



City of Duluth
Planning Division

411 West First Street • Room 208 • Duluth, Minnesota 55802-1197
218-730-5580 • Fax: 218-730-5904 • www.duluthmn.gov

An Equal Opportunity Employer

MEMORANDUM

DATE: April 1, 2014
TO: Planning Commissioners
FROM: Steven Robertson, Senior Planner
SUBJECT: Proposed Text Amendments to the UDC Use Table

The Planning Division is recommending several small adjustments to 50-19.8 use table.

Major Utility or Wireless Telecommunication Facility.

Proposal: allow this as a special use in the P-1 (Parks and Open Space) zoning district (currently not allowed). The standards in 50-20.4.E require that new facilities be located first on City owned properties before properties in special purpose districts, mixed use/form districts, or residential districts. There may be some city owned properties in P-1 zones where a telecommunications facility would not be inappropriate if the visual impact was minimized (such as Wheeler Athletic Field).

Elementary and Middle and High School:

Proposal: allow elementary schools (as permitted) and middle and high schools (as special use) in the MU-I (Mixed Use-Institutional) zone district. The purpose statement of the MU-I zone district is:

The MU-I district is established to provide for the unique development needs and impacts of major medical, educational and research institutional development. The intent is to give institutional landowners the flexibility to plan and develop their facilities while ensuring that surrounding neighborhoods are protected from adverse impacts, such as traffic, overshadowing buildings, noise, and unexpected expansion of institutional uses into residential areas.

The Planning Division believes based on the purpose statement, and the allowance of other similar, but more intensive uses in MU-I (such as business, art, and vocational school and university or college), that amending the use table to include elementary, middle, and high school uses would be appropriate. In addition, the comprehensive plan indicates that schools have a relationship with the Institutional Future Land Use designation.

Mining, Extraction, and Storage:

Proposal: to allow mining, extraction, and storage as a special use in RR-1 zone districts (currently not allowed). This category includes gravel pits which are often located on large properties in rural areas (not industrial). The existing use specific standards would apply to the special or interim use permit, including specifications about the excavation slopes, hours of operation, how the operation is conducted, and eventually closed and the site reused. There is also the provision for the applicant to post financial security to ensure compliance with the terms.

Restaurants (5,000 sq. ft. or more):

Proposal: require restaurants over 5,000 sq. ft. to be a special use (instead of a permitted use), in R-P and MU-P zone districts. The City Council approved the last round of UDC changes, which included changing the definitions of drive-throughs and restaurants. The use table now just references the size of the structure (5,000 square feet, greater or lower), but there are now more clear use specific standards for restaurant drive-throughs. At the March 12th Planning Commission meeting, the Commissioners' consensus was that both small and large restaurants should be special uses in the R-P and MU-P zones.



**City of Duluth
Planning Division**

411 West First Street • Room 208 • Duluth, Minnesota 55802-1197
218-730-5580 • Fax: 218-730-5904 • www.duluthmn.gov

An Equal Opportunity Employer

TABLE 50-19.8: USE TABLE

| | Residential | | | | Mixed Use | | | | | | | Form | | | | | Special | | Use-Specific Standards | | | | | | | |
|--|-------------|------|------|-----|----------------|-----|----------------|----------------|----------------|------|----------------|------|-----|-----|-----|-----|---------|-----|------------------------|-----|-----|-----|-----|-----|-----|-----------|
| | R-C | RR-1 | RR-2 | R-1 | R-2 | R-P | MU-N | MU-C | MU-I | MU-B | MU-W | MU-P | F-1 | F-2 | F-3 | F-4 | F-5 | F-6 | | F-7 | F-8 | F-9 | I-G | I-W | P-1 | |
| Educational Facilities | | | | | | | | | | | | | | | | | | | | | | | | | | |
| School, elementary | | P | P | P | P ² | P | P ² | P ¹ | S ¹ | | P | U | P | U | P | U | P | U | U | U | | | | | | 50-20.2.D |
| School, middle or high | | S | S | S | S ² | P | S ² | S ¹ | P ¹ | | P | U | P | U | P | U | P | U | U | U | | | | | | 50-20.2.D |
| Utilities | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Major utility or wireless telecommunication facility | S | S | S | S | S ² | P | S ² | S | S | S | P | S | S | S | S | S | S | S | S | S | S | S | S | S | S | 50-20.4.E |
| Manufacturing and Mining | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mining, extraction and storage | | S | | | | | | | | | | | | | | | | | | | | S | S | | | 50-20.4.H |
| Food, Beverage, and Indoor Entertainment | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Restaurant (less than 5,000 sq ft) | | | | | S ² | S | S ² | P ¹ | P ¹ | P | P ¹ | S | P | P | P | P | P | P | P | P | P | | | | | 50-20.3.P |
| Restaurant (5,000 sq ft or more) | | | | | | PS | | P ¹ | P ¹ | P | P ¹ | PS | P | P | P | P | P | P | P | P | P | | | | | 50-20.3.P |