UDC Interpretation	#14-09	
THE CITY OF DULUTH MINNESOTA	**Clarification of "the orientation of the buildings" in determining the front of a corner lot.**	
	UDC Section: 50-41	Date of Interpretation: 4/22/2014
Approved by:	Charles Froseth, Land Use Supervisor	

BACKGROUND: The Unified Development Chapter of the City of Duluth Legislative Code (UDC) is the official body of rules and regulations to guide land use and development in the City of Duluth, Minnesota. UDC Sec. 50-10 *Interpretation* authorizes the Land Use Supervisor to interpret the provisions of this Chapter.

The question was asked, what does "the orientation of the buildings" mean in the definition of Lot, front when determining the front of a corner lot with an existing structure?

CODE INFORMATION: The definition of Lot, front was added with Ordinance #10096 on 8/19/2011 to resolve difficulties in determining the front of a corner lot. It introduced the use of the position of the structure's front door as being one of the factors to consider in establishing the front of a corner lot. In practice, front door location became the primary determinant in establishing the front of a corner lot and the "orientation of the building," being more difficult to determine, was subsumed with the front door orientation as a proxy for building orientation. Staff has now determined that many narrow corner lots in the city that have a front door facing the street line with the longer dimension will be severely impacted by this language, worst off are 50' wide or narrower lots in R-1 zoned areas that are required to have 25' front and rear setbacks that will be left with no buildable area.

Staff determined that "orientation of the building" was intended to be the primary determinant of the front of the lot and, if that does not indicate the front (such as a grossly-irregularly shaped corner lot), then the secondary determinant is the location of the structure's principle entrance, and lastly, the city engineer's determination based on traffic flow on the streets. The point of this interpretation is to clarify the meaning of "orientation of the building."

UDC INTERPRETATION:
"Orientation of the building" for determining the front of a corner lot is established by evaluating the position of the principle structure on the lot relative to each abutting street and selecting the front of the lot that results in the least amount of the existing principle structure's area being located in a front, rear, side or corner side yard setback. The City anticipates a technical correction to Sec. 50-24 will be part of the annual UDC amendment package in late 2014 or early 2015.

DISCLAIMER: While it is the intent of the administration to submit a technical correction to the City Council consistent with this interpretation, the code can only be amended by City Council action. This interpretation is not intended to be a promise or guarantee that the proposed amendment will be enacted.