



City of Duluth

411 West First Street
Duluth, Minnesota 55802

Master

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Type: Ordinance

Status: Passed

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**Agenda
Section:**

Committee: Planning and
Economic
Development

File Created: 06/16/2016

Subject:

Final Action: 07/11/2016

Title: AN ORDINANCE AMENDING SECTIONS 50-23.2 GENERAL CIRCULATION REQUIREMENTS AND 50-24.2 REQUIRED PARKING SPACES.

Internal Notes: Ordinance by Steven Robertson.

Sponsors:

Enactment Date: 07/11/2016

Attachments: Attachment 1

Enactment Number: 10458

Recommendation:

Hearing Date:

Drafter: cstafford@duluthmn.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	06/27/2016	read for the first time				
1	City Council	07/11/2016	adopted				

Text of Legislative File 16-033-O

AN ORDINANCE AMENDING SECTIONS 50-23.2 GENERAL CIRCULATION REQUIREMENTS AND 50-24.2 REQUIRED PARKING SPACES.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Section 50-23.2 of the Duluth City Code, 1959, as amended, be amended as follows:
50-23.2 General circulation requirements.

Applications for subdivision, replatting, RLS, development, or redevelopment shall meet the following standards:

- A. Where adopted city plans show a bicycle or pedestrian path or trail or sidewalk, the site design shall provide connections to those paths or trails or sidewalks;
- B. Any requests by the city for designation or dedication of land for bicycle or pedestrian trails within a proposed development shall comply with the provisions of Section 50-33.8, Land for public purposes;
- C. Unless the city engineer waives the requirement in writing based on concerns of public safety, or due

to site/ topography constraints:

1. Each proposed street within a new subdivision, regardless of zoning designation, shall be public and designed and constructed to city engineer construction standards;
 - 12 Each proposed public or private street within the R-1, R-2, R-P, MU-P, MU-N, MU-C, MU-I or MU-W districts shall include a sidewalk at least five feet wide on both sides of the street;
 - 23 Each proposed public or private street within the MU-B, I-G or I-W districts shall include a sidewalk at least five feet wide on one side of the street;
- D.

Whenever cul-de-sac streets are created, one ten foot wide pedestrian access/public utility easement shall be provided, between the cul-de-sac head or street turnaround and the sidewalk system of the closest adjacent street or pedestrian sidewalk or pathway, unless the city engineer determines that public access in that location is not practicable due to site or topography constraints (refer to Figure 50-23-A);

E. A pedestrian way at least ten feet in width shall be provided near the middle of any block face longer than 800 feet in order to provide connections with streets on either side of the block;

F. Any use requiring vehicle access from a public street or alley shall be referred to the city engineer for review before any permits are issued. The city engineer shall consider, but not be limited to, the following factors when determining whether to approve the proposal:

1. The consolidation of curb cuts shall be encouraged, and new curb cuts shall be discouraged whenever appropriate, considering safe traffic flow, the objectives of this chapter, and access points needed for the proper function of the use;
2. Functional classification of the road where the curb cut is proposed;
3. The location of driveways shall be at least 100 feet from an intersection. The city engineer may permit driveways closer to an intersection due to limited lot frontage or site/topography constraints;
4. The location of driveways relative to other existing uses is such that street traffic shall not be seriously disrupted and no unnecessary hazards shall be established for pedestrians.

Section 2. That Section 50-24.2 of the Duluth City Code, 1959, as amended, be amended as follows:

50-24.2 Required parking spaces.

In all districts there shall be provided, at the time any building or structure is erected, except as provided in Section 50-24.5, Calculation of parking spaces, the number of off-street parking spaces shown in Table 50-24-1, unless an exemption from or variation of this requirement is provided in another section of this Chapter.

Table 50-24-1: Off-Street parking Spaces Required

Use Requirement* (May Be Adjusted to 30% Less or 50% More)

RESIDENTIAL USES

Dwelling, one-family 1 space per dwelling unit

Dwelling, two-family

Dwelling, townhouse

Dwelling, live-work Co-housing facility

Manufactured home park

Dwelling, multi-family 1.25 space per dwelling unit

Assisted living facility (elderly) 1 space per 3 habitable units

Residential care facility 1 space per 9 residential care beds, but not less than 2 spaces

Rooming house 1 space per habitable unit

PUBLIC, INSTITUTIONAL AND CIVIC USES

Bus or rail transit station No requirement

Business, art, or vocational school 1 parking space for each 8 seats in the main auditorium or 3 spaces for each classroom, whichever is greater

Cemetery or mausoleum No requirement

Club or lodge (private) 2.5 spaces per 1,000 sq. ft. of floor area

Government building or public safety facility As determined by land use supervisor based on anticipated use and neighborhood impacts

Hospital 2 spaces per 1,000 sq. ft.

Medical or dental clinic 4 spaces per 1,000 sq. ft. of gross floor area

Museum, library or art gallery 1 space per 1,000 sq. ft. of gross floor area

Nursing home 1 space per 6 beds

Park, playground or forest reserve No requirement

Religious assembly 1 space per 4 seats or per 100 sq. ft. in main auditorium, whichever is greater
School, elementary 1 parking space for each 10 seats in the auditorium or main assembly room or 1 space for each classroom, whichever is greater
School, middle or high 1 parking space for each 8 seats in the main auditorium or 3 spaces for each classroom, whichever is greater
School, high 5 parking spaces for each classroom or 1.5 parking spaces per 1,000 square feet, whichever is greater
University or college 2 spaces per 1,000 sq. ft. of office, research and library area plus 1 space per 1 space per 125 sq. ft. of auditorium space.
Other community facility or institutional support uses not listed As determined by land use supervisor based on anticipated use and neighborhood impacts

COMMERCIAL USES

Adult bookstore 2.5 spaces per 1,000 sq. ft. of gross floor area
Adult entertainment establishment 5 spaces per 1,000 sq. ft. of gross floor area
Agriculture No requirement
Automobile and light vehicle repair and service 2 spaces per 1,000 sq. ft. of gross floor area
Automobile and light vehicle sales, rental or storage 2 spaces per 1,000 sq. ft. of gross floor area
Bank 3.5 spaces per 1,000 sq. ft. of gross floor area
Bed and breakfast 1 space for manager plus 1 space per habitable unit
Building material sales 1 space per 1,000 sq. ft. of gross floor area
Business park support activities 2 spaces per 1,000 sq. ft. of gross floor area
Convention and event center 1 space per 4 seats or per 100 sq. ft. in main auditorium, whichever is greater
Daycare facility 1 space per 5 persons care capacity
Data center 1 space per 1,000 sq. ft. of gross floor area
Filling station 4 spaces per 1,000 sq. ft. gross floor area plus 1 per service stall
Funeral home or crematorium 1 space per 50 square feet of floor space in slumber rooms, parlors or individual funeral service rooms
Garden material sales 1 space per 1,000 sq. ft. of gross floor area
Grocery store 3 spaces per 1,000 sq. ft. of gross floor area
Golf course 2.5 spaces per 1,000 square feet of clubhouse area
Hotel or motel 2 spaces per 3 guest rooms plus 1 per 200 sq. ft. of gross floor area in all accessory uses including restaurants and meeting rooms
Indoor entertainment facility 2.5 spaces per 1,000 sq. ft. of gross floor area.
Kennel 1 space per 1,000 sq. ft. of gross floor area
Marina or yacht club 2.5 spaces per 1,000 sq. ft. of clubhouse area, plus 1 per 10 boat slips
Mini-storage facility 1 space per 20 storage units
Office 2.5 spaces per 1,000 sq. ft. of gross floor area
Parking lot or parking structure (primary use) No requirement
Personal service or repair 2.5 spaces per 1,000 sq. ft. of gross floor area
Preschool 1 space per 5 persons care capacity
Restaurant 6.5 spaces per 1,000 sq. ft. of gross floor area
Retail store 3 spaces per 1,000 sq. ft. of gross floor area
Riding stable No requirement
Seasonal camp or cabin 1 space for every two beds, or for each cabin or sleeping unit, whichever is greater
Theater 1 space per 6 seats or per 100 sq. ft. in main auditorium, whichever is greater
Tourist or trailer camp 2 spaces per 3 sleeping rooms, suites, or trailer spaces
Truck or heavy vehicle sales, rental, repair or storage 1 space per 1,000 sq. ft. of gross floor area
Vacation dwelling unit 1 space for 1-2 bedrooms, 2 spaces for 3-4 bedrooms, 3 spaces for 5+ bedrooms
Veterinarian or animal hospital 2.5 spaces per 1,000 sq. ft. of gross floor area
Other commercial use not listed As determined by land use supervisor based on anticipated use and neighborhood impacts

INDUSTRIAL USES

Airport and related facilities As determined by airport management
· Electric power or heat generation plant · Electric power transmission line · Junk and salvage services · Major utility or wireless communication tower · Radio or television broadcasting tower · Railroad or

shipyard and related facilities · Solar or geothermal power facility (primary use) · Truck freight or transfer terminal · Water or sewer works · Wind power facility (primary use) · Bulk storage not listed No requirement

· Contractor's shop and storage yard · Dry cleaning or laundry plant · Recycling collection point (primary use) · Solid waste disposal or processing facility 1 per 1,000 sq. ft. of gross floor area
· Manufacturing, light manufacturing, heavy manufacturing, hazardous or special · Storage warehouse · Water-dependent manufacturing, light or heavy · Wholesaling 1 per 1,000 sq. ft. of gross floor area
Research laboratory As determined by land use supervisor based on anticipated use and neighborhood impacts

Other industrial uses not listed As determined by land use supervisor based on anticipated use and neighborhood impacts

ACCESSORY USES

Accessory bed and breakfast 1 space for primary use dwelling; plus 1 space per habitable unit

Accessory caretaker quarters 1 space

All other accessory uses No requirement

TEMPORARY USES

Temporary real estate sales office 2 spaces

All other temporary uses No requirement

*The parking space requirement may be modified by Section 50-18.5 (Higher Education Overlay District), Section 50-24.3 (Adjustment to required off-street parking) and Section 50-24.4 (Maximum parking spaces).

Section 3. That this ordinance shall take effect 30 days after its passage and publication. (Effective date: _____, 2016)

STATEMENT OF PURPOSE: This ordinance implements text amendments to chapter 50 of the City Code, known as the Unified Development Chapter (UDC).

The text amendment clarifies the standard for new private or public streets, and increases the off-street parking space requirements for high schools.

The proposed changes were discussed at a published public hearing on April 12 and May 24, 2016. At the June 14, 2016, regular meeting, the Duluth planning commission made a motion to recommend that the city council approve the recommended amendments to UDC. The vote passed with a vote of 6 yeas, 0 nays and 0 abstentions.

Action Deadline: Not Applicable

PL: 16-031