

## Introduction

This document, the Comprehensive Plan for the City of Duluth, sets forth the vision, principles, policies, and recommended strategies that have been embraced by the City to shape its future. This Plan is Duluth's first adopted Comprehensive Plan since 1927. As comprehensive plans typically look forward approximately 20 years, the City has been operating without a common vision or framework on development and protection policies for 60 years. Change has not, however, taken a 60-year hiatus, and the lack of a comprehensive plan foundation has led to difficult and controversial decision-making. Regulatory structure that was created 50 years ago frequently does not lead to efficient growth patterns and hampers efforts to apply sustainable development and protection strategies. Sub-area and neighborhood planning efforts have captured components of the overall vision, but lack the foundation upon which such efforts can cohesively tie together city-wide systems and investments. With the adoption of this Comprehensive Plan the City has now restored its foundation from which it can now shape its own future.

Over the last thirty years the City of Duluth has witnessed a dramatic transformation of its local and regional economy, a refocusing on natural resource assets as a defining element of its community character, and a resurgence of community and neighborhood pride. The City desires a plan to guide development and protection decisions and to direct infrastructure choices in an era where capital is scarce.

### Legal Basis for Comprehensive Planning

The power for Minnesota municipalities to create and implement a comprehensive plan is well established in State Law. In the 1925 Minnesota Supreme Court case *Berry v. Houghton* the Court sanctioned the use of comprehensive planning and zoning as legitimate tools for promoting the general welfare of the public. In 1939 the Minnesota State Legislature established the legislative foundation for land use planning with the Township Planning and Zoning Act. In 1965 the legislature passed the existing state law that grants specific comprehensive planning and land use regulatory powers to Minnesota cities. Minnesota Statutes, Sections 462.351 to 462.365 identify the planning powers granted to Minnesota cities. Specifically, Section 462.353, Subd.1 authorizes cities to conduct comprehensive planning activities for the purpose of guiding development, to create a comprehensive plan, to adopt the plan as official policy, and to implement the plan by ordinance or other measure.

## Introduction Legal Basis for Comprehensive Planning



### Municipal Comprehensive Plans

A municipality (i.e., a city or township) may carry on comprehensive planning activities for guiding its future development and improvement, including proposed development densities. It may prepare, adopt and amend a comprehensive municipal plan and implement the plan by ordinance and other official actions in accordance with the provisions of Minnesota Statutes, Sections 462.351 to 462.365. In exercising these powers, a municipality may collect and analyze data, prepare maps, charts, tables and other illustrations and displays, and conduct necessary studies. A municipality may publicize its purposes, suggestions and findings on planning matters, distribute reports about them and advise the public.

Source: *Under Construction: Tools and Techniques for Local Planning, Minnesota Planning, 2002, p. 12*

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### Previous Comprehensive Plans

“It is almost useless to prepare such plans as these unless they are to become a guide for development. Therefore we urge you study them carefully, together with the fundamental arguments that are advanced in the report, and adopt them as a basis for street extensions and transit orders.”

Source: *Cover letter to the Preliminary Major Street Plan and Transit Plan, City of Duluth, 1927*

The role of comprehensive planning in local and regional decision-making has expanded over the last four decades. The comprehensive plan is, for instance, recognized as the primary local land use authority in determining whether a specific development project passes Minnesota’s environmental review process (EIS/EAW/AUAR). Minnesota case law has emphasized the critical role that comprehensive plans play in justifying regulatory decisions, and that local governments have an obligation to be consistent with their comprehensive plan when enacting regulations or granting approvals.

The Plan is the foundation upon which Duluth’s regulatory tools (zoning, subdivision, shoreland, floodplain and other ordinances) and Duluth’s capital improvement programs rest. The Plan’s content, including the principles, policies, future land use map, and strategies, define how development, redevelopment, and preservation decisions are made.

### Previous Comprehensive Plans

Duluth has engaged in three previous comprehensive planning processes over its history, only one of which (the 1927 plan) resulted in a formally adopted plan. The 1927 plan pre-dated formal legislative recognition of comprehensive planning, and was focused primarily on directing the City’s public investment in streets and transit systems. This plan described the intent and reason for comprehensive planning; reasoning that holds true to this day. The 1927 plan notes the following on page 1:

The purpose of these studies is to discover why Duluth has taken its present form, how its physical make-up aids or hinders those normal activities for which the city exists, and what advantageous changes may be effected in the structure of the city by intelligent planning for and control of future development.

In 1958 the City completed a new Comprehensive Plan. While the City did not formally adopt the plan as its comprehensive planning foundation, the plan did become the foundation for the new zoning ordinance. The 1958 plan and ordinance relied on the concept of segregating distinct land uses in order to avoid nuisances, such as separating residential from commercial or industrial uses, and segregating single family and multi-family housing uses. The 1958 ordinance continues to be the basis for the City’s land use regulation almost 40 years later.

In the 1990s, the City recognized that the long range plan was hopelessly out of date and started preparing for creating a long range vision. Duluth completed a city-wide visioning process, called “2001 and beyond,” that engaged Duluth’s citizens and businesses to create a long-term vision for Duluth’s future. The vision statement was to describe, in general terms, the desired future condition and preferred decision-making criteria for public and private actions and investments. In addition to the primary vision statement (see text box), the Vision was broken into three primary guiding principles with additional definition and description:

1. Preserving and Enhancing the Environment
2. Investing in People, Neighborhoods, and Community
3. Building a Strong Economic Base

Each principle was further defined with three or four goal statements, and a series of committees created to recommend action steps, one of which was the creation of a new comprehensive plan.

The City started, in 2000, a new comprehensive plan process. The process started working with the ten neighborhood planning districts and engaging residents and businesses in these districts to complete District Plans. The District Plans were then to inform a city-wide plan that reflected both district details and the “2001 and beyond” vision. The process was, however, terminated by the City prior to completion of a comprehensive plan document.

In 2004, the City restarted the comprehensive planning process, as described in the Process section following this introduction.

### **Structure of the Comprehensive Plan**

The Comprehensive Plan includes a number of inter-related sections. These sections are:

- **Governing Principles.** The Governing Principles section describes the overarching principles by which the City of Duluth will make land use, infrastructure, and programmatic decisions.
- **Future Land Use Map.** The Future Land Use Map section shows the 20-year vision for the preferred mix of land uses across the city.
- **Policies.** The Policies section describes how the principles and future land use map should be interpreted given the variety of circumstances that City decision-makers

#### **A Vision for Duluth**

Duluth’s unique physical beauty and diverse cultural environment create our competitive advantage. Our people will work together, with respect for each other, to ensure that development is consistent with Duluth’s future as an urban wilderness, as a neighborly and safe place to live, and as a place of high-skilled, high-wage employment.

Source: “2001 and beyond” *Vision Statement*

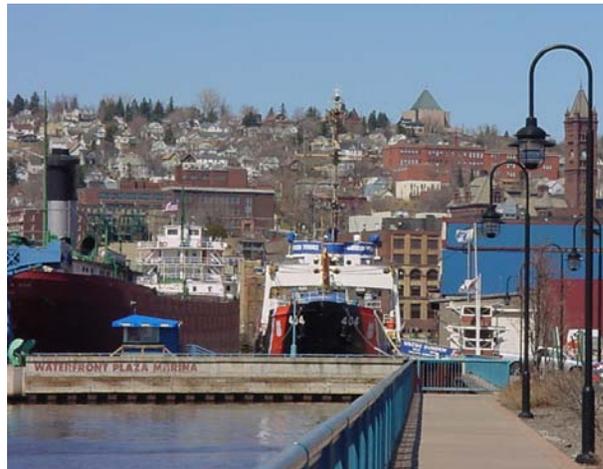
#### **Create a New Comprehensive Plan**

The City Council will, by the end of 1998, have caused to be adopted a Comprehensive Plan for the City of Duluth including a land use plan, which among other things, defines that public green space to receive permanent protection from development and identifies areas available for future development.

Source: “2001 and beyond” *Action Plan Recommendation 23*

## Introduction

### Structure of the Comprehensive Plan



will face. The policies bridge both the long range future of the map and the immediate actions in the implementation section, and the general language of the principles and the land use future expressed on the map.

- **Implementation.** The Implementation section recommends the preferred types of strategies and some specific actions that will need to take place in order to realize the future described in the principles, future land use map, and policies.

The sections are distinguished from each other primarily by the kind of detail they provide the reader regarding the City's long range preferences. This is critical to understanding the Comprehensive Plan and to correctly using the Plan. Each section provides details about the City's endorsed vision that need to be taken in perspective with other sections. The future land use map and associated text, for instance, cannot be understood or correctly applied without also referencing the governing principles, the policies, and the recommended strategies. Similarly, the written policies must be interpreted within the intent of the governing principles, the geographic future portrayed on the land use map, and the actions recommended in the Implementation section.

Several of the sections also include subsections:

- The Land Use Map section is broken into seven distinct sections - Map Components, Understanding the Map, Land Use Categories, Summary Statistics of the Map, Using the Map, Limitations of the Map, and the Future Land Use Map. The subsections are designed to help the reader understand what the future land use map does, and does not, represent.
- The Policies section is broken into six substantive policy areas, so that the reader can, for example, reference policies for natural resource, urban design, or transportation.
- The Implementation section is similarly divided into three substantive subsections (Land Use, Transportation, and Capital Improvements and Facilities), that are then broken into further subsections to help the reader find information by topic or geography.

A complete listing of sections and subsections is provided in the table of contents.

In addition to the Comprehensive Plan itself, there are ten background profiles that provided context to the decision-making process and described some of the issues that the Comprehensive Plan could address. The ten background profiles are:

1. Demographics
2. Historic Development Patterns
3. Natural Systems, and the Natural Resource Assessment
4. Land Use
5. Transportation
6. Public Utilities/Services
7. Parks and Recreation
8. Economics
9. Housing
10. Schools

The background profiles were written during the first and second phase of the project. The profiles do not reflect the final outcomes, but did pose questions that directed some of the discussion during the decision-making process.



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