
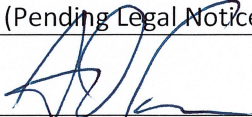


UDC Interpretation	#23-001	
	<b>Temporary Parking Lot (Interim Use Permit)</b>	
	UDC Sections: 50-19.7 and .8	Date of Interpretation: 4/05/23 (Pending Legal Notice Posting)
Approved by:	Adam Fulton, Land Use Supervisor	

**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 is the process for reviewing and approving temporary parking lots, parking lots which are intended to be a non-permanent “place holder” until a structure/use/facility is brought forward?

**CODE INFORMATION:**

50-19.7: When a proposed land use is not explicitly listed in the use table, the land use supervisor shall determine whether or not it is included in the definition of a listed use or is so consistent with the size, scale, operating characteristics and external impacts of a listed use that it should be treated as the same use. Any such interpretation shall be made available to the public and shall be binding on future decisions of the city until the land use supervisor makes a different interpretation”.

50-19.8, the Permitted Use Table, provides for Parking Lots, Primary Use, and Parking Lots, Accessory. But there is no clearly defined land use for a parking lot that is intended to be a transition use between temporary parking and a permanent structure or future use.

**UDC INTERPRETATION:**

Temporary Parking Lots are allowable with review and approval by the Planning Commission as an Interim Use Permit. Temporary Parking Lots must comply with stormwater controls as directed by the City Engineer, but landscaping requirements (tree canopy coverage, etc) established by the UDC are not required for temporary parking lots. It is intended that an approved IUP have a lifespan of 1 year, but that the Planning Commission may approve subsequent 1 year IUPs for the temporary parking lot.

The City anticipates a technical correction to these provisions will be part of an ordinance amendment package in the future.

**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.