

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

12-037-O

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 50-25.1 OF THE DULUTH CITY CODE, 1959, AS AMENDED, RELATING TO LANDSCAPING AND TREE PRESERVATION.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Section 50-25.1 of Chapter 50 be amended as follows:

Sec. 50-25.1 Applicability.

A The landscaping provisions of Sections 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) a 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 ~~50~~ 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;

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

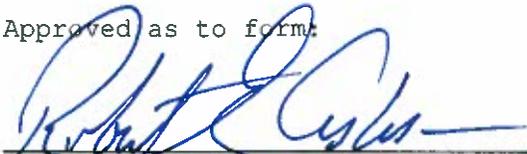
C. The tree preservation provisions of Section 50-25.9 apply to all development or redevelopment on lots and parcels in any zone district that contain (i) more than 10,000 square feet of lot area, and (ii) a primary

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

Approved as to form:



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Attorney

PC:PLNG SR:EU 6/1/2012

STATEMENT OF PURPOSE: This ordinance amends one section of the Unified Development Chapter. The UDC was amended by Ordinance Number 10153, passed the City Council on May 14, 2012. Section 50-25.1 was not correctly amended by City Staff. This ordinance corrects the error to reflect the accurate recommendation of the Planning Commission. The revisions to the UDC were unanimously recommended (7-0) for approval by the Planning Commission at a public hearing on April 10, 2012.

Action Deadline: Not Applicable

PL: 12-019