

PUBLISHED MAY 30, 2014

OFFICIAL PROCEEDINGS

Excerpt from the minutes of the Duluth City Council meeting held Tuesday, May 27, 2014, at 7:00 p.m. in the Council Chamber, City Hall, Duluth, Minnesota.

ORDINANCE NO. 10296

AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING CHANGES TO THE PERMITTED USE TABLE.

The city of Duluth does ordain:

Section 1. That Section 50-19.8 of Chapter 50 be amended as follows:

50-19.8 Permitted Use Table.

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	
RESIDENTIAL USES																									
Household Living																									
Dwelling, one-family	P	P	P	P	P	P	P					P	U	U	U	U	U	P	U	U	U				
Dwelling, two-family				P	P	P	P					P	U	U	U	U	U	P	U	U	U				50-20.1.A
Dwelling, townhouse				S	P ²	P	P ²				P ¹	P													50-20.1.B
Dwelling, multi-family					P ²	P	P ²	P ¹	P ¹		P ¹	P	U	P	U	P	P	P	U	P	P				50-20.1.C
Dwelling, live-work							P ²	P ¹	P ¹		P ¹	P	P	P	P	P	P	P		P	P				
Manufactured home park				S	S ²	P	S ²																		50-20.1.F
Group Living																									
Co-housing facility				S	S ²	P	P ²					P													
Residential care facility/assisted living (6 or fewer)		P	P	P	P ²	P	P ²					P	U	P	U	P	P	U	U	P	P				50-20.1.D
Residential care facility/assisted living (7 or more)				S	P ²	P	P ²	P ¹	P ¹		P ¹	P	U	P	U	P	P	U	U	P	P				50-20.1.D
Rooming house					S ²		P ²	P ¹	P ¹		P ¹	P	U	P	U	P	P	U	U	P	P				50-20.1.E
PUBLIC, INSTITUTIONAL AND CIVIC USES																									
Community and Cultural Facilities																									
Bus or rail transit station							P ²	P ¹	P ¹	P	P ¹	P	P	P	P	P	P	P	P	P	P				
Cemetery or mausoleum	S	S	S	S	S ²	P	S ²	S	S	S														S	
Club or lodge (private)					S ²	P	P ²	P ¹	P ¹		P ¹	P	P	P	P	P	P	P	P	P				S	50-20.2.A
Government building or public safety facility		P	P	S	P ²	P	P ²	P ¹	P	P	P ¹	P	P	P	P	P	P	P	P	P	P	S	S	S	
Museum, library, or art gallery				S	S ²	P	P ²	P ¹		S	P ¹	P	P	P	P	P	P	P	P	P	P			S	
Park, playground, or forest reserve	P	P	P	P	P ²	P	P ²	P ¹	P ¹		P ¹	P	P	P	P	P	P	P	P	P	P			P	
Religious assembly, small (less than 50,000 sq. ft.)		P	P	S	P ²	P	P ²	P ¹	P ¹	S	P ¹	P	P	P	P	P	P	P	P	P					50-20.2.C

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
Religious assembly, large (50,000 sq. ft. or more)		S	S	S	S ²	P	P ²	P ¹	P ¹	S	P ¹	P	P	P	P	P	P	P	P	P					50-20.2.C
Educational Facilities																									
Business, art, or vocational school							P ²	P ¹	P ¹	P	P ¹	P	P	P	P	P	P	P	P	P					
School, elementary		P	P	P	P ²	P	P ²	P ¹	P ¹		P	U	P	U	P	P	U	U	U						50-20.2.D
School, middle or high		S	S	S	S ²	P	S ²	S ¹	S ¹		P	U	P	U	P	P	U	U	U						50-20.2.D
University or college									P ¹		P			U	P	P	U	U	U						
Health Care Facilities																									
Hospital									P ¹																
Medical or dental clinic					S ²	P	P ²	P ¹	P ¹	P	P ¹	P	P	P	P	P	P	P	P	P					50-20.2.B
Nursing home					P ²	P	P ²	P ¹	P ¹		P ¹	P		P		P									
Other institutional support uses not listed in this table									P ¹																
COMMERCIAL USES																									
Agriculture and Animal-Related																									
Agriculture, general	P	P																							50-20.3.B
Agriculture, urban		P	P	P	P ²	P	P ²				P														
Kennel	S	S						S	S	P	P														
Riding stable	S	S	S			P				S													S		
Veterinarian or animal hospital	S	S			P ²	P	P ²	P ¹	P ¹	P	P ¹	P	P	P	P	P	P								50-02.3I
Food, Beverage, and Indoor Entertainment																									
Adult entertainment establishment																						P			50-20.3.A
Convention or event center								P ¹	P	P ¹	P				P	P		P	P	P					50-20.3.H
Indoor entertainment facility								P ¹	P	P ¹	P		P		P	P		P	P	P					

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	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
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.Q
Restaurant (5,000 sq ft or more)						S		P ¹	P ¹	P	P ¹	S	P	P	P	P	P	P	P	P	P				50-20.3.Q
Theater							S ²	P ¹			P ¹	P		P		P	P		P	P	P				
Lodging																									
Hotel or motel							S ²	P ¹	P ¹	P	P ¹	P		P		P	P		P	P	P				
Bed and breakfast				S	P ²	P	P ²	P ¹	P ¹	P	P ¹	P		P		P		P						S	50-20.3.F
Seasonal camp or cabin	P	P				P					P ¹													S	50-20.3.S
Vacation dwelling unit		I	I	I	I ²	I	I ²										I								50-20.3.U
Offices																									
Bank							S ²	P ¹	P ¹	P	S	P	P	P	P	P	P	P	P	P	P				50-20.3.E
Office					S ²		P ²	P ¹	P ¹	P	P ¹	P	P	P	P	P	P	P	P	P	P				50-20.3.M
Data center							S ²	P ¹	P ¹	P	S	P	U	U	U	U	U	U	U	U	U	P			
Outdoor Recreation & Entertainment																									
Golf course		S	S			P																		P	
Marina or yacht club											P ¹												S	S	
Recreational vehicle park	S	S	S								S													S	50-20.3.P
Other outdoor entertainment or recreation use not listed		S						S		S	S														50-20.3.N
Personal Services																									
Business park support activities										P	P														
Preschool		S	S	S	P ²	P	P ²	P ¹	P ¹		P ¹	P	P	P	P	P	P	P	S	P	S				
Day care facility, small (14 or fewer)	P	P	P	P	P ²	P	P ²	P ¹	P ¹		P ¹	P	P	P	P	P	P	P	P	P	P				50-20.3.I
Day care facility, large (15 or more)		S	S	S	S ²	P	P ²	P ¹	P ¹		P ¹	P	P	P	P	P	P	P	S	P	S				50-20.3.I
Funeral home or crematorium					S ²		S ²	P ¹	P ¹	P		P		P		P		P				P			

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	
Mini-storage facility										P													P	P		50-20.3.L
Personal service and repair, small (less than 10,000 sq ft)						P	P ²	P ¹	P ¹	P	P ¹	P	P	P	P	P	P	P	P	P	P					
Personal service and repair, large (10,000 sq. ft. or more)							S ²	P ¹	P ¹	P	P ¹	P		P		P		P		P			P			
Retail Sales																										
Adult book store																							P			Chapter 5
Building materials sales								S		P		P														50-20.3.G
Garden material sales		S						P ¹			P					P										
Grocery store, small (less than 15,000 sq ft)						P	P ²	P ¹			P ¹	P		P		P	P	P	P	P					50-20.3.K	
Grocery store, large (15,000 sq ft or more)								P ¹			P															50-20.3.K
Retail store not listed, small (less than 15,000 sq ft)					S ²	P	P ²	P ¹	P ¹		P ¹	P	P	P	P	P	P	P	P	P	P				50-20.3.R	
Retail store not listed, large (15,000 sq ft or more)								P ¹			P ¹	P		P		P	P		P	P					50-20.3.R	
Vehicle-Related																										
Automobile and light vehicle repair and service							S ²	P ¹		P		P		P		P	P	P					P			50-20.3.C
Automobile and light vehicle sales, rental, or storage								P ¹		P													P			50-20.3.D
Filling station					S ²	P	S ²	P ¹		P	P ¹	P		P		P	P	P				P	P		50-20.3.J	
Parking lot or parking structure (primary use)								P ¹	P ¹	P	P ¹	P	S	S	S	S	S	S	S	S	S		P	P		50-20.3.O
Truck or heavy vehicle sales, rental, repair, or storage										P													P			
INDUSTRIAL USES																										
Industrial Service																										
Contractor's shop and storage yard										P		P					P						P	P		50-20.4.B
Dry cleaning or laundry plant										P													P			
Research laboratories									P ¹	P		P											P	P		
Industrial services										P													P	P		

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	
Manufacturing and Mining																										
Manufacturing, light									P ¹	P		P					P						P			50-20.4.F
Manufacturing, heavy																							P			
Manufacturing, hazardous or special																							S			50-20.4.G
Mining, extraction and storage		S																					S	S		50-20.4.H
Water-dependent manufacturing, light or heavy																								P		
Transportation-Related																										
Airport and related facilities	S																						P			50-20.4.A
Railroad yard or shipyard and related facilities																							P	P		
Truck freight or transfer terminal										P													P	P		
Utilities																										
Electric power or heat generation plant																							P	P		
Electric power transmission line or substation	S	S	S	S	S ²	P	S ²	S	S	S	S	P	S	S	S	S	S	S	S	S	S	S	S	S	S	50-20.4.C
Major utility or wireless telecommunication facility	S	S	S	S	S ²	P	S ²	S	S	S	S	P	S	S	S	S	S	S	S	S	S	S	S	S	50-20.4.E	
Radio or television broadcasting tower		S								S													S	S		50-20.4.I
Solar, geothermal, or biomass power facility (primary use)		S				P		S	S	P		P											P	S		
Water or sewer pumping stations/reservoirs	S	S	S	S	S ²	P	S ²	S	S	S	S	P	S	S	S	S	S	S	S	S	S	S	S	S		
Water or sewer treatment facilities																							P	P		
Wind power facility (primary use)		S							S	S													P	S		50-20.4.M
Waste and Salvage																										
Junk and salvage services																							S	S		50-20.4.D
Recycling collection point (primary use)								S	S	S													P	P		
Solid waste disposal or processing facility		S								S													S	S		50-20.4.J

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			
Wholesale Distribution and Storage																												
Storage warehouse										P							P							P			50-20.4.K	
Wholesaling										P							P							P			50-20.4.L	
Bulk storage not listed elsewhere																								P				
Water-dependent bulk storage or wholesaling not listed elsewhere																									P			
ACCESSORY USES																												
Accessory agriculture roadside stand	A	A																								A	50-20.5.A	
Accessory bed and breakfast	A	A	A	A	A	A	A		A		A																50-20.5.B	
Accessory boat dock, residential	A	A	A	A	A	A	A	A	A		A																50-20.5.C	
Accessory caretaker quarters										A														A	A	A		
Accessory communications tower for private use	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A		
Accessory day care facility	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A						
Accessory dwelling unit	A	A	A	A	A	A	A																				50-20.5.D	
Accessory heliport	A								A		A													A			50-25.5.E	
Accessory home occupation	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A	A	A						50-20.5.F	
Accessory recycling collection point				A	A		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			A	A			
Accessory sidewalk dining area				A	A		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A						50-20.5.G	
Accessory solar or geothermal power equipment	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			A	A	A	50-20.5.H	
Accessory uses and structures not listed elsewhere	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			A	A	A	50-20.5.I	
Accessory vacation dwelling unit		I	I	I	I	I	I										I										50-20.5.L	
Accessory wind power equipment	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			A	A	A	50-20.5.J	
Minor utilities and accessory wireless antennas attached to existing structures	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			A	A	A	50-20.5.K	
TEMPORARY USES																												

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				
Temporary construction office or yard	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Temporary event or sales	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Temporary moveable storage container	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		50-20.6.A
Temporary real estate sales office				A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A				
Temporary use not listed in this table	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
FORM DISTRICT BUILDING TYPES																												
Main Street Building I													P	P														
Main Street Building II															P	P	P	P										
Main Street Building III																			P	P								
Corridor Building I														P														
Corridor Building II																P	P											
Lakefront Corridor Building																							P					
Corridor Building III																							P					
Cottage Commercial I														P				P										
Cottage Commercial II																P												
Iconic Building														P		P	P	P				P						

Section 2. That this ordinance shall take effect 30 days after its passage and publication.
(Effective date: June 29, 2014)

Councilor Gardner moved passage of the ordinance and the same was adopted upon the following vote:

Yeas: Councilors Filipovich, Fosle, Gardner, Hanson, Julsrud, Larson, Russ, Sipress and President Krug – 9

Nays: None – 0

ATTEST:
JEFFREY J. COX, City Clerk

Passed May 27, 2014
Approved May 27, 2014
DON NESS, Mayor