2420-06880

010-2420-06900

010-2420-07740

010-2420-08110

010-2420-08310

010-2420-08750

010-2420-08760

010-2420-09160

010-2420-09170

010-2420-09180, excepting the northernmost 150 feet

010-2420-09290

010-2420-09300

010-2420-09310

010-2420-09320

be rezoned from Residential-Traditional (R-1) and Industrial-Waterfront (I-W) to Rural-Conservation (R-C).

Section 3. That the subject properties north of Pulaski Street and south of Fremont Street, as shown as Area C in Attachment 1, and as more particularly described as follows:010-1783-00260

010-2380-00010

010-2380-00020

010-2380-00030

010-2380-00040

010-2380-00050

010-2380-00060

010-2400-02480

010-2400-03300

010-2400-03380

010-2400-02960

010-2420-03890

010-2420-04050

010-2420-04350

010-2420-04630

010-2420-04650

010-2420-04670

010-2420-04690

010-2420-04720

010-2420-04750

010-2420-04770

010-2420-04820

010-2420-04890

010-2420-04900

010-2420-04950

010-2420-04970

010-2420-05070

010-2420-05080

010-2420-05090

010-2420-05210

010-2420-05355

010-2420-05360

010-2420-05370

be rezoned from Residential-Traditional (R-1) and Industrial-Waterfront (I-W) to Rural-Conservation (R-C).

Section 4. That the subject properties east of South 70<sup>th</sup> Avenue West and adjacent to the Indian Point Campground, as shown as Area D in Attachment 1, and as more particularly described as follows:

010-2400-03970

010-2400-04140

010-2400-04290

010-2400-04400

010-2400-04720

010-2420-05490

010-2420-05810

010-2420-05960

010-2420-05970

010-2420-06130

010-2420-08430

010-2420-08770

010-2420-08900

010-2420-09330

be rezoned from Residential-Traditional (R-1) and Industrial Waterfront (I-W) to Parks and Open Space (P-1).

Section 5. 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 6. 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 Waterfront (I-W) and Residential-Traditional (R-1) to Rural-Conservation (R-C), Parks and Open Space (P-1) and Residential-Traditional (R-1), for areas near the Indian Point Campground. This will update the city's zoning map to more clearly reflect the actual usage of the subject areas (recreation, with some limited residential).

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-W, R-1, R-C, and P-1 zone districts, current land use of the subject property, and the character of the surrounding properties in the neighborhood, rezoning to R-1, R-C, and P-1 is appropriate for the subject area.

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) The rezoning is generally consistent with the Comprehensive-Plan Future Land Use Map.
- 2) Material adverse impacts on nearby properties are not anticipated.

As the rezoning is from a residential district to a special purpose district, a motion to approve must prevail with an affirmative vote of 2/3 of the city council (per 50-37.3.B.3).

Petitioner:

City of Duluth

PL 17-162