



## Legislation Text

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**File #:** 22-031-O, **Version:** 1

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AN ORDINANCE AMENDING SECTION 50-37.1.O.5 OF THE DULUTH CITY CODE, 1959, AS AMENDED CLARIFYING TIME REQUIREMENTS FOR CERTAIN APPEALS OF PLANNING COMMISSION AND CITY COUNCIL DECISIONS UNDER CHAPTER 50 OF THE CODE.

### CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Section 50-37.1.O,5 be amended as follows:

#### 50-37.1.O.5 Appeals.

Appeal of planning commission or city council decisions to the courts.

- (a) In the case of an appeal regarding the zoning of an airport or an Airport Overlay district, the appeal shall proceed pursuant to applicable state law and shall be perfected within 60 days after the decision appealed from is filed in the office of the planning commission;
- (b) In case of decisions of the planning commission or the city council appealable to the district court pursuant to MSA 462.361, the appeal shall be perfected within 60 days after the decision being appealed from was made is filed in the office of the planning commission;
- (c) All other appeals not otherwise provided for above shall be pursuant to MSA 606.01;

Section 2. That this ordinance shall take effect 30 days after its passage and publication.

**STATEMENT OF PURPOSE:** The purpose of this ordinance is to clarify that the intention of Section 50-37.1.O.5 is that the requirement that appeals from planning-related decisions made by either the planning commission or by the city council that are governed by Minnesota Statutes section 462.361 are both required to be brought within 60 days of the decision being made.

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