

**50-37.2 Comprehensive land use plan adoption or amendment.**

**A. Application.**

Pursuant to state law, only the planning agency (planning commission or planning staff) or council may initiate amendments to the comprehensive land use plan;

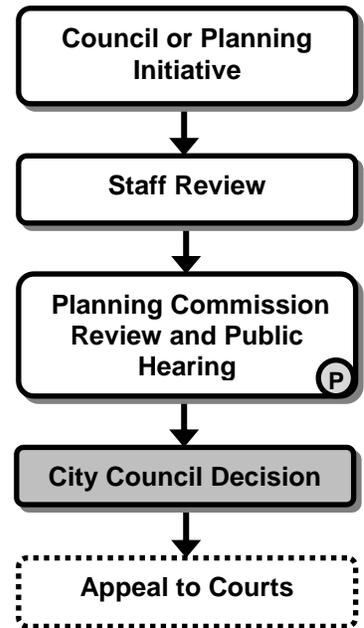
**B. Procedure.**

The proposal shall be reviewed by the land use supervisor, who shall forward a recommendation to the planning commission. The planning commission shall then review the proposal and make a recommendation to council. Council shall then make a decision to adopt, modify or not adopt the plan or amendment pursuant to the criteria in subsection C below. Council action shall be by resolution, with the affirmative votes of at least two-thirds of those members constituting a quorum required to take action;

**C. Criteria.**

The planning commission shall review the proposal, and council shall make a decision, based on whether the proposal promotes the best interests of the city and the general health, safety and welfare of the citizens of Duluth. (Ord. No. 10044, 8-16-2010, § 6.)

**Comprehensive Plan Amendment**



**P** Indicates Public Hearing Required

#### C. Criteria.

The planning commission shall review the application, and council shall approve the application, or approve it with modifications, if it determines that the application:

1. Is consistent with the comprehensive land use plan;
2. Is reasonably related to the overall needs of the community, to existing land use, or to a plan for future land use;
3. Is required by public necessity, convenience, or general welfare, or good zoning practice;
4. Will not create material adverse impacts on nearby properties, or if material adverse impacts may be created they will be mitigated to the extent reasonably possible;

#### D. Interim ordinances.

1. Council may adopt interim controls when changes to the text of this Chapter or the zoning map are under consideration. Upon introduction of an interim ordinance, council may provide by resolution that no use, development, project or subdivision for which an application has not been previously filed shall be established or expanded, and that no application for a UDC permit or approval, a license, or building permit that (a) concerns both the geographical area and subject matter of the interim ordinance and (b) is filed after the introduction of the interim ordinance, may be granted or further processed pending a final decision on the adoption of the interim ordinance;
2. Upon enactment of an interim ordinance, the following restrictions shall apply:
  - (a) No permits, licenses, or other approvals of any kind that concern both the geographical area and subject matter of the interim ordinance shall be processed or issued except in accordance with its terms;
  - (b) No use, development, project, or subdivision that concerns both the geographical area and subject matter of the interim ordinance shall be established or expanded except in accordance with its terms;
3. If the interim ordinance is not adopted, the resolution establishing interim uses shall be null and void and requests for permits and other necessary approvals shall be processed promptly in accordance with the procedures governing the request. (Ord. No. 10044, 8-16-2010, § 6.)