



Legislation Text

File #: 22-030-O, **Version:** 1

AN ORDINANCE AMENDING SECTIONS 50-20.5.E, 50-25.1, 50-27.3, AND 50-30.1.B RELATED TO BUILDING AND LIGHTING/LANDSCAPING DESIGN STANDARDS.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Section 50-20.5.E Residential Uses, be amended as follows:

50-20.5.E. Accessory heliport.

1. All accessory heliports shall have and maintain in effect at all times all required permits and approvals, if any, for the facility and operation required by the FAA, and shall design and maintain the facility and conduct operations in compliance with those permits and approvals;
2. In the R-C and I-G districts, this use shall be permitted only when it is accessory to an airport as a primary use;

Section 2. That Section 50-25.1 Applicability, be amended as follows:

50-25.1 Applicability.

A. The landscaping provisions of secs. 50-25.2 through 25.4 and 25.7 shall apply to lots and parcels in any zone district that contain (i) more than 10,000 square feet of lot area, and (ii) an existing or proposed primary structure with a multi-family, mixed use, commercial, institutional, industrial, or parking principal use, when any of the following conditions occur:

1. A new primary structure is constructed;
2. The floor area in an existing primary structure(s), taken collectively, is increased by more than 25 percent;
3. An existing primary structure is relocated on the lot or parcel;
4. The primary structure is renovated or redeveloped (including but not limited to reconstruction after fire, flood or other damage), and the value of that renovation or redevelopment, as indicated by building permits, is 75 percent or more of the pre-application assessor's market value of the primary structure, as shown in the records of the city assessor;
5. A new parking lot containing 25 or more spaces is constructed or an existing parking lot containing 25 or more spaces is reconstructed. Parking lots with less than 25 spaces must only provide the minimum tree canopy coverage as indicated in Section 50-25.4.B.6;

B. In any form district, landscaping shall not be required on the portion of a lot occupied by a principle structure;

C. The tree preservation provisions of Section 50-25.9 apply to all development or redevelopment on lots and parcels in any zone district that contain (i) more than 10,000 square feet of lot area, and (ii) a primary structure with a multi-family, mixed use, commercial, institutional, industrial, or parking principal use, as well as to any new lot of record created after November 19, 2010, regardless of the primary

use of the property, in any zone district;

- D. The landscaping between differing land uses provisions of Section 50-25.5 apply to all development or redevelopment on lots and parcels when there is a change of use.

Section 3. That Section 50-27.3 Design and Illumination Standards, be amended as follows:

50-27.3 Design and illumination standards.

All exterior lighting regulated by this Section shall not be altered or replaced except where the alteration or replacement would comply with the provisions of this Section. All exterior lighting shall meet the following design standards:

- A. Any light source or lamp that emits more than 900 lumens (13 watt compact fluorescent or 60 watt incandescent) shall be concealed or shielded with an Illuminations Engineering Society of North America (IESNA) full cut-off style fixture with an angle not exceeding 90 degrees, with 90 percent of the light below 80 degrees. Exterior lighting shall be designed, constructed, and maintained in a manner that minimizes off-site glare, light trespass on adjacent property, and traffic hazards for pedestrian and motorists;
- B. All lighting shall have the intensities and uniformity ratio consistent with the IESNA lighting handbook, and shall be designed and located so that the illumination measured in footcandles at the finished grade shall comply with the standards in Table 50-31-1, *Minimum and Maximum Illumination Values*. All exterior lighting shall meet the requirements of the Minnesota State Energy Code, except for temporary decorative seasonal lighting;
- C. The maximum height of any lighting pole serving a residential use is 20 feet. The maximum height serving any other type of use is 25 feet, except that (1) in parking lots larger than five acres, the maximum height of any pole located at least 100 feet from any residential use is 35 feet, and (2) in the I-G and I-W zone districts, the maximum pole height is 50 feet; The calculation for the height of lighting poles excludes the pole's base (up to 30 inches);
- D. Sign illumination shall conform to the provisions of Section 50-27.
- E. Lighting of free standing canopies for automobile service stations, convenience stores, and other similar uses shall have a maximum light level of 15 footcandles. Lighting shall be fully recessed into the canopy and shall not protrude downward beyond the ceiling of the canopy. Maximum lighting level uniformity (maximum to minimum) on the site shall be 15:1;
- F. The use or operation of searchlights for advertising purposes is prohibited. The use of laser source light or any similar high intensity light for outdoor advertising or entertainment, when projected above the horizon, is prohibited;
- G. All outdoor light not necessary for security purposes shall be reduced to 30 percent of design levels or less, activated by motion sensor detectors, or turned off during non-operating hours;
- H. Light fixtures used to illuminate statues, monuments, or any other objects mounted on a pole, pedestal or platform shall use a narrow cone beam of light that will only illuminate the object;
- I. For upward-directed architectural, landscape and decorative lighting, and flood lights, direct light emissions shall be contained by the buildings and not be visible above the building roof line, and shall not be utilized to light any portion of a building façade between 10:00 p.m. and 6:00 a.m.;
- J. No flickering or flashing lights shall be permitted, except for temporary decorative seasonal lighting;
- K. LED lighting may not exceed a correlated color temperature (CCT) of 3000 Kelvin (K) nor have a minimum color rendering index (CRI) of less than 80. This provision does not apply to lighting serving a public or quasi-public institution for public safety or security purposes as determined by the Land Use Supervisor, or street lighting provided by the city, county, or the state of Minnesota.

Section 4. That Section 50-30.1.B Multi-family Residential Design Standards

B Façade length and articulation.

Total length of any multi-family structure façade shall not exceed ~~200~~ 300 feet and no façade wall shall extend more than 80 horizontal feet without projections or recesses. Each facade greater than 100 horizontal feet in length shall incorporate wall plane projections or recesses having a depth of at least three percent of the length of the facade and extending at least 20 percent of the length of the façade;

Section 5. That this ordinance shall take effect 30 days after its passage and publication.

STATEMENT OF PURPOSE: This ordinance implements a text amendment related to adding a new land use into chapter 50 of the City Code, known as the Unified Development Chapter (UDC). These changes related to minor adjustments to current building and lighting/landscaping standards.

The proposed change in section 1 allows accessory heliports in areas zoned I-G. When originally created, the UDC allowed accessory heliports in districts such as R-C and I-G, as the existing airports at that time were located in those zone districts. Since that time, a new zone district (AP) was created for airports. Language specifying that heliports could only be allowed as part of an airport is no longer needed. In addition, staff finds that allowing heliports as accessory to industrial uses could be an important component of industrial uses, with little likelihood of negative impacts.

The proposed change in section 2 clarifies confusion about applicability of standards for required landscaping, stating that they apply to new development as well as redevelopment.

The proposed change in section 3 adds a minor updated related to just LED lighting. After receiving comments about the color and brightness of new LED lighting, staff recommends a “color temperature” of 3000K as a maximum for exterior lighting, ensuring a calmer “yellow” tint to lighting instead of the brighter whites and blues seen at higher color temperatures.

The proposed change in section 4 extends the length of an allowed building façade from 200 feet to 300 feet, with the intent of reflecting more appropriately the type of suburban context many new multi-family buildings are being located.

The planning commission held a public hearing and considered the changes at a Tuesday, July 12, 2022, planning commission meeting. Following discussion, the commission voted with 6 yeas, 2 nays, and 0 abstentions, to recommend that the city council approve the proposed text change to the Unified Development Chapter of the City Code.

PL 22-108