

### 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, email [planning@duluthmn.gov](mailto:planning@duluthmn.gov) or visit [www.duluthmn.gov/eplace](http://www.duluthmn.gov/eplace) to request a pre-application meeting.
 

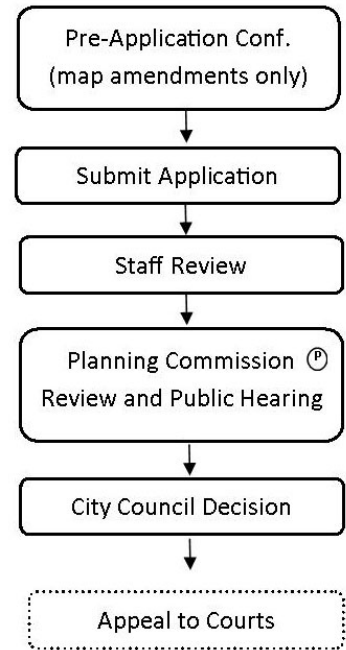
*The pre-application meeting is intended to discuss the application process and general timeline. A comprehensive review of the proposed project is not possible at this meeting; detailed review of the project will occur once a complete application, with sufficient supporting information and exhibits, 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.
  - o Visit [www.duluthmn.gov/eplace](http://www.duluthmn.gov/eplace) to submit your application.
  - o Click on “Apply” and search for your application type. (You will need to sign in to the system, or create a new account if you do not already have one.)
  - o Follow the prompts to fill in information. Required information is indicated with an asterisk.
  - o On the attachments page, upload the following:
    - Petition, **optional if you are rezoning from residential to a mixed use, form, or special purpose district.**
      - A petition allows the action to pass council on a majority vote; if no petition is submitted, a 6/9’s vote of council is required.
      - Petition must include 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.**
    - A plat or map clearly showing the area to be rezoned
    - Legal description
    - If the rezoning involves a planned district (Mixed Use-Planned or Residential-Planned):
      - R-P Concept Plan
      - Required documentation of your community meeting
- o After your application is complete, click “Add to Cart” for the fee listed, and pay the fee. **Applications without a fee will not be reviewed or accepted.**

#### UDC Map Amendment



**(P)** Indicates Public Hearing Required

#### Important Dates

**Application Deadline:**

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**Sign Notice Placed:**

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**Planning Commission:**

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**City Council (1<sup>st</sup> read)\*:**

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**City Council (2<sup>nd</sup> read)\*:**

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**Effective\*:**

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

## 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.

*Note that other City codes may apply to your project. Please be aware of any applicable Building Code (Construction Services Division), Fire Code (Life Safety Division), and stormwater/engineering (Engineering Division) regulations. The zoning approval may be only the first step in a several step process.*

*If a **wetland delineation** is needed for the project to proceed, it must be reviewed and approved before any zoning application will be accepted. If a **wetland replacement plan** is required for a project to proceed, it must have been submitted and accepted as a complete application before the project zoning application will be accepted.*

**CITY OF DULUTH  
ZONING MAP AMENDMENT PETITION**

File No. \_\_\_\_\_

Date \_\_\_\_\_

**Section I**

We, the undersigned property owners petition to reclassify from \_\_\_\_\_ to \_\_\_\_\_ the following legally described property: \_\_\_\_\_

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**Section II**

Attach a map of the area described above.

**Section III**

We believe that this rezoning will be in the public interest because \_\_\_\_\_

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**Section IV**

**Petitioners: Owners of property requested to be rezoned (all property owners must sign)**

NAME	ADDRESS	Phone #/Fax #/Email
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**Section V**

If petitioning for a change from a Residential district to a Mixed Use, Form, or Special Purpose District, include consenting property owners within 100 feet of the property requested to be rezoned (if not included, the rezoning would require a 2/3 vote from council to be approved). **All property owners of the property must sign.**

NAME                                  ADDRESS                                  LEGAL DESCRIPTION OF PROPERTY  
*YOU MAY USE ADDITIONAL SHEETS*