

3.1 Checklist

UDC Map Amendment (Rezoning)

A UDC Map Amendment allows for adjustment of zone district boundaries for your property. For example, if you want to use your property in a way that is not permitted by its current zoning, under some circumstances a rezoning may be possible. To change the zoning of a property, the proposed zoning district must be consistent with adopted City plans and an ordinance must be passed by the City Council. See UDC Section 50-37.3 for more information.

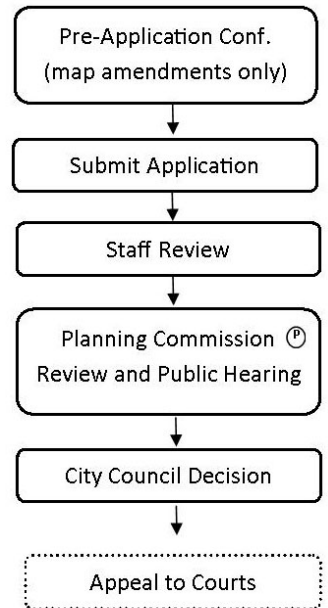
Starting the Application Process

- Call 218-730-5580 or email planning@duluthmn.gov to schedule a pre-application meeting. The pre-application meeting is intended to discuss the application process and general timeline. A comprehensive review of the proposed project is not possible at this meeting; detailed review of the project will occur once a complete application, with sufficient supporting information and exhibits, is submitted.
- If the rezoning involves a planned district (Mixed Use-Planned or Residential-Planned), a community meeting is required before submitting the application. Discuss requirements for this meeting at the pre-application meeting.

Your Application

- Submit your application materials by the Planning Commission application deadline. There are numerous in-person and electronic application methods available; visit <https://duluthmn.gov/planning-development/land-use-zoning-and-applications/applications-checklists/> for current information. Your application must include the following:
 - Application Cover Sheet, available at <https://duluthmn.gov/planning-development/land-use-zoning-and-applications/applications-checklists/>, and applicable fee
 - Petition
 - If requesting a change from one residential district to another residential district or from a non-residential district to another non-residential district, only the subject property owners need to sign the petition.
 - If requesting a change from a residential district to a mixed use, form, or special purpose district, written consent is required of the owners of two-thirds of those properties located wholly or partially within 100 feet of the subject property. **Note: All property owners of a parcel must sign the petition if held in joint ownership.** If you are unable to get signatures from two-thirds of these properties, then a 6/9 vote of City Council will be required for the map amendment to pass.
- A plat or map clearly showing the area to be rezoned

UDC Map Amendment



Ⓟ Indicates Public Hearing Required

Important Dates

Application Deadline:

Sign Notice Placed:

Planning Commission:

City Council (1st read)*:

City Council (2nd read)*:

Effective*:

**Please note that these dates are approximate guidelines and may change*

- Legal description
- If the rezoning involves a planned district (Mixed Use-Planned or Residential-Planned), required documentation of your community meeting

After Submitting Your Application

1. Determination of Completeness. Within 15 business days of your application, you should expect to:

- Receive an “Applicant Letter,” which acknowledges a complete application, shares the date of the Planning Commission meeting and the assigned staff person, and notifies you of State-mandated deadlines for the City to make a decision, **OR**
- Receive notification that your application is incomplete, with details on further information to submit.

2. Public Notice.

- You are required to post a sign notice** on the property at least two weeks before the date of the public hearing. See UDC Section 50-37.1.H for information on size, placement, and content of each sign; you may want to contact a sign company or printing company to have the sign made. You must provide evidence that the signs were in place; **submit photo(s) of the signs to the Planning Division at least two weeks before the date of the public hearing.**

A newspaper notice (legal ad) will be placed by the City at least once each week for three weeks before the date of the public hearing.

A mailed notice will be sent by the City to property owners within 350 feet when the amendment involves a rezoning of 5 acres or less.

3. Staff Review. Planning staff will evaluate your application and prepare a staff report. When considering a recommendation for a zoning text or map amendment, Planning staff generally review the Comprehensive Plan (including the Future Land Use Map, Governing Principles, and Policies), surrounding land uses and zoning, individual factors that are unique or special to the proposal, any additional criteria listed in the UDC, and other related factors.

- You will receive an email with the Planning Commission agenda and a link to this staff report about 5 days prior to the meeting.

4. Planning Commission Hearing. Planning Commission meetings are scheduled at 5:00 pm on the second Tuesday of each month. **We ask that applicants or an agent attend this meeting.**

The Planning Commission will conduct a public hearing and make a recommendation.

5. City Council Decision. The action of the Planning Commission will be submitted to the City Council in the form of an ordinance. This ordinance must be read twice (two separate council meetings), before the Council votes. The Mayor must sign and the ordinance must be published in the paper. It becomes effective 30 days after publication.

Planning staff will send notice of the Council action to the applicant.

