

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

13-072-O

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

AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING ADAPTIVE REUSE OF LOCAL HISTORIC LANDMARKS.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Chapter 50 of the Duluth City Code, 1959, as amended, is hereby amended by adding a new Section 50-20.7 as follows:

50-20.7. Adaptive reuse of a local historic landmark.

A. Intent.

To allow for economic use of historic landmarks by allowing a variety of uses that are not normally permitted in some zoning districts. Standards for adaptive reuse are designed to ensure that the adaptive reuse of a local historic landmark is compatible with surrounding areas;

B. Applicability.

The structure must be designated as a city of Duluth local historic landmark;

C. Allowed uses.

All uses that are permitted in the MU-N zone district shall be considered as eligible for an interim use permit in R-1 or R-2 district;

D. Process.

In order to apply for adaptive reuse of a local historic landmark, the following must be done prior to submitting an interim use permit application.

1. Have an approved preservation plan;
2. Meet with the heritage preservation commission to solicit comments on the proposed adaptive reuse;
3. Hold a community meeting to solicit comments from the public. Notice of the community meeting shall be mailed to all property owners within 350 feet of the landmark.

Provide all comments from the heritage preservation commission and community meeting with the interim use application;

E. Standards.

1. Traffic and parking.

- (a) The adaptive reuse structure must be able to provide required off-street parking per Section 50-24. The city may require additional parking to minimize impact on the neighborhood;
- (b) The adaptive reuse of the site must not create additional traffic after 10:00 pm on local residential streets;

- (c) The adaptive reuse of the structure will not create frequent truck traffic on local residential streets;
- 2. Expansion of the structure.
  - (a) There shall be no expansion made to the footprint of the existing building;
- 3. Screening and buffering.
  - (a) Screening standards shall be required, as listed in Section 50-26. The city may require additional screening to reduce the impact of the adaptive reuse;
- 4. General compatibility.
  - (a) The proposed adaptive reuse of the historic structure must not change the essential character of the neighborhood;
- 5. Preservation.
  - (a) The structure must be preserved according to the preservation plan on file with the heritage preservation commission;

F. Amendments to approved adaptive reuse plans.

Any amendment to the use of the historic landmark must be approved through the interim use permit process, but do not need to follow the process outlined in Section D listed above.

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

Approved to as form:

  
\_\_\_\_\_  
Attorney

PC/PLNG SR:cs 11/15/2013

**STATEMENT OF PURPOSE:** This ordinance implements revisions to the Unified Development Chapter to provide for additional zoning land uses of a historic landmark. An owner of a property designated as a city of Duluth local historic landmark would be able to apply for an interim use permit to use their property in a way that is not normally allowed in R-1 or R-2 zone districts. Any use that listed as a permitted use on the use table in Section 50-17 of the UDC in the MU-N zone district would be available as a zoning land use for a local historic landmark in R-1 and R-2 zones.

After the public hearing on November 12, 2013, the Duluth planning commission made a motion to approve the proposed changes of the UDC passed with a vote of 4 yeas, 3 nays and 2 abstentions.

The changes to the UDC are being presented in two ordinances, one for the changes for adaptive reuse of local historic landmarks, and another for changes to the powers of the heritage preservation commission.

Action deadline: Not applicable

PL: 13-145



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:** November 5, 2013  
**TO:** Planning Commissioners  
**FROM:** Steven Robertson, Senior Planner  
**SUBJECT:** UDC Text Amendments Related to Historic Preservation

The Planning Division has been asked to present two text amendments to the UDC to promote the historic preservation of structures in Duluth. Two changes are being proposed at a public hearing on November 12, 2013. If the Planning Commission takes action, the proposed amendments would likely be reviewed by the City Council at the November 25 and December 9 City Council meetings.

1) Adaptive Reuse. Over the last several months, Planning Staff have discussed the general idea of amending the code to allow for adaptive reuse of historic structures. This would permit some uses, via an Interim Use Permit, in R-1 and R-2 districts that are not currently allowed.

2) Historic Preservation Commission designation of historic landmarks. The UDC permits the property owner to submit their property for designation of a historic landmark. The text amendment being proposed would also allow the Historic Preservation Commission to submit an application for historic designation, without the consent of the property owner.