



Legislation Details (With Text)

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Title: AN ORDINANCE AMENDING SECTIONS 50-19.8, 50-20.3, AND 50-41, RELATED TO THREE NEW LAND USES: AUTOMOBILE AND LIGHT VEHICLE IMPOUND LOT, CAR WASH, AND COMMERCIAL SUPPORT SERVICES

Sponsors:

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Code sections:

Attachments: 1. Attachment 1 50-19.8 Use Table, 2. Attachment 2 PL 22-010 Feb 8 2022 PC Memo

Date	Ver.	Action By	Action	Result
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AN ORDINANCE AMENDING SECTIONS 50-19.8, 50-20.3, AND 50-41, RELATED TO THREE NEW LAND USES: AUTOMOBILE AND LIGHT VEHICLE IMPOUND LOT, CAR WASH, AND COMMERCIAL SUPPORT SERVICES

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Section 50-19.8, Permitted Use Table, of the Duluth City Code, 1959, as amended, be amended as follows, as shown in Attachment 1;

Section 2. That Section 50-20.3, Commercial Uses, as amended, be amended as follows:

V. Automobile and light vehicle impound lot.

1. All driving and parking surfaces shall be surfaced in a dust free, hard surface material such as concrete or bituminous;
2. A dense urban screen, such as a screening wall, berm, fence, or row of planting at least six feet tall, with screening material designed to provide 75 percent opacity, must be installed and maintained along all side and rear property lines. The dense urban screen must be continuously maintained;
3. Site illumination shall be designed to avoid glare/light spillover toward adjacent land uses;
4. Signage, as allowed in 50-27, shall not be located closer than ten feet to the front property line.

W. Car wash (primary use)

1. All driving and parking surfaces shall be surfaced in a dust free, hard surface material such as concrete or bituminous;
2. The vehicle exit door(s) shall be at least twenty (25) feet from the street property line or public

sidewalk;

3. No displays or storage of merchandise, parts or refuse may be located closer than ten feet from any public right-of-way;

4. A dense urban screen must be installed and maintained along all side and rear property lines abutting a residential or mixed-use district;

5 The car wash must be at least 50 feet from any property line containing a residential structure, and all outdoor speakers and audio components of a vehicle wash facility located within 150 feet of any residential structure shall be muted daily between the hours of 10:00 p.m. and 6:00 a.m., excluding any residential use or structure on the same property as the filling station or within the same development;

6. In a mixed-use neighborhood (MU-N district), the following additional standards apply:

(a) Curb cuts to allow for vehicle traffic into and out of the site shall be located a minimum of 50 feet from street intersections, unless a greater or lesser distance is specified by the City Engineer for reasons of traffic or pedestrian safety. The number and width of curb cuts from the public street shall be evaluated to ensure pedestrian safety and to encourage walkability;

(b) Vehicle stacking lanes shall be located away from adjacent uses such as residential and outdoor amenity areas to reduce the impacts of noise and pollution caused by stacking vehicles near such uses. Landscaping and fencing shall be used to buffer potential impacts;

(c) Noise-generating areas, including car wash openings, vacuum stations, garbage storage, and vehicle stacking lanes, shall be located away from adjacent residential areas and outdoor amenity areas. Potential noise generators shall be buffered with landscaping, berming, or fencing to reduce impacts;

(d) Site illumination shall be designed to avoid glare/light spillover toward adjacent land uses.

Section 3. That Section 41.1 Definitions: A, of the Duluth City Code, 1959, as amended, be amended as follows,

Automobile and light vehicle impound lot. A facility or area of land devoted principally to the storage of impounded vehicles or recreational vehicles with or without an office on the premises for the release of those types of vehicles.

Section 4. That Section 41.2 Definitions: B, of the Duluth City Code, 1959, as amended, be amended as follows,

Business park support activities services. An establishment primarily engaged in rendering services to business establishments on a fee or contract basis, such as advertising and mailing, consulting services, protective services, equipment rental, leasing and financial services. Uses must be incidental to and supportive of business park uses and shall not include activities that are primarily retail in nature and devoted to the sale of consumer goods

Section 5. That Section 41.3 Definitions: C, of the Duluth City Code, 1959, as amended, be amended as follows,

Car wash (primary use) A building containing facilities for washing more than one (1) motor vehicle using steam cleaning or other mechanical devices. This definition includes self-service or automated car wash establishments. This definition does not include garages and filling stations where the washing of automobiles is only incidental or accessory to the business.

Commercial Support Services: A facility or area of land where commercial services such as cooking and cooking supplies, printing and photocopying, publishing, engraving, and other uses designed to support commercial activities in the vicinity, provided that such services are not listed separately as a permitted of

special use in this Chapter.

Section 6. That Section 41.9 Definitions: I, of the Duluth City Code, 1959, as amended, be amended as follows,

Industrial Support Services. A facility or area where industrial services such as heating, ventilation, cooking and refrigeration supplies, motion picture production, plumbing supplies, printing and photocopying, publishing, engraving, exposition building or center, and other uses designed to support industrial or heavy commercial activities in the vicinity, provided that such services are not listed separately as a permitted of special use in this Chapter.

Section 7. That this ordinance shall take effect 30 days after its passage and publication. (Effective date: _____, 2022)

STATEMENT OF PURPOSE: This ordinance implements a text amendment related to adding three new land uses, as regulated by chapter 50 of the City Code, known as the Unified Development Chapter (UDC).

The proposed ordinance adds three new land uses to the Permitted Use Table of 50-19.8: 1) car wash, 2) auto impound lot, and 3) commercial support services. The need for this new language to clearly define these three new land uses and in which zone district they are most appropriate was identified over the course of the last two years during pre-application and pre-review meetings with various citizens, entrepreneurs, and development groups.

Car wash and auto impound lot are also proposed to have use specific standards, such as mandatory buffering and landscaping, based primarily on existing language used for similar land uses (filling station and parking lots). The use specific standards are intended to reduce potential land use conflicts, such as noise, light, traffic impacts, etc., between one of these new uses and existing adjacent land uses.

The planning commission held a public hearing and considered the changes at a Tuesday, February 8, 2022, Planning Commission meeting. Following discussion, the Commission voted with 6 yeas, 0 nays, and 0 abstentions, to recommend that the city council approve the proposed text change to the Unified Development Chapter of the City Code.

PL 22-010