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: how are impound lots classified in the UDC, and where are they allowed?

Code Information:
Section 50-19.8 of the UDC lists "Vehicle Related" uses in the Use Table. Vehicle-related uses similar to an impound lot, with the definitions found in Section 50-41, are as follows:

Automobile and light vehicle sales, rental, and storage: The sale, display, lease, rental, or storage of light motor vehicles, including automobiles, vans, light trucks, light trailers, boats, and recreational vehicles. This shall not include salvage operations, scrap operations, vehicle impound yards, or commercial parking lots available for short-term use.

Parking lot: An off-street area used for the temporary storage of operable and street legal motor vehicles. Includes parking spaces, aisles, drives and landscaped areas, and provides vehicular access to a public street.

UDC Interpretation:
An impound lot is a place where operable vehicles are towed or placed, then temporarily stored until returned to the owner. The vehicles are stored in such a location, but no mechanical service is provided, nor are parts added to or removed from the vehicles. If a damaged vehicle is brought to an impound lot, it is removed to another location for service, repair, or disassembly and recycling.

The definition of "automobile and light vehicle sales, rental, and storage" states that it does not include vehicle impound yards.

This leaves "parking lot" as the only vehicle-related use that allows vehicles to be parked and held for a short period of time. A parking lot designated for use as an impound lot can only be placed in the zone districts shown in Section 50-19.8, and must follow all UDC requirements for a parking lot, including paving, stormwater, landscaping, screening, fencing, and signs.

A parking lot as a Principle Use cannot be used for auto repair or junk or salvage services; if an impound lot will be used for any vehicle parts or non-working vehicles, or for any vehicle repair,
it is only allowed in the zone districts that allow auto repair and/or junk or salvage services, whichever is appropriate.

Impound lots may be established as a permissible Accessory Use on a clearly designated portion of a site where the primary use is "Automobile, Repair," or "Automobile, Service." Either of these uses may provide related services to an impound lot, but must meet specific minimum criteria for the Accessory Use, including that the impound lot must be:

1. Clearly delineated on an approved site plan;
2. Maintained consistent with the requirements of the UDC;
3. Fully fenced or screened.

An impound lot cannot be established as an Accessory Use to an "Automobile and light vehicle sales, rental, or storage" use, because it is expressly prohibited in the definition for that use.

The City anticipates a technical correction to these provisions will be part of the annual UDC 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.