

ARTICLE THREE. PERMITTED USES.

50-19 PERMITTED USE TABLE.

50-19.1 General.

Table 50-19.8, use table, lists land uses and indicates whether they are allowed by right or with a special use permit, or prohibited in each base zone district. The use table also includes references to any additional regulations applicable to that use.

The following legend in Table 50-19.1 shall be referenced when using the Permitted Use Table in 50-19.8.

TABLE 50-19.1: Use Table Legend for 50-19.8	
Abbreviation	Reference
P	Permitted Use
S	Special Use
I	Interim Use
A	Accessory Use
U	Use Permitted in the Upper Stories of the Form District Building
1	May Require Planning Commission Review Hearing (MU-C, MU-I, and MU-W Only)
2	May Require Additional Development Standards and Planning Commission Review if in the Higher Education Overlay District (HE-O)
3	If allowed by an approved regulating plan
Notes: Additional restrictions may apply on uses within the natural resources, airport, historic resources, or skyline parkway overlay districts (NR-O, A-O, HR-O, SP-O) All permitted uses in the MU-N Zone District shall be considered as eligible for an interim use permit in R-1 or R-2 District for structures identified as a city of Duluth Local historic landmark, per Section 50-20.7.	

(Ord. No. 10044, 8-16-2010, § 6; Ord No. 10286, 3-10-2014, § 6; Ord. No. 10446, 4-11-2016, § 1)

50-19.2 Permitted uses.

A “P” in a cell of the use table indicates that the land use is allowed by right in that base zone district, subject to compliance with the use-specific standards referenced in the final column of the use table. A “U” in a cell of the use table indicates that the land use is allowed by right in that base district on any floor of the structure other than the ground floor, subject to compliance with the use-specific standards referenced in the final column of the table. A “P” in the R-P and M-P zone district column indicates that the use is permitted only if its included in a plan or plan amendment for the R-P and MU-P district. Permitted uses are subject to all other applicable requirements of this UDC, including those set forth in Article IV, *Development Standards*. (Ord. No. 10044, 8-16-2010, § 6; Ord. No. 10096, 7-18-2011, § 15; Ord. No. 10286, 3-10-2014, § 6.)

50-19.3 Special uses and interim uses.

An “S” or an “I” in a cell of the use table indicates that the land use is allowed in that base zone district only upon approval of a special use or interim use permit as described in Section 50-37.10 and compliance with any use-specific standards referenced in the final column of the use table. Uses subject to a special use or interim use permit are subject to all other applicable requirements of this UDC,

including those set forth in Article IV, *Development Standards*. In addition, council may approve interim uses through the procedure described in Section 50-37.10. (Ord. No. 10044, 8-16-2010, § 6; Ord. No. 10286, 3-10-2014, § 6.)

50-19.4 Prohibited uses.

A blank cell in the use table indicates that the land use is prohibited in that base zone district. (Ord. No. 10044, 8-16-2010, § 6; cited only by Ord. No. 10286, 3-10-2014, § 6.)

50-19.5 Overlay districts provisions govern.

When a property is located within the boundaries of an overlay district, the provisions for that overlay district prevail over those in the base zone district. For example, if a use is prohibited in the base zone district where the property is located, but is a permitted use in an overlay district applicable to the same property, then the use is allowed on that property. On the other hand, if a use is listed as a permitted use in the base zone district but is listed as a special use in an overlay zone district applicable to the same property, then the use is a special use for that property. Where a property is located in more than one overlay district, then the most restrictive use provision in those overlay zone districts shall apply to the property. (Ord. No. 10044, 8-16-2010, § 6; cited only by Ord. No. 10286, 3-10-2014, § 6.)

50-19.6 Use-specific standards.

When a land use is a permitted or a special use in a zone district, there may be additional standards that apply to that specific use. Those additional standards are cross-referenced in the last column of the use table (use-specific standards). The cross-referenced standards appear in Section 50-20 immediately following the use table. (Ord. No. 10044, 8-16-2010, § 6; cited only by Ord. No. 10286, 3-10-2014, § 6.)

50-19.7 Unlisted uses.

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. (Ord. No. 10044, 8-16-2010, § 6; cited only by Ord. No. 10286, 3-10-2014, § 6.)

50-19.8 Permitted use table.

TABLE 50-19.8: USE TABLE

	Residential						Mixed Use					Form									Special				Use Specific Standards	
	R-C	RR-1	RR-2	R-1	R-2	R-P	MU-N	MU-C	MU-I	MU-B	MU-W	MU-P	F-1	F-2	F-3	F-4	F-5	F-6	F-7	F-8	F-9	I-G	I-W	P-1		AP
RESIDENTIAL USES																										
Household Living																										
Dwelling, one-family	P	P	P	P	P	P ³	P				P ³	P	P	P	P	P	P	U	U	U						
Dwelling, two-family				P	P	P ³	P				P ³	P	P	P	P	P	P	U	U	U						50-20.1A
Dwelling, townhouse				S	P ²	P ³	P ²				P ¹	P ³														50-20.1B
Dwelling, multi-family					P ²	P ³	P ²	P ¹	P ¹		P ¹	P ³	P	P	P	P	P	U	P	P						50-20.1.C
Dwelling, live-work							P ²	P ¹	P ¹		P ¹	P ³	P	P	P	P	P		P	P						
Manufactured home park				S	S ²	P ³	S ²																			50-20.1.F
Group Living																										
Co-housing facility				S	S ²	P ³	P ²				P ³															
Residential care facility/assisted living (6 or fewer)		P	P	P	P ²	P ³	P ²				P ³	U	P	U	P	P	U	U	P	P						50-20.1.D
Residential care facility/assisted living (7 or more)				S	P ²	P ³	P ²	P ¹	P ¹		P ¹	P ³	U	P	U	P	P	U	U	P	P					50-20.1.D
Rooming house					S ²		P ²	P ¹	P ¹		P ¹	P ³	U	P	U	P	P	U	U	P	P					50-20.1.E

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	Residential						Mixed Use					Form									Special				Use Specific Standards	
	R-C	RR-1	RR-2	R-1	R-2	R-P	MU-N	MU-C	MU-I	MU-B	MU-W	MU-P	F-1	F-2	F-3	F-4	F-5	F-6	F-7	F-8	F-9	I-G	I-W	P-1		AP
PUBLIC, INSTITUTIONAL AND CIVIC USES																										
Community and Cultural Facilities																										
Bus or rail transit station							P ²	P ¹	P ¹	P	P ¹	P ³	P	P	P	P	P	P	P	P	P					
Cemetery or mausoleum	S	S	S	S	S ²	P ³	S ²	S	S	S														S		
Club or lodge (private)					S ²	P ³	P ²	P ¹	P ¹		P ¹	P ³	P	P	P	P	P	P	P	P			S		50-20.2A	
Government building or public safety facility		P	P	S	P ²	P ³	P ²	P ¹	P	P	P ¹	P ³	P	P	P	P	P	P	P	P	P	S	S	S	P	
Museum, library or art gallery				S	S ²	P ³	P ²	P ¹		S	P ¹	P ³	P	P	P	P	P	P	P	P	P		S			
Park, playground or forest reserve	P	P	P	P	P ²	P ³	P ²	P ¹	P ¹		P ¹	P ³	P	P	P	P	P	P	P	P	P		P			
Religious assembly, small (less than 50,000 sq. ft.)		P	P	S	P ²	P ³	P ²	P ¹	P ¹	S	P ¹	P ³	P	P	P	P	P	P	P	P					50-20.2.F	
Religious assembly, large (50,000 sq. ft. or more)		S	S	S	S ²	P ³	P ²	P ¹	P ¹	S	P ¹	P ³	P	P	P	P	P	P	P	P					50-20.2.F	
Educational Facilities																										
Business, art or vocational school							P ²	P ¹	P ¹	P	P ¹	P ³	P	P	P	P	P	P	P	P						
School, elementary		P	P	P	P ²	P ³	P ²	P ¹	P ¹			P ³	U	P	U	P	P	U	U	U					50-20.2.G	
School, middle or high		S	S	S	S ²	P ³	S ²	S ¹	S ¹			P ³	U	P	U	P	P	U	U	U					50-20.2.G	
University or college									P ¹			P ³			U	P	P	U	U	U						
Health Care Facilities																										
Hospital									P ¹																	
Medical or dental clinic					S ²	P ³	P ²	P ¹	P ¹	P	P ¹	P ³	P	P	P	P	P	P	P	P					50-20.2.E	
Nursing home					P ²	P ³	P ²	P ¹	P ¹		P ¹	P ³		P		P										
Medical cannabis distribution facility										I												I			50-20.2.B	
Medical cannabis laboratory										I												I			50-20.2.C	
Medical cannabis manufacturer																						I			50-20.2.D	
Other institutional support uses not listed in this table									P ¹																	

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	Residential						Mixed Use					Form									Special				Use Specific Standards	
	R-C	RR-1	RR-2	R-1	R-2	R-P	MU-N	MU-C	MU-I	MU-B	MU-W	MU-P	F-1	F-2	F-3	F-4	F-5	F-6	F-7	F-8	F-9	I-G	I-W	P-1		AP
COMMERCIAL USES																										
Agriculture and Animal-Related																										
Agriculture, community garden	P	P	P	P	P		P	P	P																	50-20.3.B
Agriculture, farmers market			S		S ²		S ²	S	S		S	P ³														50-20.3.B
Agriculture, general	P	P																								50-20.3.B
Agriculture, urban			P	S	S ²	P ³	S ²	S	S																	50-20.3.B
Kennel	S	S						S	S	P		P ³	S	S	S	S	S	S	S	S						50-20.3.T
Riding stable	S	S	S			P ³					S												S			
Veterinarian or animal hospital	S	S			P ²	P ³	P ²	P ¹	P ¹	P	P ¹	P ³	P	P	P	P	P	P								50-20.3.T
Food, Beverage and Indoor Entertainment																										
Adult entertainment establishment																						P				50-20.3.A
Convention or event center								P ¹		P	P ¹	P ³				P	P		P	P	P					50-20.3.H
Indoor entertainment facility								P ¹		P	P ¹	P ³		P		P	P		P	P	P					
Restaurant (less than 5,000 sq. ft.)					S ²	S ³	S ²	P ¹	P ¹	P	P ¹	S ³	P	P	P	P	P	P	P	P	P					50-20.3.Q
Restaurant (5,000 sq. ft. or more)						S ³		P ¹	P ¹	P	P ¹	S ³	P	P	P	P	P	P	P	P	P					50-20.3.Q
Theater							S ²	P ¹			P ¹	P ³		P	P	P	P		P	P	P					
Lodging																										
Hotel or motel							S ²	P ¹	P ¹	P	P ¹	P ³		P		P	P		P	P	P					
Bed and breakfast				S	P ²	P ³	P ²	P ¹	P ¹	P	P ¹	P ³		P		P		P								50-20.3.F
Seasonal camp or cabin	P	P				P ³					P ¹												S			50.20.3.S
Vacation dwelling unit		I	I	I	I ²	I ³	I ²						I	I	I	I	I	I	I	I	I					50-20.3.U

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	Residential						Mixed Use					Form									Special				Use Specific Standards	
	R-C	RR-1	RR-2	R-1	R-2	R-P	MU-N	MU-C	MU-I	MU-B	MU-W	MU-P	F-1	F-2	F-3	F-4	F-5	F-6	F-7	F-8	F-9	I-G	I-W	P-1		AP
Offices																										
Bank							S ²	P ¹	P ¹	P	S	P ³	P	P	P	P	P	P	P	P	P					50-20.3.E
Office					S ²		P ²	P ¹	P ¹	P	P ¹	P ³	P	P	P	P	P	P	P	P	P					50-20.3.M
Data center							S ²	P ¹	P ¹	P	S	P ³	U	U	U	U	U	U	U	U	U	P				
Outdoor Recreation & Entertainment																										
Golf course		S	S			P ³																		P		
Marina or yacht club											P ¹											S	S			
Recreational vehicle park	S	S	S								S												S			50.20.3.P
Other outdoor entertainment or recreation use not listed		S						S		S	S															50.20.3.N
Personal Services																										
Business park support activities										P	P ³															
Preschool		S	S	S	P ²	P ³	P ²	P ¹	P ¹	<u>S</u>	P ¹	P ³	P	P	P	P	P	P	S	P	S					<u>50-20.3.I</u>
Daycare facility, small (14 or fewer)	P	P	P	P	P ²	P ³	P ²	P ¹	P ¹	<u>S</u>	P ¹	P ³	P	P	P	P	P	P	P	P	P					50-20.3.I
Daycare facility, large (15 or more)		S	S	S	S ²	P ³	P ²	P ¹	P ¹	<u>S</u>	P ¹	P ³	P	P	P	P	P	P	S	P	S					50-20.3.I
Funeral home or crematorium					S ²		S ²	P ¹	P ¹	P		P ³		P		P	P					P				
Mini-storage or self-service storage facility		S								P							P		P	P		P	P			50-20.3.L
Personal service and repair, small (less than 10,000 sq. ft.)						P ³	P ²	P ¹	P ¹	P	P ¹	P ³	P	P	P	P	P	P	P	P	P					
Personal service and repair, large (10,000 sq. ft. or more)							S ²	P ¹	P ¹	P	P ¹	P ³		P		P	P		P			P				

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	R-C	RR-1	RR-2	R-1	R-2	R-P	MU-N	MU-C	MU-I	MU-B	MU-W	MU-P	F-1	F-2	F-3	F-4	F-5	F-6	F-7	F-8	F-9	I-G	I-W	P-1		AP
Retail Sales																										
Adult bookstore																							P			Chapter 5
Building materials sales								S		P	P ³														50-20.3.G	
Garden material sales		S						P ¹			P ³					P										
Grocery store, small (less than 15,000 sq. ft.)						P ³	P ²	P ¹			P ¹	P ³		P		P	P	P	P	P					50-20.3.K	
Grocery store, large (15,000 sq. ft. or more)								P ¹				P ³													50-20.3.K	
Retail store not listed, small (less than 15,000 sq. ft.)					S ²	P ³	P ²	P ¹	P ¹		P ¹	P ³	P	P	P	P	P	P	P	P	P				50-20.3.R	
Retail store not listed, large (15,000 sq. ft. or more)								P ¹			P ¹	P ³		P		P	P		P	P					50-20.3.R	
Vehicle Related																										
Automobile and light vehicle, service							S ²	P ¹		P		P ³		P		P	P	P				P			50-20.3.C	
Automobile and light vehicle, repair								P ¹		P ¹		P ³										P			50-20.3.C	
Auto. and light vehicle sales, rental, or storage								P ¹		P												P			50-20.3.D	
Filling station (small)					S ²	P ³	S ²	P ¹		P	P ¹	P ³		P		P	P	P				P	P		50-20.3.J	
Filling station (large)								P ¹		P	P ¹	P ³		P		P	P	P				P	P		50-20.3.J	
Parking lot (primary use)					S		S	P ¹	P ¹	P	P ¹	P ³	S	S	S	S	S	S		S	S	P	P		50.20.3.O	
Parking structure								P ¹	P ¹	P	P ¹	P ³					S		S			P	P		50.20.3.O	
Truck or heavy vehicle sales, rental, repair or storage										P												P				

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	Residential						Mixed Use					Form									Special				Use Specific Standards	
	R-C	RR-1	RR-2	R-1	R-2	R-P	MU-N	MU-C	MU-I	MU-B	MU-W	MU-P	F-1	F-2	F-3	F-4	F-5	F-6	F-7	F-8	F-9	I-G	I-W	P-1		AP
INDUSTRIAL USES																										
Industrial Service																										
Contractor's shop and storage yard										P	P ³					P						P	P			50-20.4.B
Dry cleaning or laundry plant										P												P				
Research laboratories									P ¹	P	P ³											P	P			
Industrial services										P												P	P			
Manufacturing and Mining																										
Manufacturing, craft, artisan production shop or artisan studio										P				P	P	P		P								50-20.4.F
Manufacturing, craft, brewery or distillery										P						P	P					P				50-20.4.F
Manufacturing, light									P ¹	P	P ³					P						P				50-20.4.G
Manufacturing, heavy																						P				
Manufacturing, hazardous or special																						S				50-20.4.H
Mining, extraction and storage		S																				S	S			50-20.4.I
Water-dependent manufacturing, light or heavy																							P			
Transportation-Related																										
Airport and related facilities	S																					P		P		50-20.4.A
Railroad yard or shipyard and related facilities																						P	P			
Truck freight or transfer terminal										P												P	P			
Utilities																										
Electric power or heat generation plant																						P	P			
Electric power transmission line or substation	S	S	S	S	S ²	P ³	S ²	S	S	S	S	P ³	S	S	S	S	S	S	S	S	S	S	S	S	S	50-20.4.C
Major utility or wireless telecommunication facility	S	S	S	S	S ²	P ³	S ²	S	S	S	S	P ³	S	S	S	S	S	S	S	S	S	S	S	S	S	50-20.4.E
Radio or television broadcasting tower		S								S												S	S			50.20.4.J
Solar, geothermal or biomass power facility (primary use)		S				P ³	S	S	P		P ³											P	S			

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	R-C	RR-1	RR-2	R-1	R-2	R-P	MU-N	MU-C	MU-I	MU-B	MU-W	MU-P	F-1	F-2	F-3	F-4	F-5	F-6	F-7	F-8	F-9	I-G	I-W	P-1	AP					
Water or sewer pumping stations/reservoirs	S	S	S	S	S ²	P ³	S ²	S	S	S	S	P ³	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
Water or sewer treatment facilities																										P	P			
Wind power facility (primary use)		S							S	S																P	S			50-20.4.N
Waste and Salvage																														
Junk and salvage services																										S	S			50.20.4.D
Recycling collection point (primary use)								S	S	S																P	P			
Solid waste disposal or processing facility		S								S																S	S			50-20.4.K
Wholesale Distribution and Storage																														
Storage warehouse											P						P									P				50.20.4.L
Wholesaling										P							P									P				50-20.4.M
Bulk storage not listed elsewhere																										P				
Water-dependent bulk storage or wholesaling not listed elsewhere																											P			

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	R-C	RR-1	RR-2	R-1	R-2	R-P	MU-N	MU-C	MU-I	MU-B	MU-W	MU-P	F-1	F-2	F-3	F-4	F-5	F-6	F-7	F-8	F-9	I-G	I-W	P-1	AP	
ACCESSORY USES																										
Accessory agriculture roadside stand	A	A																							A	50.20.5.A
Accessory bed and breakfast	A	A	A	A	A	A	A		A		A															50-20.5.B
Accessory boat dock, residential	A	A	A	A	A	A	A	A	A		A															50-20.5.C
Accessory caretaker quarters										A												A	A	A		
Accessory communications tower for private use	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		
Accessory day care facility	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A					
Accessory dwelling unit	A	A	A	A	A	A	A																			50-20.5.D
Accessory heliport	A								A		A											A				50-25.5.E
Accessory home occupation	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A	A	A					50-20.5.F
Accessory home share	A	A	A	A	A	A	A				A	A	A	A	A	A	A	A	A	A	A					50-20.5.G
Accessory recycling collection point					A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			
Accessory sidewalk dining area					A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A					50-20.5.H
Accessory solar or geothermal power equipment	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	50-20.5.I
Accessory uses and structures not listed elsewhere	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	50-20.5.J
Accessory vacation dwelling unit		I	I	I	I	I ³	I					I	I	I	I	I	I	I	I	I						50-20.5.M
Accessory wind power equipment	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	50-20.5.K
Minor utilities and accessory wireless antennas attached to existing structures	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	50-20.5.L

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	Residential						Mixed Use						Form									Special				Use Specific Standards				
	R-C	RR-1	RR-2	R-1	R-2	R-P	MU-N	MU-C	MU-I	MU-B	MU-W	MU-P	F-1	F-2	F-3	F-4	F-5	F-6	F-7	F-8	F-9	I-G	I-W	P-1	AP					
TEMPORARY USES																														
Temporary construction office or yard	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		50-20.6.A
Temporary event or sales	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		50-20.6.B	
Temporary farm stand	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A								
Temporary moveable storage container	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			50-20.6.C		
Temporary real estate sales office				A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A							50-20.6.D		
Temporary use not listed in this table	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A				
FORM DISTRICT BUILDING TYPES																														
Main Street Building I													P	P																
Main Street Building II															P	P	P	P												
Main Street Building III																			P	P										
Corridor Building I														P																
Corridor Building II																P	P													
Lakefront Corridor Building																						P								
Corridor Building III																						P								
Cottage Commercial I														P				P												
Cottage Commercial II																P														
Iconic Building														P		P	P	P				P								

(Ord. No. 10041, 8-16-2010, § 3; Ord. No. 10044, 8-16-2010, § 6; Ord. No. 10096, 7-18-2011, § 15; Ord. No. 10153, 5-14-2012, § 1; Ord. No. 10192, 12-17-2012, § 9; Ord. No. 10225, 5-28-2013, § 4; Ord. No. 10286, 3-10-2014, § 6; Ord. No. 10296, 5-27-2014, § 1; Ord. No. 10329, 10-13-2014, § 1; Ord. No. 10414, 10-12-2015, § 1; Ord. No. 10415, 10-12-2015, § 1; Ord. No. 10446, 4-11-2016, § 1; Ord. No. 10461, 7-11-2016, § 1; Ord. No. 10513, 6-12-2017; Ord. No. 10563, 4-9-2018, § 1)